



WHAT IS A LICENSE?

A LEGAL AGREEMENT GRANTING PERMISSION TO EXERCISE A SPECIFIED RIGHT OR RIGHTS TO A WORK, OFTEN ENCOMPASSED IN AN INVOICE, OR THE ACT OF GRANTING SAME.¹

Basically, AliVega Productions own the rights to images produced by AVP, by means of a contract we license specific rights to you, the client, who wants to use the photographs.

There are two ways for clients to obtain a license to use images: by commissioning a photographer to fulfill a specific request, commonly called Assignment Photography, or by licensing the use of an existing image, known as Stock Photography.

Assignment Photography

Primarily a service business that creates photographs; predominantly independent photographers hired directly by the end user or by a representative of the end user, such as an advertising agency or design firm.

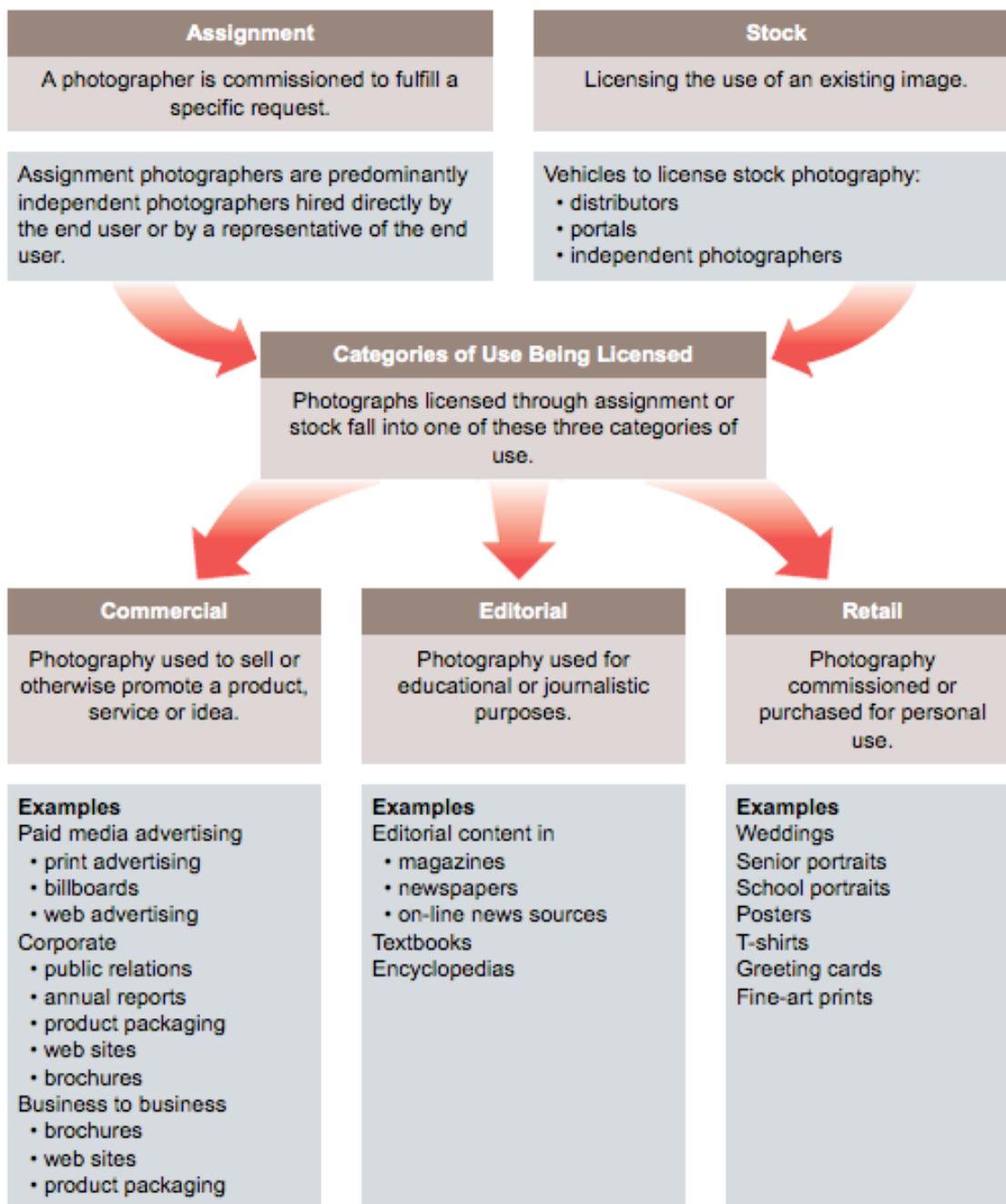
Stock Photography

These companies license photographs that already exist and is dominated by a handful of large distributors.

The Usage Fee is determined by how you plan on using the photographs. Typically, the larger the audience for a specific use, the higher the usage or licensing fee. For example, a photograph used in a print and web ad campaign for a consumer product would have a much higher licensing fee than a photograph used in a business-to-business company brochure; the former has an audience in the millions, the later perhaps a few thousand. Basically, More Use = Higher Fee

¹The Picture Licensing Universal System (PLUS) is a non-profit initiative created to help users and creators clarify and standardize the image licensing process. The first component of the PLUS initiative is a glossary of terms available on-line. The ASMP supports PLUS and encourages photographers to use the PLUS glossary when writing licenses.

WAYS TO LICENSE PHOTOGRAPHY



FAQ's

“Why isn't your price simply time and materials?” or “What is your day rate?”

I do not charge on a day rate or hourly basis. Each project is unique, and time is only one factor I consider when determining my price for a specific assignment. Photography is a creative process and production time is rarely an indicator of value.

“Why do you need to know how I am going to use the photographs?”

Photographs are intellectual property, and licensing their use is how I generate income. The fees for a specific project are based on the use of the photographs because the more the images are used, the greater value they have. Since they're worth more, they cost more.

“You cost more per hour than my attorney.”

I do not charge by the hour, so dividing the total cost for this project by the hours estimated for me to be on site photographing does not give you a clear explanation of my fees. My fees are based on the creative and production needs of the job, the expenses, and the license terms we agree upon for use of the images. Factors other than time are frequently more influential in determining my price for a job.

“You mean I pay you and I don't own it?”

Photographs are the intellectual property of the creator. Much like software or a book, you can purchase the use, but the creator still owns the material. I own the rights to my photographs, but I can write a license that will let you do whatever you need to do. My price will reflect the value of that license.

“I do not want to come back to you each time I need to use these pictures.”

I am more than happy to license a package of rights for these photographs, but you may be paying for uses you do not really need. I am service oriented and accessible if additional uses arise. My goal is, of course, to build a long-term business relationship, so tell me what your plans are and we can work out an equitable license.

“I do not want someone else using my images.”

I am happy to provide you a price for exclusive use of these images, but because this type of license prohibits me from generating any additional income, it will significantly increase the cost of the project. I suggest we compromise and extend you a limited exclusivity — say, six months. This gives you premiere use of the images, but it doesn't restrict my ability to earn additional income forever.