

Image Order and Application for Use of Image

Name _____ Date _____

Street address _____

City _____ State _____ Zip _____

Cell phone _____ Other phone _____

Email _____ Intended use of image _____

Image ID#	Description	Digital or print	Print size	Paper type: glossy/matte	Price \$

TOTAL DUE AT TIME OF ORDER \$ _____

Use of image for publication requires the proper credit of *“Image courtesy of Venice Division of Historical Resources”* and applicant must provide two gratis copies of the production to the Division.

Applicant hereby agrees to comply with the Terms of Use for Images from the *City of Venice Division of Historical Resources’ Collection* incorporated herein.

Applicant signature _____ Date _____

<u>Staff use</u>	
Payment received by staff member _____	Date _____
Order completed by staff member _____	Date _____
Order picked up from staff member _____	Date _____

Terms of Use for Images from the City of Venice Division of Historical Resources' Collection

Terms Governing Electronic Reproduction or Publication of Images from City of Venice Division of Historical Resources' Collection

1. Written permission must be obtained from the City of Venice Division of Historical Resources to reproduce or publish images ("the Image(s)") from the City of Venice Division of Historical Resources' collection.
2. The Image(s) or objects appearing in the Image(s), even if such Image(s) or objects are owned by the City of Venice Division of Historical Resources, may be protected by copyright, publication rights, or related interests that are not owned by the City of Venice Division of Historical Resources. The City of Venice Division of Historical Resources is not giving permission to exploit any third party rights. The Applicant will ascertain whether any such rights exist, pay any royalties or fees claimed by any third party, and obtain all other permission required to carry out Applicant's activities without infringing the proprietary rights of, breaching a duty to, or breaching an agreement with, any third party.
3. The permission and license granted herein is for a single production of the Image(s) only. Applicant may only make analog or digital copies as absolutely necessary in intermediate process steps to the creation of a video, film, CD-ROM, DVD, electronic publication, or website. The City of Venice Division of Historical Resources does not otherwise grant permission to reproduce or process any Image(s) in any digital format, and such permission must be separately obtained in writing.
4. Duplicates may not be made of the Image(s) supplied by the City of Venice Division of Historical Resources without the collection manager's prior written approval. Any duplicates are the property of the City of Venice Division of Historical Resources and will be immediately provided to the City of Venice Division of Historical Resources by Applicant. Applicant will employ technology that will prevent copying of the Image(s) from the digital production and will prosecute infringement.
5. Any Image that appears in a production must be unaltered and must be included in its entirety, and nothing may be superimposed on the Image unless approved in writing by the City of Venice Division of Historical Resources' staff. The size of an Image provided for website or other electronic uses may not be reduced by more than 50%. If a reduction of 50% or more is required, another smaller image must be requested. An Image may not be enlarged.
6. Except as described below, full identification of the Image(s), the credit line and any copyright notice that is provided to the Applicant with the Image(s) must appear adjacent to the Image(s). Unless stated otherwise, credit line on the Image(s) must appear as follows: "**Image courtesy of City of Venice Division of Historical Resources.**"
7. The City of Venice Division of Historical Resources reserves the right to limit the number of reproductions of City of Venice Division of Historical Resources-owned property in any single production if it appears that their number is disproportionate in relation to those from other sources.
8. No license or permission granted pursuant to this Application may be assigned by Applicant. This Application and any attached and cross-referenced pages sets forth the entire agreement of the City of Venice Division of Historical Resources and Applicant regarding the Image(s) identified in this Application, and supersedes all prior promises, representations, or statements of any kind, whether written or oral. This Application may only be modified in writing signed by an authorized representative of the City of Venice Division of Historical Resources and expressly stating its intention to modify this Application. This Application will be governed by the law of the State of Florida without regard to its conflicts of laws principles. All litigation arising under or relating to this Application will be filed and prosecuted in any court of competent subject matter jurisdiction in Sarasota County, Florida. Applicant consents to the personal jurisdiction of such courts for such purpose.
9. The reproduction permission granted hereby is limited to a non-exclusive reproduction license solely on the terms set forth herein. The City of Venice Division of Historical Resources retains all copyright ownership and all rights to exploit its copyrights where applicable. All rights not expressly granted herein are reserved to the City of Venice Division of Historical Resources. If reproduction is to be made from materials depicting the City of Venice Division of Historical Resources' property, but not supplied by the City of Venice Division of Historical Resources, the City of Venice Division of Historical Resources reserves the right to approve these materials.
10. Applicant will obtain the City of Venice Division of Historical Resources' prior written approval of final presentation of the Image(s) prior to general distribution of the production if required by the City of Venice Division of Historical Resources. Such approval will not be unreasonably withheld, and will generally be based upon the presentation of the Image as regards color, cropping, identification, credit, placement with other images, etc.
11. Applicant will defend, indemnify, and hold the City of Venice Division of Historical Resources harmless from all claims, causes and allegations (whether threatened or pending), costs, fees and expenses (including reasonable attorneys' fees), awards, judgments, damages, losses and liabilities arising from or relating to any breach of this Application by Applicant or the officers, directors, shareholders, employees, agents, representatives, contractors and subcontractors of Applicant, including, without limitation, any claim, cause, or allegation asserted by a third party against the City of Venice Division of Historical Resources based entirely or in part on Applicant's exploitation of the Image(s) licensed hereunder.
12. The City of Venice Division of Historical Resources reserves the right to revoke the permission and license granted herein at any time if the City of Venice Division of Historical Resources is requested to do so by a third-party rights holder in the Image(s).
13. Applicant will provide two (2) gratis copies of the production to the City of Venice Division of Historical Resources.

Image Order Fee Schedule

<u>Printed Image Fees (includes sales tax)</u>	<u>B&W</u>	<u>Color/Sepia</u>
8.5 x 11, copy paper	\$.25	\$1
8.5 x 11, premium glossy/matte photo paper	\$25	\$30
11 x 17, premium glossy/matte photo paper	\$35	\$40
17 x 22, premium glossy/matte photo paper	\$45	\$50
<u>Low Resolution Digital Image</u>		
With VMA watermark		
(Saved through https://venicefl.pastperfectonline.com)		
	\$0	
<u>High Resolution Digital Image Fees (includes sales tax)</u>		
One-time use		
Scanned at 600 DPI		
<u>Personal Use</u> (e.g., home/office decoration)		
Image File	\$15/ per image*	
<u>Commercial Use</u> (e.g., books, brochures)		
For-profit businesses/projects	\$25/ per image	
Verified Non-profits or free Public Educational Uses	\$0	
Website, one year, renewable	\$150	
<u>Delivery</u>		
Email	n/c	
8.5 x 11 prints postage	\$10 up to 10 prints	
Oversized (larger than 8.5 x 11) mailing tube postage	\$15 up to 10 prints	

Payment

Cash, check, or credit card accepted. Make checks payable to City of Venice; must be drawn from a U.S. bank.