## **Reproduction Policies and Procedures**

## AUSTIN HISTORY CENTER, AUSTIN PUBLIC LIBRARY 810 Guadalupe, P.O. Box 2287 Austin, Texas 78768-2287

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The Austin History Center (AHC) makes its pictorial and video material widely available while carefully maintaining the physical and intellectual integrity of the historic materials. Your interests and the preservation of the materials will be assured by the observance of these policies and procedures.

All photographic and digital copies of materials in the AHC collections must be produced in the AHC Photo or Video Lab. All copy negatives are the property of the Austin History Center. Slides, transparencies, prints, digitized images, and videos may not be copied or duplicated by the customer. Requests to videotape photographs must be approved by the AHC Photo Curator.

- 1. The customer accepts all responsibility for possible copyright infringement arising from the use of reproductions from the AHC collection.
- 2. Neither the City of Austin nor the Austin History Center grants or transfers any copyright or other intellectual property rights in the photographic or video material to the customer. If the AHC grants the customer's request for use of the photo reproduction, **permission will be granted to the customer for one-time use only.** Any subsequent use of the material requires the written permission of the Photo Curator or Video Archivist. All other rights, including those of further publications, are reserved in full by the AHC.
- 3. The customer agrees to comply with the following requirements for an AHC credit line on published or displayed reproductions of AHC materials. All published or displayed reproductions of AHC materials require credit to the <u>Austin History Center</u>, <u>Austin Public Library</u>, to include the AHC identification number, and to appear next to the image. The credit line for published and displayed images should read, for example "<u>PICA #####</u>, <u>Austin History Center</u>, <u>Austin Public Library</u>." If the item is not a photograph, list it by title or appropriate description. Please confirm the appropriate credit line with the AHC prior to publication or display.
- 4. It is the customer's responsibility to obtain written permission from the donor, photographer, or copyright holder to use restricted items from the AHC collection, and to submit the credit line to the Photo Curator for approval. This permission is required prior to being granted AHC permission to use the image. Restricted items in the AHC collection include copyrighted and donated photographs, film and video.
- 5. Possession of an Austin History Center image does not constitute permission to use it. Permission to publish or publicly display reproductions must be obtained from the copyright holder of the image.
- 6. Alterations, including cropping of the original image, are not allowed in the publication of materials unless special written permission is given by the Photo Curator or AHC Manager. The credit line for cropped images should read, for example "Detail from PICA ####, Austin History Center, Austin Public Library." The AHC reserves the right to require a publication proof prior to final use approval.
- 7. The customer shall send a copy of any publication containing reproductions of AHC materials to the AHC without charge. The customer shall provide the AHC with the Internet address (Universal Resource Locator) for reproductions appearing on Websites.

- 8. The AHC reserves the right to deny copy order requests; limit the number of photographic and digital copies; restrict the use or reproduction of collection materials including rare, valuable or fragile items; ensure that material is reproduced with integrity; and charge special reproduction fees on items involving unusual difficulty in copying or that must be taken offsite to reproduce.
- 9. Requests for copies of photographic items intended for commercial use may be subject to a special contractual procedure and agreement with the AHC. These requests, as well as any requests not specifically mentioned within the above policies, should be submitted in writing.
- 10. Customer orders are held for pick-up for six months.
- 11. The AHC charges a fee for customer photographic reproduction requests. Please see the Austin History Center, Austin Public Library "Custom Photo Reproduction Price List." Approved customer requests to publish or display photographic reproductions are assessed a use fee in accordance with the "Fees for Publication or Display of Austin History Center Materials" set by the City of Austin City Council.
- 12. The customer shall defend, indemnify, and hold harmless the City of Austin and Austin History Center, its officers, employees, and agents against all liabilities, damages, expenses, including attorneys' fees, resulting from any claims and other proceedings by any third party for copyright infringement or any other legal or regulatory cause of action arising from the customer's use of Austin History Center collection materials.
- 13. It is the patron's responsibility to comply with copyright law, other applicable law, and donor restrictions, that may be involved in the use of the Austin History Center collection materials.
- 14. Requests for video copies from the Austin Music Network Archives are subject to customer's signature on the "AMN Archived Music Recordings Release and Indemnification" agreement, which prohibits any commercial use of these videos and imposes certain other restrictions on the customer's use.