

Digital Reproduction and Usage Policy

This document establishes the policy and fees in effect at the Special Collections Department, University of Memphis Libraries (UML).

Two types of charges apply under this policy:

<u>Digital Reproduction Fee</u>: This covers costs for duplication work done by UML. <u>UML Permission Fee</u>: This is charged if the reproduction will be used for commercial forprofit purposed. This fee is waived if the project meets the conditions for a non-profit or scholarly endeavor.

All researchers wishing to reproduce UML images for use in consumer merchandise, journals and periodicals, books, trade publications, advertisements, websites with paid advertising and fundraising materials, or for any other commercial purpose must apply for written permission. A form is provided for this purpose. This process ensures that three elements are considered: copyright, citation and credit, and fees.

General Conditions on Reproduction and Permission

- 1. Permission is for one-time, non-exclusive use only within the project described. Requestor may not crop, alter, manipulate, superimpose, enhance, or otherwise change the digital asset in any manner without obtaining the prior written permission of the University of Memphis Libraries. Requestor may not make further use without the University of Memphis Libraries' prior written approval and compliance with any additional conditions.
- 2. This permission extends only to such rights as the University of Memphis Libraries may have to authorize reproduction and does not purport to include any rights that persons other than the University of Memphis Libraries may have under copyright law of the United States or the laws of other countries in which the requestor's works may be published or distributed. Certain images may be protected by copyright, trademark, privacy, or publicity rights, or other interests not owned by the University of Memphis Libraries. It is requestor's responsibility to determine whether any such rights exist, and to obtain all necessary permissions to use the image for the purposes set forth herein.
- 3. Requestor agrees to indemnify and hold harmless the University of Memphis Libraries, its board, agents, and employees, from all claims, actions, judgments, and expenses (including reasonable attorney fees) arising from requestor's use of the material provided pursuant to this request.
- 4. Requestor shall: acknowledge the donor and/or creator as specified below; give credit to the University of Memphis Libraries as specified below; and comply with all additional conditions specified below by the University of Memphis Libraries.

Credit shall be provided to the Special Collections Department, University of Memphis Libraries as the source of the image.

- 5. If fees are assessed, requestor must pay all fees in advance of delivery.
- 6. Any advertising or promotion by Requestor that uses the digital asset must be approved in advance by the University of Memphis Libraries. Requestor shall not use, reproduce, or refer to the name or logo of University of Memphis Libraries for publicity, advertising, or promotion purposes.

As a condition of the permission, UML may request a copy of the finished product for its files. Please notify UML upon publication.

When collection items are reproduced online, University of Memphis Libraries requests a link back to its website: http://www.memphis.edu/libraries/special-collections/



USAGE FEE GUIDELINES

FEES: Fees are for one-time, non-exclusive use only within the project described on the application.

USAGE FEE PER IMAGE

One-time editorial use (textbook, exhibition catalog, magazine, documentary film, video, etc.)	\$80
One-time non-editorial use (cover, book jacket, album cover, etc.)	\$80
Special media use (commercial motion picture, television, online, videotape, etc.)	\$80
Otheruses	Permission is discretionary.

OTHER FEES: In addition to the usage fee, there will be applicable reproduction fees.

WAIVER FOR SCHOLARLY OR NON-PROFIT USES: Applicants may request a waiver of fees for the use of on image for nonprofit or scholarly purposes. Approval of the waiver is at the discretion of UML. See "Digital Reproduction and Usage Policy" for details.

PERMISSION TO REPRODUCE: Terms and conditions for reproduction are specified in writing by UML staff. Payment of the UML usage and reproduction fee is due on receipt of invoice. Fees are non-refundable. When paid, the receipted invoice together with the countersigned permission form constitutes official authorization.



Usage Policy"

APPLICATION FOR PERMISSON TO REPRODUCE AND USE IMAGES

Patron Name: Institutional Affiliation: Address: Phone: Email: Requests permission to publish University of Memphis Libraries' images in the following: Media production Website Other (Please State) Title: **URL**: Author: Publisher/Producer: Date of publication/release/broadcast: Number of copies to be produced: Scholarly/non-profit publication waiver requests: Image(s) Requested (Please include description and image number) I agree to abide by the terms set forth in the UML "Digital Reproduction and

i au on signatur	Patron	sign	ature
------------------	--------	------	-------

Date

Permission with a scholarly publication waiver is granted		
Permission is granted on receipt of a signed copy of this form and a fee of \$		
Please credit images with the following format: [Collection name], Special Collections Department, University of Memphis Libraries		
University of Memphis signature	Date	

Special Collections Department University of Memphis Libraries 126 Ned R. McWherter Library Memphis, TN 38152-3250 lib_sc@memphis.edu Additional images requested: