

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 purposes. 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(including future subsequent distribution, exploitation, or publication in connection with the project), 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.
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- 3. Requestor agrees to indemnify and hold harmless the University of Memphis Libraries, its board, agents, and employees, from all third-party claims, actions, judgments, and expenses (including reasonable outside 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 outside the context of the project 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.)	\$50
One-time non-editorial use (book jacket, album/CD cover, etc.)	\$100
Special media use (commercial motion picture, television, on-line, videotape, website, etc.)	\$100
Commercial product	Permission is discretionary and subject to licenses which may be negotiated by the University of Memphis Libraries.
Advertising	Permission is discretionary and subject to review by University of Memphis Libraries. Fees are separately negotiable.
Other uses	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 an image for non-profit 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 counter-signed permission form constitutes official authorization.



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