

A Copyright Guide to Image Use in MA Theses and PhD Dissertations

Clarifying what images you can use for your thesis, dissertation, or first publication can be a frustrating process. It can often seem like a moving target, as laws and policies can differ by intended use, by country, or by type of ownership. Below are some basic guidelines and resources to help with questions you might have about copyright and image use. Please bring your specific questions to the Image Resource Center staff who can help with one-on-one counsel and group workshops.

Image use rules fall into two main categories:

1. **Copyrighted/restricted:** the creator controls how a work is used. Before you can include a copyrighted work in your publication you need to ask for permission from the copyright holder.
2. **Public Domain** images are works which are not subject to or protected by copyright, for one of the following reasons:
 - Expiration of copyright
 - Ineligibility of copyright
 - Release to the public domain by the creator

A third category is **Fair Use**, which is a determination of eligibility via four factors (the purpose/character of the use; the nature of the copyrighted work; the amount of the work used; the effect of use on the work's value or market). Using an image in a dissertation or thesis under this provision requires significant research. A very good step-by-step guide via Columbia University and Kenneth Crews is <https://copyright.columbia.edu/basics/fair-use.html>.

Before using any image in an academic publication you must determine its source and any use restrictions in place. Whether an image falls under copyright restriction or not, you must credit the source.

Where can you find public domain images? To help you get started, here are some sites where you can obtain cost-free images for academic publishing:

1. Images for Academic Publishing (IAP) was initiated as a partnership between the Metropolitan Museum of Art and Artstor Digital Library to provide scholars with high-quality images at no charge for academic publications. Other museums and archives have joined the IAP program. UCSB is an Artstor subscribing institution, which gives you access to these images. Learn more here: <http://internal.artstor.org/what-is-artstor/w-html/services-publishing.shtml>
2. Creative Commons is a vehicle that allows creators and owners to share copyright-free material with others. When using a CC work be sure to give it the appropriate attribution (there is a good explanation of user responsibilities and credit notes here: <http://arstechnica.com/tech-policy/2011/08/creative-commons-images-and-you/>). Some CC sites where you can find public domain images:
 - Wikimedia Commons (<https://commons.wikimedia.org/wiki/Category:Images>)
 - Shared Shelf Commons (<http://www.socommons.org/openlibrary/#1>)
 - Flickr Creative Commons (<https://www.flickr.com/creativecommons/>)
 - Internet Archive (<https://archive.org/index.php>) – a non-profit library of multiple content providers of all media
 - Europeana (<http://www.europeana.eu/portal/en>)
 - Or, search directly through the Creative Commons portal: <https://search.creativecommons.org>

3. Many museums have made large numbers of public domain images available at high resolution, e.g. LACMA, Victoria & Albert, The British Museum, and the Amsterdam Rijksmuseum. Once you have selected an image to download you'll be informed if any restrictions apply.

Requesting permission for copyrighted or restricted use images:

If a particular image you want to use is copyrighted, you will need to request permission from the copyright holder. A good site to help you navigate the permissions process is this step-by-step guide from Stanford University Libraries: <http://fairuse.stanford.edu/overview/introduction/>. This short document contains a sample request letter and instructions: http://media2.proquest.com/documents/UMI_CopyrightGuide.pdf.

Further reading:

Finally, there are many excellent guides to copyright available, but reading and interpreting them can be exhausting. We have referenced some below that we recommend.

1. Copyright – the University of California: <http://copyright.universityofcalifornia.edu/>
2. A good overview of the Public Domain: <http://fairuse.stanford.edu/overview/public-domain/>
3. “Can I Use that Picture?” – an algorithm to walk you through permission steps: http://thevisualcommunicationguy.com/wp-content/uploads/2014/07/Infographic_CanIUseThatPicture4.jpg
4. The ultimate guide to copyright and your rights and responsibilities – Kenneth Crews, Columbia University: http://media2.proquest.com/documents/copyright_dissthesis_ownership.pdf

For more information, please contact the IRC staff in Arts 1245:

Jackie Spafford – spafford@hfa.ucsb.edu

Christine Fritsch – fritsch@hfa.ucsb.edu

Phone: 805-893-2509