

<http://www.pocket-lint.com/news/25549/how-to-use-images-online>

## Using images on your website? What you need to know

Tips from the experts at iStockphoto

by Stuart Miles published on 14 July 2009

With Google changing its image search parameters to allow you to search for Commercial Use photographs, we sat down with Kelly Thompson, COO of iStockphoto the market leader in royalty free images, to see whether photos on the web really have just become free for all users or whether there are strings attached.

Typically, blogs fall into two categories: editorial and commercial. Blogs considered purely editorial in nature - those that are non-commercial and related to events that are newsworthy or of public interest - have a different set of rules that may apply with respect to model and property releases and licenses.

If your blog has a commercial purpose, ie you are trying to sell stuff against it rather than just talk about your life experiences, here are some things to consider regarding using images on your site:

### "Free" License Use

Images licensed using Creative Commons or another "free" license site may be fine for some blogging uses, but you need to be aware of the license limitations. Many of the images, by request of the artist, are available only for non-commercial use. If you are making money from your blog or are using the image in any way to sell something, and the artist has specified that his or her license does not extend to commercial usage, you may be in breach of the license agreement and could face serious legal ramifications. There are other limitations to Creative Commons licenses and it is advisable to confirm that your use is in compliance with the specific license agreement.

### Image Inspection

Importantly, there is no inspection process at Creative Commons with respect to trademark,



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copyright or privacy compliance. As an example, Virgin Mobile Pty Ltd (Australia) found this out the hard way. They used an image of a young girl licensed under Creative Commons in an ad campaign but, unbeknownst to them, that girl had never agreed to allow her likeness to be used by Virgin in the manner that it was used. Virgin used the image as per the Creative Commons license but, because there was no model release by the subject, was sued by the girl's family for libel and invasion of privacy.

#### Trademarks / Copyright

Pay close attention to images that contain logos or trademarks from other companies. If you're using them for your own gain, you can expect a call, at a minimum, to remove the image. Some companies are very litigious when it comes to trademark issues.

When looking for an image with people or a specific place, you should definitely license the image from a reputable source with an inspection process that looks for copyright, trademark and privacy infringement. Images with identifiable people or places need appropriate releases! Using an image without one is asking for trouble.

What about the images you took yourself for your blog? Are they safe? And what if someone else uses them?

In order to protect yourself, always ensure that if you have recognisable/identifiable people, buildings, restaurants, businesses or logos in images, you have a model or property release.

#### Check your own work online

Chances are, if you are ripping other people's images to use on your blog, others are doing the same to you. You can find out if your images are being used on the Web without your consent. Try TinEye (<http://tineye.com>). Submit your photo and it will scan the Web for you. If someone else is using your images without your consent, you may have a right to demand they remove the image, credit your work or pay you damages.

#### Use a service

Although slightly biased, Thompson says royalty-free microstock sites like iStockphoto are designed to help you find the image you want quickly. Unlike Flickr and Google, a photo uploaded to a microstock site has individual keywords attached to it, describing the subject, composition, elements within and broad ideas associated with the photo (such as an emotion). iStockphoto even goes as far as offering a feature called CopySpace, that allows you to search based on blank areas of the photo available for text or branding.

Kelly Thompson is chief operating officer at [iStockphoto.com](http://iStockphoto.com).