

AVOIDING COPYRIGHT INFRINGEMENT

We all use reference photos from time to time. This is how to avoid copyright infringement when entering juried shows or whenever you offer a piece of artwork for sale. Copyright infringement happens when you benefit in any way from plagiarizing another artist's/photographer's work. By attaching attribution and/or permission, the originator's name is present to enable research of the photo and better assess the painter's creativity in rendering it.

It is acceptable to use:

- Your own photographs, or those of family and friends. Permission is implicit.
- Free online sites. Suggested sites are Creative Commons, Deviant Art, Wet Canvas, and Unsplash. Permission is not necessary, but it is the polite thing to attach photographer attribution to the back of your painting. (Example: *Reference photograph courtesy of John Doe, Unsplash*)
- Online copyrighted photographs that require you to pay for their use (attach purchase statement to back of painting).
- Online copyrighted photos for which you have sought and received permission from the originator to show and/or sell the resulting art work (attach permission to the back of your painting).
- Online copyrighted or published photographs that you have changed sufficiently so as to be unrecognizable by the originator (no permission needed).

A sample request to a photographer for permission to use a photograph:

Hello John Doe,

I am very impressed by your photograph entitled "Sunrise over Cape Cod." I would like to use it as a reference photo for a painting I'd like to do, and wonder if you would give me permission to do so. The resulting painting may be submitted to a juried show and offered for sale. I understand that this is your original work and will attach attribution.

*Thank you for your consideration,
Jane Smith*