



Images in eTheses



This guide is intended to advise postgraduate students with the use of third party materials in eTheses, specifically the use of images. Images could be photographs, architectural plans, charts, illustrations or cartoons.

Establish if the image is in copyright

When you are planning to use images in your eThesis, the first thing you will need to establish is whether the image is still in copyright.

Typical copyright durations are as follows:

Published literary, artistic, musical or dramatic work.	70 years following the death of the creator.
Unpublished literary, artistic, musical or dramatic work.	Either 70 years following the death of the creator or after 2039. (Since the Copyright, Designs and Patents Act, 1988 came into force in 1989, unpublished works have benefited from a 50 year term of being in copyright – hence 2039)

In UK copyright law, images are protected as **artistic works**.

If the image is out of copyright, you can include the image in your eThesis without seeking permission, but you must always include an acknowledgement of the creator.

Found an image of an artist's work that is still in copyright?

Step 1

If the image is of an artist's work, then you need to check if they have commercial licences attached. Undertake some research by going to:

- Getty Images: gettyimages.co.uk
- DACS Artimage: artimage.org.uk
- Mirrorpix: mirrorpix.com
- Bridgeman: bridgemanimages.com

If that artist is represented by an agency, then you will need to seek permission from the organisation to use an image of their work in your eThesis.

Step 2

If you have checked and can't trace any commercial licence, then it may be possible to rely on the exception **Criticism, Review, Quotation and News Reporting** in the **Copyright, Designs and Patents Act, 1988**. Exceptions in the **Copyright, Designs and Patents Act, 1988** permit the copying of in copyright works. However, before relying on any exception, there are a number of rules to satisfy. To rely on **Criticism, Review, Quotation and News Reporting** you must ensure you have satisfied the following:

- **Has the image been made available to the public?** The image has already been made available to the public (i.e. published or made available via an electronic retrieval system).
- **Is your use for the purposes of criticism and review?** The image must be in the context of the thesis and genuinely being used for the purposes of criticism and review.
- **Have you provided an acknowledgement?** The image must have sufficient acknowledgement, for example, the name of the artist, rightsholder(s) and source of the image.
- **Have you reproduced the image in low resolution and added an IPTC header?** The image must be reproduced in low resolution so as not to adversely affect the sales of the original. You should also add an IPTC heading to the image – please email digitisationservices@uca.ac.uk for technical guidance.

If you have satisfied these conditions then you can include the image within your eThesis.

Remember, if the image is for purely illustrative purposes, or you cannot satisfy all four of the above criteria, then you must seek permission from the rightsholder(s) to include it in your eThesis. You can access a template [here](#).

Image you've taken of an artist's work in a gallery/museum?

If you have taken a photograph of an artist's work being exhibited in a gallery or museum setting, then you will need to refer to the gallery/museum's terms of use for images. It is always advisable to do this **before** planning to take any photographs so that you are aware of any limitations of use.

Images you've taken of people?

If the image you would like to use is a photograph you have taken of a person and they are the focal point of the image, then it is good ethical practice to seek their permission and ask them to sign a model release form. The Library has developed a model release form, which can be found [here](#).

While the photographer will be the first holder of the copyright in a photograph (unless the photograph was created in the course of employment), there are other considerations, such as ethical issues, which necessitate acquiring the model's permission for use of the image in your eThesis. If the image you have taken is in a public space and there are people in the background then this is regarded as incidental inclusion and you do not need to seek permission.

Copyright free or public domain sources for images

- **The Metropolitan Museum of Art**
Free download of more than 400,000 high-resolution images for non-commercial use.
metmuseum.org/press/news/2014/oasc-access
- **Flickr Internet Archive Book Images**
A searchable database of 12 million historical copyright-free images.
flickr.com/photos/internetarchivebookimages

- **Pixabay**
A repository of public domain pictures.
pixabay.com
- **Morgue File**
Contains photographs freely contributed by many artists to be used in creative projects by visitors to the site. The site requests you acknowledge the creator.
morguefile.com
- **Museum of New Zealand**
Contains over 14,000 images available under a Creative Commons licence, which means you can download images and use them as long as you acknowledge the creator, do not adapt the image and your use is non-commercial.
collections.tepapa.govt.nz
- **Metropolitan Museum**
Access to 400,000 digital images for non-commercial use.
metmuseum.org/press/news/2014/oasc-access
- **Getty**
Access to 99,000 images either Getty own the rights to or are images in the public domain. Please refer to Getty's terms of use.
getty.edu/about/opencontent.html
- **Rijksmuseum, Amsterdam**
rijksmuseum.nl/en/rijksstudio

Contact details

For queries regarding third party images and submission of your eThesis to UCA Research Online, please contact the Library at ucaro@uca.ac.uk.

For more general queries regarding intellectual property rights (IPR) and copyright please contact:

Lisa Moore

Programme Manager (Digitisation and Copyright Compliance)

Tel: 01252 892711

email: lmoore3@uca.ac.uk