



Technische
Universität
Braunschweig

Citation of authorship and source

What must the caption contain?

The author/originator is legally entitled to be named (§ 13 UrhG). The name doesn't need to be placed under the picture itself. However, the name must be mentioned in the publication in such a way that it can be clearly identified (see also „Who is the author/originator of the picture?“). However, the author/originator can also waive this right.

The author's/originator's name should not be confused with copyright information. This merely refers to the rightholder, e.g., the picture agency. The rightholder is not necessarily the author/originator. Thus, both the naming of the author/originator and the rightholder may be required.

Our recommendation:

Name photographer/graphic designer as author/source and name the rightholder as well.

Example: Anton Muster/TU Braunschweig

Tips for dealing with pictures

- Only use images from unambiguous sources.
- Always publish pictures with copyright and source references.
- Observe the legal rights to use.
- Use photos of people only with the permission of the depicted person.
- When in doubt, it is preferable to use a different picture.
- If possible, secure the exclusive right to use when commissioned.

www.tu-braunschweig.de/presse

Do you have any questions?

Contact for legal questions:

Technische Universität Braunschweig
Department 11 | Legal Department
Abt-Jerusalem-Str. 6
38106 Braunschweig
Phone: +49 531 391-4303
abt11@tu-braunschweig.de
www.tu-braunschweig.de/abt11

Film and photo permits ...

... for covering news on the premises of Technische Universität Braunschweig are issued by the Communications and Press Service.

www.tu-braunschweig.de/presse/medien/drehgenehmigung



Image Rights

Communicating Science

What do I have to consider when I create or have photos created?

Who creates the picture?

If you hire a photographer, please clarify the following legal questions in advance.

Who is pictured?

- Pictures of people may only be distributed or displayed publicly with the permission of the person depicted.
- For minors, this permission must always be obtained from their legal guardian. If persons have joint custody, the consent of all (!) legal guardians must be obtained. Juveniles of 14 years or older must additionally declare their permission.
- Photos of employees also require written permission.

Please note: Permission to take photographs does not automatically imply consent to publication! Taking a photograph of people in a vulnerable position is punishable by law.

Where are the pictures taken?

The creation of pictures in non-public spaces requires the owner's permission. If you take pictures of buildings or artworks from public spaces, such as streets or squares, the need for permission does not apply („freedom of panorama“). See also the note „film and photo permits“ on the back.

Taking pictures on the job

If you take photographs within the context of your employment or service contract, the employer is generally granted an exclusive and cost-free legal right to use the pictures (§ 43 UrhG).

The declaration of consent

The declaration of consent should inform...

- for which purpose the permission is granted (here: press and public relations or research and teaching).
- about the types of media in which the publication is intended.
- on the date the declaration is effective and the date of its expiration. It must also indicate what happens to the data after this period.
- that the consent can be revoked at any time with effect for the future. Specify how much time, (e.g., two working days) is required to remove the image in the event of revocation of permission.
- For evidence purposes, we recommend a written declaration of permission, which you can obtain from us as a template.

... and for university events?

- If you take pictures at university events, you can ask for permission in advance. Integrate the declaration of consent into the registration form, for example.
- Communicate clearly that pictures of people will be taken and subsequently published.
- In addition, we recommend easily legible as well as clearly and unambiguously worded signs at the event location stating the intended purpose and the intended circulation of the photographs. Also, we recommend a verbal notification during the welcome address. The person whose picture is taken must fully understand the facts and effects of their consent at the time of giving such consent.

What do I have to consider when using photos and graphics for publication?

Who is the author/originator of the picture?

Photos and also graphics are always protected by copyright. The copyright remains with the author/originator at all times.

Do you have a legal right to use?

The author/originator can grant another natural person or a legal body (e.g., a university) some or all legal rights to use (see „Right to use“).

Please note: Photos and graphics purchased from an image database may not necessarily be used in social media. Please read the General Terms and Conditions before purchase. It is recommended that you document the General Terms and Conditions for the respective images at the time of purchase. These often change at very short notice.

Did the depicted person/persons give permission?

It is advised to obtain a written authorization documenting that the permission of the depicted person/persons has been obtained. The consent must extend to the legal rights to use granted.

And the legal consequences?

Disregarding the statutory provisions might lead to cease and desist orders and claims for financial damages as well as injury awards.

The legal right to use

- Legal rights to use are also called licenses.
- The non-exclusive right to use entitles the rightholder to use the image in designated ways being determined on an individual basis.
- The legal right to use can also be granted on a restricted scale. The author's/originator's claim for remuneration is based on the type and scope of the legal rights to use.
- The exclusive right to use not only permits usage but also interdicts all other parties from usage, including the author/originator themselves. It is also possible to transfer non-exclusive rights to use. If the exclusive right to use is not granted, the transfer of images (e.g., to the press) must be documented separately.

Types of legal rights to use in brief

The right to use can be granted in specific cases as follows:

- limited in time | unlimited in time
- limited in content | unlimited in content
- right to use for print | online | social media
- worldwide use | limited to certain countries
- transferable | non-transferable legal right to use
- right to edit the image | right to use the image without editing
- commercial use | exclusively private or editorial use

The author/originator can also use one of the six standardized Creative Commons Licences (CC) to determine how and to what extent their images may be used.