Copyright: Using Images

Images on the open web are subject to copyright law in the same manner as any other creative work; there is no guarantee that an image is legally available for re-use just because it is freely accessible on the web.

That said, there are cases in which copyright law does allow re-use:

1. The image is a public domain work. Generally, anything published in the U.S. before 1923 is in the public domain. For more info, check out the Peter Hirtle's Copyright Term and the Public Domain.

2. The image is available under a Creative Commons license. CC images are labeled as such. When using a CC image, be sure to provide proper attribution to the source.

3. The image is otherwise made available for re-use by the content provider. Some websites permit you to re-use their images on your own website, as long as certain conditions are met (e.g. noncommercial use only). In these cases, you can find out whether re-use is permitted by looking at the website’s Terms & Conditions.

4. The image is copyrighted, but re-use qualifies as Fair Use. In the context of using images on a website, you have a stronger Fair Use argument if you are directly commenting on or critiquing the image.
• Keep in mind that if an image is subject to a license agreement (such as images from library databases), it can only be used according to what the license allows, even if Fair Use would otherwise allow for re-use.

• For more information, see Analyzing Fair Use.

5. You have permission from the copyright owner. For more information, see Getting Permission.

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