

CAN I USE THAT PICTURE?

REVISED!
(and simplified)

[a "picture" is any photograph, drawing, cartoon, logo, icon, infographic, chart, graph, work of art, or doodle you want to use for some purpose]

do you own the COPYRIGHT?

copyright
[kop-ee-rahyt]

the exclusive, legal right to use, duplicate, sell, edit, or exploit an image.

DID YOU CREATE THE PICTURE YOURSELF? Did you shoot, draw, design, or otherwise produce the image?

YES NO

DID YOU GET PERMISSION FROM THE OWNER? Did you get written permission to use the image from the person or company who owns the copyright?

YES NO

DID YOU PURCHASE THE RIGHT TO USE IT? Did you pay the owner of the copyright for the right to use the image, under their guidelines?

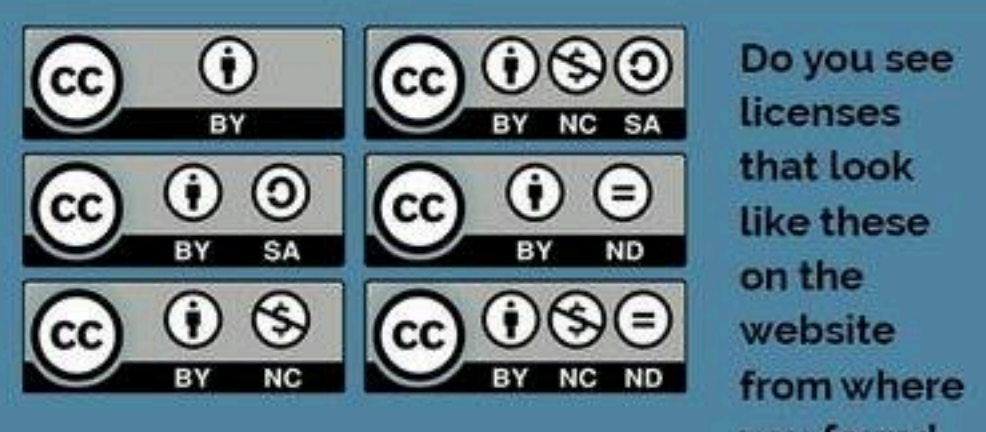
YES NO

is the image licensed with CREATIVE COMMONS?

creative commons
[kree-ey-tiv kom-uhnz]

a set of licenses that allows people to use, share, edit, or sell an image without permission, but with copyrighted restrictions.

DID YOU FIND THE IMAGE ON A SITE THAT USES CREATIVE COMMONS LICENSES? Are you using the image according to the copyright owner's specified restrictions?



YES NO

YES!

If you created the picture yourself, obtained permission, purchased the rights, appropriately followed creative commons parameters, OR found the photo in the public domain, you should be good to use the picture!

is the image in the PUBLIC DOMAIN?

public domain
[fair yoos]

an image whose copyright has expired, is no longer protected by copyright, and is available to use for any purpose by any person at any time.

WAS THE IMAGE CREATED BY THE GOVERNMENT? Was it created for the U.S. government by government employees?

YES NO

HAS THE COPYRIGHT EXPIRED? Was the image published in the U.S. before 1923, OR has the author/creator of the image been dead for more than 70 years?

YES NO

DID THE CREATOR PUT IT IN THE PUBLIC DOMAIN? Did you find the image on a site where authors/creators have relinquished the copyright?

YES NO

are you using it under FAIR USE?

fair use
[fair yoos]

using copyrighted material without permission by assuming reasonable, non-commercial use that typically benefits the greater good.

ARE YOU USING THE IMAGE TO COMMENT, CRITIQUE, OR PARODY? Are you discussing, analyzing, or parodying the image for commentary and critique?

YES NO

IS THE IMAGE BEING USED FOR EDUCATIONAL PURPOSES? Are you in a designated educational space, such as a school or university, using the image solely to educate?

YES NO

PROBABLY!

Fair use laws aren't always cut-and-dry, but if you're not using the image commercially AND you can answer "Yes" to one of the above questions, you are probably okay to use the picture.

NO!

If you answered "no" to all of the above questions, you should either obtain permission from the copyright owner or not use the picture!