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AFPM Copyright Guidance¹

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The Fair Use Doctrine allows limited use of copyrighted material without permission from the copyright owner for certain purposes.

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- (1) The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- (2) The nature of the copyrighted work;
- (3) The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
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Public domain repositories of images and certain stock photo services are not subject to the limitations of the fair use exception and may be used freely.*

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You can limit your Google and Bing search results to only public domain images by:

- selecting “Usage Rights” from the Search tools on Google; or
- clicking on “License” in the menu below the search box and selecting “Public Domain” on Bing.

However, Google and Bing have a general disclaimer on all images (“Images may be subject to copyright.”), **so it is imperative that you check the “Terms” of each image, even if you use the “Public Domain” search filter.**

Common Issues

Other Companies’ Photos

To use another company’s logo or photo(s) (i.e. a photo of a refinery), the speaker must have the company’s permission.

YouTube (and other sources for music or recordings)

YouTube videos may not be used for commercial purposes without permission, unless the video is marked with a Creative Commons CC BY license.²

Google Maps

Google Maps may not be used for commercial purposes without permission. If you would like to use Google Maps for a paper or presentation, contact the Google Cloud Customer Team to seek permission.³

Trademarks and Logos

As a general rule, do not use other companies’ trademarks or logos without a license, signed agreement, or other written permission.⁴ This also applies to U.S. government trademarks or logos of U.S. government agencies.⁵

*Always read and understand the terms and services of the source before using any of the images.

² https://support.google.com/youtube/answer/2797468?hl=en&ref_topic=2778546; Creative Commons licenses allow creators to share their work easily and allow everyone to find work that is free to use without permission. As long as you obey the terms of the license attached to the work, you can use Creative Commons licensed material without fear of accidentally infringing someone’s copyright. For more information, visit the Creative Commons website.

³ https://enterprise.google.com/maps/?_ga=1.246966925.880615344.1474903599#contact-form

⁴ <https://www.irmi.com/articles/expert-commentary/to-use-or-not-to-use-that-is-the-question>

U.S. Government Works

You cannot use a U.S. government work in a way that implies endorsement by a U.S. government agency, official, or employee. Further, not all information that appears on a U.S. government website is considered a U.S. government work. To ensure that you don't mistakenly use protected intellectual property from a U.S. government website, contact the agency that manages the website. Works prepared for the government by an independent contractor may be protected by copyright.⁶

Photos of People

In addition to copyright law, please consider privacy or publicity laws, which protect the interests of the person(s) who may be the subject of the image you are considering using in the presentation.

Screenshots

Remember that copyright law also applies to screenshots of images.

Other Resources:

The images on these websites may or may not be free of charge. These websites may have limitations on commercial use of the images or may not provide a warranty for your use of the images. Therefore, as stated above, it is imperative that you check the "Terms" for each of these websites to understand the limitations on the use of the images.

Terms of use for the following websites are linked in the footnotes.

Pixabay.com⁷	Flickr.com/people/free_for_commercial_use⁸
Freerangestock.com⁹	FreeDigitalPhotos.net¹⁰
Freeimages.com¹¹	Unsplash.com¹²
Publicdomainpictures.net¹³	Publicdomainreview.org/collections¹⁴

Permission to Use Copyrighted Images:

With respect to photos and cartoons, when in doubt, assume they are subject to copyright and do not use them without the appropriate permission. If you really need a particular image, then just ask! You may be surprised at how many people grant permission to use their images.

⁵ <https://www.usa.gov/government-works>; An exception to this rule is that you may include an agency document such as a proposed rule or interpretative guidance that includes a header containing the agency's logo.

⁶ <https://www.usa.gov/government-works>

⁷ <https://pixabay.com/en/service/terms/>

⁸ https://www.flickr.com/people/free_for_commercial_use/

⁹ https://freerangestock.com/terms_of_use.php

¹⁰ <http://www.freedigitalphotos.net/images/terms.php>

¹¹ <http://www.freeimages.com/terms>

¹² <https://unsplash.com/license>

¹³ "If you intend to use an image you find here for commercial use, please be aware that some photos do require a model or property release. Pictures featuring products should be used with care."

¹⁴ <http://publicdomainreview.org/legal/>