

Tread of Pioneers Museum
Photographic Reproduction and Use Contract and Invoice– Revised Feb. 2023

Name: _____ Business Name: _____

Project Name/Intended Use: _____

Address: _____ Phone: _____

City, State, Zip: _____ Order Date: _____

Contract dates valid (one year max.): _____ through _____ Email address: _____

Photographs Ordered:

Image # _____	Description _____	Size/Use _____	Charge _____
Image # _____	Description _____	Size/Use _____	Charge _____
Image # _____	Description _____	Size/Use _____	Charge _____
Image # _____	Description _____	Size/Use _____	Charge _____
Image # _____	Description _____	Size/Use _____	Charge _____

Fees:

I. Print fees (personal use/display pricing below; if for other use like commercial, please add the below usage fees to these print fees.)

Due to the wide variety of sizes of our originals, we cannot guarantee that all prints will be standard paper size.

5X7* <u>research only</u>	\$10.00
5X7*	\$20.00
8X10*	\$30.00
11X14*	\$40.00
13X19*	\$50.00

Larger mural sizes available with staff arrangement.

II. Digital Files** (TIFFS or JPEGs at 300 dpi or larger; please specify your file size/format need)

\$10 per image file + **add the below applicable usage fees.**

III. Usage Fees: If applicable, **add the following usage fees, per image** (quotes on larger publication runs will be determined by the Executive Director)

Commercial decorative, offices, retail, stores, etc. add:	\$35.00
Advertising/Promotions in any media format, per image use (<u>one</u> copy of ad, etc.) add:	\$80.00
Advertising/Promotions in any media format, per image use (unlimited # of copies) add:	\$200.00
Book Jacket***/Magazine/Newspaper Cover (under 2500 copies)	\$50.00
(2501-10,000 copies)	\$100.00
(10,001-20,000 copies)	\$150.00
(20,001-30,000 copies)	\$200.00
(30,001-40,000 copies)	\$225.00
Book***/Magazine/Newspaper Interior (under 2500 copies)	\$15.00
(2501-5000 copies)	\$25.00
(5001-10,000 copies)	\$35.00
(10,001-20,000 copies)	\$45.00
(20,001-30,000 copies)	\$55.00
(30,001-40,000 copies)	\$65.00
Videotapes, DVDs and CDs (under 1000 copies)	\$35.00

Videotapes, DVDs and CDs (1001-2000 copies)	\$50.00
(2001-3000 copies)	\$75.00
(3001-5000 copies)	\$100.00
(5001-8000 copies)	\$125.00
Television/Motion Picture (commercial)	\$180.00
Digital	
eBook	\$35.00 per image
Website	\$25.00 per image
Digital magazine	\$10.00 per image
Mobile apps	\$10.00 per image
Educational materials, any format	Subject to review

Other Fees:

Rush Fee:	Varies- per request
State and local sales tax	Currently 8.4%
Shipping and Handling Fees (on most orders; in the U.S.)	actual charge (\$5.00 minimum)

Additions to the above:

- *1. Plus any additional scan or usage fee. 2. These sizes are contingent on the dimensions of the original photograph.
- **Plus any additional usage fees; all CDs must be returned after use and all electronic files must be deleted from all user's computers/files after use for approved one-time use project.
- ***1. Per image, per book edition. Includes books, memoirs and guides. 2. Book pricing cuts off at 10,000 copies. Quotes on larger book runs will be determined by the Executive Director.

Discounts: 1. Non-profit organizations and projects are eligible for a 50% discount on *usage* fees only- not print fees. 2. The above *usage* fees may be discounted if the museum receives promotional value or merchandise in return for the use of the photographic images, as determined by the museum's Executive Director. The amount of the discount will depend on the amount of promotional value or merchandise received. For marketing trades in exchange for use of museum images, the museum will receive a minimum of \$200 worth of marketing value per image used by the customer. 3. Customers ordering more than 10 images at a time may be eligible for a 50% discount on *usage* fees only- not print fees.

Please read before signing contract:

Prepayment to the Tread of Pioneers Museum in full is required for all photograph orders. All responsibility regarding question of copyright or invasion of privacy that might arise in the use of material that has been reproduced by the museum must be assumed by the user. By signing this agreement, **you agree to use the photograph only once for one project and a one-year time period.** Any subsequent use of an image requires the written permission of the museum and the payment of additional fees. The museum gives no exclusive rights for the use of its material. Resale of these photos is not permitted unless specially arranged with museum staff. Proper credit must be given to the photographer, when known and all publications of pictures should contain the caption **"...provided courtesy Tread of Pioneers Museum, Steamboat Springs, CO."** Depending on the usage of a particular photograph, certain additional fees will apply, as stated above. The museum reserves the right to charge other fees on projects that do not fit into the above parameters. You also agree to delete all images off of all computers and devices after the one-time approved use. See page 3 for other terms and conditions.

_____ Signature of purchaser	_____ Date	_____ Museum Representative	_____ Date
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Staff: Please complete all applicable charges in the following section of this agreement.

Total Charges due to the Tread of Pioneers Museum

Total print/digital file charges	\$ _____
Usage Fees	\$ _____
Other fees/ Rush Fee	\$ _____
Subtotal	\$ _____
Shipping (\$5.00 min.)	\$ _____ (shipping charge is \$5 min.- more if international or rushed delivery)
OR Sales Tax (8.4%)	\$ _____

TOTAL DUE: \$ _____ **PAID IN FULL** Date _____ Staff initials _____

Payment method: ___ Check ___ Cash ___ Credit Card # _____ Exp. Date _____ code _____

Photographic Usage Agreement (page 3)

Prepayment in full is required for photographic orders. Each order must be accompanied by a signed photographic use contract. Requests for image adjustments must be made in writing, Details must be identified as such.

The Tread of Pioneers Museum reserves the right to limit the number of photographic copies, to restrict the use or reproduction of rare or valuable items, to ensure the use of material from it's files is produced in good taste, to make special fee quotations on items involving special arrangements, and to charge a higher fee in special circumstances.

To respect and maintain the historical integrity of the original image, images cannot be altered in editing software beyond limited lightening and darkening, brightness, contrast or sharpness to improve an image. Additions to the image, the addition or alteration of color, or alteration of the image that impacts the subject are not permitted without approval by Tread of Pioneers Museum staff.

All responsibility for questions of copyright that may arise in the use made of reproduced material provided by the Tread of Pioneers Museum must be assumed by the user. The Museum will provide any information that it has available.

The Tread of Pioneers Museum gives no exclusive rights for use of graphic material. Publication or reproduction of photographs requires written permission of the Tread of Pioneers Museum and payment of applicable fees. Permission for publication or reproduction of photographs is granted for one-time use only and then only for the purpose as stated in the photographic use contract. Permission does not extend to future editions. Any subsequent use or use not specifically stated in the contract of a photograph or transparency requires written permission by the Tread of Pioneers Museum and payment of additional fees. All other rights, including those of further publication are reserved in full by the Tread of Pioneers Museum.

The user agrees to provide the Museum with a free copy of the item that is produced or published containing material borrowed from the Museum. All photographic copies of material in the collection intended for publication or any similar use must be obtained directly from the Tread of Pioneers Museum. Before publication of any graphic material, the Tread of Pioneers Museum reserves the right to require a publication proof prior to final use approval.

The Tread of Pioneers Museum does not permit photographs and negatives to leave the collection.

Requests for copies of graphic items intended for mass production for items such as posters, postcards and note paper may be subject to special contractual procedures with the Tread of Pioneers Museum.

When graphic items are reproduced, users should make every effort to secure correct caption data. Proper credit must be given to the photographer or artist when known and any date or relevant caption information. Each reproduction must be credited: "Courtesy, Tread of Pioneers Museum, Steamboat Springs, CO."

- With printed material, it is preferred that the credit line appear clearly and legibly on the same or facing page as the image.
- With films, filmstrips and video use, credit on a clear and legible credits screen.
- With exhibitions, show credit clearly and legibly within the exhibition area.

Requests not specifically mentioned in the above procedures will be received in writing, considered, and may be subject to special agreements.

Warning Concerning Copyright Restrictions:

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Photocopies or other reproductions can be furnished only under certain conditions. The Tread of Pioneers Museum reserves the right to refuse to accept a copying order if, in its judgment, the order would involve a violation of copyright law.

Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement.