Copyright and Image Use in the Artstor Digital Library

Meg O’Hearn
Senior Product Marketing Manager, Artstor
Topics

1. What do I need to think about when I use an image?

2. Image sources and allowed uses in the Artstor workspace

3. Questions
Copyright is the exclusive right of a creator to determine how a work may be used, and digital images you find online are subject to copyright law.
Things to consider when using an image

- Is it under copyright?
- Where did you find it?
  - Are there terms of use?
- What’s your intended use?
The Artstor workspace (library.artstor.org) contains images with a variety of sources and allowed uses.
Some of them are cleared for educational uses—even those under copyright. Others aren’t.
Collection sources in Artstor

- Artstor Digital Library collections
- Public Collections
  - Uncurated collections contributed by partners
  - Curated open content from *Open Artstor*
- Possibly your institution’s digital collections, if your institution uses JSTOR Forum (formerly called Shared Shelf)
Source icons in Artstor

glacier

Advanced Search

Sort: Relevance  Images/page: 48  ▶ Select

1901 results for "glacier" from all collections.
Artstor Digital Library Collections

- Rights cleared by Artstor
- Artstor pays to license some of the collections on behalf of our subscribers
- Artstor indemnifies our subscribers for using these images, giving libraries legal protection
- Artstor’s Terms and Conditions of Use are clearly stated and apply to all images
Permitted Uses

1. Research activities (classroom instruction, student assignments)
2. Public display or public performance as part of a noncommercial scholarly or educational presentation, such as a campus museum exhibition about a social movement
3. Non-public display of a student, faculty, or curatorial portfolio
Permitted Uses, Contd.

4. In dissertations, provided reproductions are only made available for personal use, library deposit, or use solely within the subscribing institution.

5. On an ad hoc basis, sharing for the purpose of scholarly collaboration, comment, or similar non-commercial educational or scholarly use.
Prohibited Uses

1. Modifying, obscuring, or removing any copyright, trademark, or other intellectual property notices or licensing terms on images

2. Making images available on a public website or unrestricted database, with exceptions for sharing of dissertations on third party sites under Fair Use

3. Making Artstor images available to others except as described under the Permitted Uses in the Terms and Conditions of Use
Fair Use and Artstor

- Artstor doesn’t intend to prohibit you from using an image in a manner permitted under the Fair Use exceptions to copyright law, as long as the use isn’t a Prohibited Use.
- This includes claiming Fair Use when uploading dissertations to third party sites.
- Using Artstor images under Fair Use is done at your own risk—Artstor’s indemnification clause does not cover these uses.
In addition to images which Artstor makes available for educational purposes to our subscribers, we provide a platform for institutions to make their images available to the general public.
Public Collections

- Approximately 1 million images and growing
- Accessible to anyone on library.artstor.org under “Public Collections”
- Show up in search results for all Artstor-subscribing institutions
Public Collections, Contd.

- Not covered by Artstor’s indemnification clause
- Artstor’s Permitted and Prohibited Uses don’t apply
- Each image and collection has rights statements or licenses set by the contributing institution outlining allowed uses
Open Artstor

- Creative Commons-licensed museum, library, and archive collections
- Searchable in one place for everyone
- Goal of becoming a central place in which to discover and use open art collections
If your institution is using JSTOR Forum, you might see your institution’s own special collections in Artstor.
Institutional Collections

- Number of images varies
- You will likely only see these if your institution subscribes to JSTOR Forum under “Institutional Collections”
- These images come up in search results at only your institution
Institutional Collections, Contd.

- Each image and collection has rights statements made by your institution outlining allowed uses.
- Not covered by Artstor’s indemnification clause; Permitted and Prohibited Uses don’t apply.
So, how do you identify image sources and evaluate allowed uses on the Artstor platform?
Source icons in Artstor

```
Rising Wolf Mountain
Abby Williams Hill
1926

Kolsstadir Collages
John Clair Miller
2004

Eyjafjallajökull og H...
Magnús Ólafsson, Ij...

Mont Blanc: a flat b...
Forbes, James David

Kolsstadir Collages
John Clair Miller
2004

Kolsstadir Collages
John Clair Miller
2004
```

1901 results for "glacier" from all collections.
Artstor Digital Library Images

Rights
Please note that if this image is under copyright, you may need to contact one or more copyright owners for any use that is not permitted under the ARTstor Terms and Conditions of Use or not otherwise permitted by law. While ARTstor tries to update contact information, it cannot guarantee that such information is always accurate. Determining whether those permissions are necessary, and obtaining such permissions, is your sole responsibility.

http://library.artstor.org/asset/ART:UK...
Images from the Public Collections

Rights
The images in this collection are in the public domain and are believed to have no known U.S. copyright or other restrictions. The Library does not charge for permission to use these materials and does not grant or deny permission to publish or otherwise distribute them. However, as a good scholarly practice we recommend that all patrons cite the Library as the source of the reproduction. For a more detailed explanation please read the Library Guidelines for Using Public Domain Text, Images, Audio, and Video Reproduced from Cornell University Library Collections at http://hdl.handle.net/1813.001/CULCopyright.
Images from the Public Collections

Rights
The images in the John Reps Bastides Collection (a portion of "John Reps Papers, #15-2-1101") are protected by copyright, and the copyright holder is their creator/photographer, John Reps, WHO HAS ENTRUSTED CORNELL UNIVERSITY LIBRARY AS STEWARD OF THE IMAGES. Images in the John Reps Bastides Collection were created between 1951-2014, and were digitized from 35mm slides by Cornell University Library. Cornell is providing access to the materials for research and personal use. The written permission of CORNELL UNIVERSITY LIBRARY ON BEHALF OF JOHN REPS and other rights holders is required for distribution, reproduction, or other use that extends beyond what is authorized by fair use and other statutory exemptions. Responsibility for making an independent legal assessment of an item and securing any necessary permissions ultimately rests with persons desiring to use the item. For questions, comments, or feedback about this collection please contact the CORNELL UNIVERSITY LIBRARY Rare and Manuscript Collection at rarerpro@cornell.edu. Please include the following citation in any use of materials from the John Reps Bastides Collection: John Reps Papers, #15-2-1101. Division of Rare and Manuscript Collections, Cornell University Library.
Check the badge and the rights field!
Filter for only Artstor Digital Library

Art and Multimedia
From the Artstor Digital Library, Institutional Collections, and Public Collections

Collection Type
Artstor Digital Library (500)

Geography
South America (35)
Australia and Oceania (1)
Europe (148)
Central America and the Caribbean (1)
East Asia (11)
Central Asia (5)
North America (250)
South Asia (22)

Classification

Search for "glacier" from all collections.

Yosemite Valley, Glacier Point 1873
Parque Nacional Los...
Questions?
Thank You

Meg O’Hearn
Senior Product Marketing Manager - Artstor

megan.ohearn@ithaka.org