
Walter Dufresne, Photographer:

Assignment and Stock Licensing Services

31 Montgomery Place

Brooklyn, NY 11215-2342 USA

Assignment Photography Creative & Licensing Fees: Creative services and license fee: 01¢ per square foot for interiors
01¢ per cubic foot for exteriors
(100,000 square/cubic foot minimum)
Initial license for a single client: Marketing and Publicity for the life of the
(add 33% to fee for each additional commissioning client) © copyright for a single client (see the terms on the next page, including item ⑦)

Capture and Processing Production Charges (Digital or Analog): 12.1 and 24.5 megapixels, per direct digital capture and processing: \$50.00
135 and 120 formats, per roll/pack: color & b&w \$50.00, Polaroid \$40.00
04x05 inch format, per sheet: color \$09.50, b&w \$09.00, Polaroid \$06.50
08x10 inch format, per sheet: color \$55.00, b&w \$42.00, Polaroid \$28.00
Proof prints of files and films: color \$60.00, b&w \$60.00
001 to 100 megabyte file scans, prepared and optimized: \$50.00 per file

Other Production Charges: Staff assistance: \$275.00-\$350.00 per day
Transport, lodging, sustenance, gratuities, equipment rentals, props: at cost
Markup on estimated production charges unpaid on completion: 17%
Consultations, written estimates and quotes, local scouting: no charge
Certificates of Insurance (CGL, Workers' Comp): \$60.00 each per year
© Copyright Registration, including uploading: \$75.00 per assignment
NY State Sales and Use Tax is collected on some transactions

Stock (Existing) Photography Licensing Fees: See The Terms On The Next Page, Especially Item ⑦

Editorial: (single insertion/language/printing in North America, up to 100,000 circulation): 2% of the equivalent advertising space rates, with minimum rates for Cover, any size, \$1000; up to one page, \$400; up to 1/2 page, \$300; up to 1/4 page, \$225

Marketing and Publicity: (from a single project, including certain further editorial uses and editorial reprints, see terms at item ⑦ on next page):
060 months (5.0 years): \$500 for 1st license, \$400 for additional; life of © copyright: \$750 for 1st license, \$600 for additional; Stock Licensing Fee Caps from a single project and site for State-Licensed Designers and Architects: \$2000 (5.0 years)/\$3000 (life of © copyright)

Advertising: 2% of the audited media buy (trade or consumer), \$1500 minimum for a \$75,000 campaign exercised within two years

Other © Uses: will be quoted (minimum sale \$300)

Other Production Charges: Research and submission fee: \$125.00, including uploading/downloading.
Scans, prints, slides, dupes, shipping, etc.: see Laboratory Services price list.
Some transactions are subject to NY State Sales and Use Tax.
Subject to change: See the terms on the next page.

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Walter Dufresne, Photographer:

Terms and Conditions

- ① We supply all photographs (electronic files, transparencies, slides, duplicates, negatives, prints, scans, et cetera) as copyrighted under Title 17, US Code, and we reserve all rights. Using the US Library of Congress, we register for copyright all photographs, (whether newly-created by assignment or previously-created and available from stock) before delivery. All transactions are regulated by US Copyright Law and New York State Contract Law.
- ② Unless otherwise negotiated, Walter Dufresne, Photographer retains all copyrights for the photographs and ownership of all camera-original films and camera raw files. You'll get perfect digital copies of those files.
- ③ We convey licenses and rights for use in writing only and by invoice, and no one may transfer your license to other parties. We reserve all other rights. We grant no licenses and no rights without full payment of the invoices specifying those licenses and rights. Our estimates and invoices specify that we are first secured in all financial transactions. Our photographs often do not include property releases. We only own the copyrights to our photographs. We do not own any other kinds of property rights, includes trademarks and patents. If we do have any kind of release for a photograph (model release, property release, trademark release, patent release, et cetera), we will include a copy with the transmittal of the photographs or the invoice. Architects and engineers frequently obtain property releases from owners and developers, allowing them access to a site and use of images of an owner's project, because they are often included in, for example, AIA contract documents.
- ④ Editorial licenses require a credit line (a copyright notice next to any reproduction) as a part of compensation. That adjacent credit line is vital, making licensing possible at editorial rates. Credit lines for other uses are gratefully appreciated.
- ⑤ Credit lines (when appropriate or required) should read:
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- ⑥ We do not exceed written estimates by 10% without authorization, and we may include production charge documentation with the subsequent invoice. Competitive bids and quotes are firm as to both the price and the number of views created, and do not include production charge documentation on subsequent invoices. We never charge for "reimbursable expenses," but we do have production charges, itemized in advance.
- ⑦ Editorial Licenses are a non-exclusive use, for publishing businesses only, to use and reproduce a photograph, and include specific frequency, size, and edition limits, typically a single insertion in a single edition of the first printing of a publication. We license subsequent "reprints" of editorial content at marketing and publicity rates. We key our editorial rates to a percentage of the publication's own space rate for advertising uses, typically two percent. Marketing and Publicity Licenses are a non-exclusive license for an organization ("our client") to use and reproduce a photograph, with specific limits. This use includes any "self-publishing" by the client, including "self-publishing" by both print and electronic methods. Our clients may freely distribute the tangible photographs or reproductions, but may not sell nor distribute such intangibles as use licenses and copyrights. We promote these clients when we freely license editorial uses by those publishing businesses who agree to credit both our clients and ourselves. This use excludes any advertising use ("paid placement") or sale of the photographs or sale of reproductions of the photographs or otherwise licensing others to use or reproduce the photographs ("third party use"). Advertising Licenses include Marketing and Publicity uses as above and use in spaces purchased from publishing businesses ("paid placement"), with specific frequency, size, and edition limits. These fees are usually percentages of the "media buy," with certain minimums, most often 2% of the media buy (trade or consumer) with a \$1500.00 minimum for a \$75,000 campaign.
- ⑧ We collect and remit New York State Sales and Use Taxes on some, but not all, transactions delivered in New York State and nowhere else. New York State allows us to make exceptions for New York State-based clients who submit resale or exemption or exempt-use certificates, and for clients who only reproduce the photographs after borrowing them. (NYS calls this a reproduction-rights only transaction, and requires our invoices to specify the return of the photographs, unretouched.) A ruling letter from New York State allows us to *not* charge sales tax when we license and deliver our photographs as electronic copies (uploaded or downloaded, locally or remotely) with *no* accompanying transfer of title to DVDs, CDs, prints, or any other materials characterized by NYS as "tangible personal property."
- ⑨ DUNS and US/NYS Tax Identification Numbers are cited on all estimates and invoices.

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Laboratory Services for Licensed Clients

written confirmation required for orders over \$200.00

Color Prints		<u>first charge</u>	<u>additional charges</u>					
Type i ("ink jet"), from digital files	up to		1+	5+	10+	25+	50+	100+
Type c ("color coupler"), from color negatives, internegatives, copy negatives, separation negatives, and digital files	8 ¹ / ₂ x11 inch	\$50	\$24	\$18	\$16	\$11	\$10	\$9
	11x14 inch	\$65	\$31	\$28	\$22	\$18	\$13	\$11
	16x20 inch	\$90	\$45	\$36	\$30	\$26	\$22	\$19
	20x24 inch	\$120	\$55	\$45				
	30x40 inch	\$185	\$95	\$75				
color internegatives / copy negatives): 4x5 inch: \$55; 8x10 inch: \$90								

Black & White Prints		<u>first charge</u>	<u>additional charges</u>					
gelatin silver prints on medium-weight resin-coated papers; add 50% for archivally-processed fiber base papers as per US Library of Congress;	up to		1+		10+		50+	
Type i ("ink jet"), from digital files	8 ¹ / ₂ x11 inch	\$50	\$30		\$18		\$11	
	11x14 inch	\$70	\$40		\$25		\$16	
	16x20 inch	\$100	\$55		\$32		\$22	
	20x24 inch	\$140	\$76		\$44		\$38	
black & white internegatives / copy negatives: 4x5 inch: \$55; 8x10 inch: \$90								

Scanning, Recording & Archiving to Disk Format (Flatbed or Drum Scanning)		<u>first charge</u>	<u>compact disk (standard file format)</u>	
file sizes up to		for scans	10-year archive recording	
050 megabytes	\$65	\$65	\$50	
250 megabytes	\$100	\$100	\$50	
electronic file transfers per file up to ten megabytes in size: \$25.00 each				

File Conversions & Optimization, Retouching, Page Assembly, Image Setting, and Film Recording (analog or digital)	
	<ul style="list-style-type: none">• quoted by project, depending on the number and complexity of elements, generally \$100 per scan, \$175 per hour for file conversions and optimization and retouching, and \$300 per 8x10in film output• First charge is for setting-up to a unique size, position, color, cropping, and density. It's applied per billable party <i>and</i> per order <i>and</i> per image, but <i>not</i> per print nor transparency.• Additional charges are for extras (1+, etc.) ordered at the same time as the first. Other sizes and quantities will be priced on request.• Special sizes, colors, densities, borders, cropping, positioning, and retouching are subject to surcharge.• Archive recording includes storage in our files and forward data migration in our files each 48-months.• Terms: Net balance is due from invoice date. New accounts are shipped COD.• Shipping and handling, add 5%, \$10.00 minimum. Messengers are extra.• New York State Sales and Use Taxes are collected on some transactions.• All prices, terms, and techniques are subject to change.

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