

## Policy for the Collection, Preservation and Dissemination of Photographic Materials

The mission of the Livermore Heritage Guild is to ensure awareness and protection of Livermore's rich heritage through public advocacy and by collecting, preserving, interpreting, and sharing historic resources for the education and enjoyment of all.

### Overview

To achieve its overall objective of collection, preservation and dissemination of items and information of historical significance to the Livermore area (part of the original Murray Township), the Livermore Heritage Guild (hereinafter "Guild") shall assemble, through legal and ethical means, photographs which are representative of and/or document life in the Livermore area from the earliest known period to the present. These photographs shall be properly maintained and protected from damage and shall be available to Livermore History Center patrons for viewing and study.

Patrons may obtain copies of all Guild photographs, unless copyrights, donor's wishes or condition of the photograph preclude copying. The patron will be charged for our services in providing the image according to the current rate sheet unless they fit within categories described below. All images will be labeled with '*from the collection of the Livermore Heritage Guild*' or approved similar text. The Patron shall be required to sign and abide by the terms of the **Photo Request Form and Use Contract**. The use of personal digital cameras is not generally allowed by the general public to copy materials, photographs or other objects.

In cases where charges are waived, donations are still gladly accepted.

### Copyrights

Due to the reproduction methods of photographs and the often uncertain provenance of family photos, the Guild can generally not guarantee exclusive copyright to any photo, and the responsibility for assuring the right to use any Guild photo in a given application and the interpretation of "fair use" is left to the purchaser or recipient of the photo.

## **Loans**

Original photographs (our archival masters) are never loaned to an outside party without a vote of the LHG Board. Duplicate photographs or slides, if available, can be loaned for uses such as public presentations and educational purposes.

## **Credit Line**

A credit line must be given for all public presentations. The credit should read: **Photograph from the collection of the Livermore Heritage Guild.**

## **Beneficial Use**

Photo requests coming from organizations or individuals proposing a usage the Guild considers to be in its own interest are considered “beneficial”. Examples include news broadcasts about the Guild, documentaries that are informative about the Guild, publications including Guild contact information, etc. In these cases the pictures may be provided without charge. Determination of “beneficial” use may be made by any Executive Board member or the Collections Committee chair. Attribution requirements still apply unless waived by vote of the Guild board.

## **Use by Local Non-Profits**

Livermore area non-profit organizations may request electronic copies of photos at no charge. Approval shall come from any Executive Board member or the Collections Committee chair, and in general shall be granted in any case not inconsistent with the mission of the Guild. Without such a determination, the “Non-commercial use” rules and rates shall apply.

## **Non-commercial use**

Non-commercial use is defined as use by schools, non-profit organizations, churches, government agencies, and individuals for personal use. Our photographic reproductions, scanned images or other copies are not intended to produce a profit. Fees are intended to offset the costs of collection, conservation, reproduction and staff handling.

## **Commercial Use**

Commercial use is defined as a use that is intended to produce a profit, such as books, periodicals, advertising, commercial displays. Photos are released for a one-time use or a specified number of uses only and if re-use is required, permission must again be obtained from LHG and additional fees may be assessed. All use is subject to approval by LHG. The user must credit the Livermore Heritage Guild.

### Photo Request Form and Use Contract

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ E-mail \_\_\_\_\_

<u>Object ID</u>	<u>Description</u>	<u>Format / Size</u>	<u>Qty</u>	<u>Price</u>
lhg-136		Tiff file	1	\$10

Total Price \_\_\_\_\_  
 Member discount (10%) \_\_\_\_\_  
**Total**     \$10    

#### General Use Agreement:

A credit line must be given for all public presentations and reproductions. The credit should read: **Photograph from the collection of the Livermore Heritage Guild.**

#### Commercial Use Agreement:

These photos are to be used in a single project, or the number of projects otherwise specified. All use must be approved by the Livermore Heritage Guild. All uses must credit the Livermore Heritage Guild.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_ Representing \_\_\_\_\_