

CONTRACTUAL CONDITIONS

for exhibitions

HERDER INSTITUTE for Historical Research on East Central Europe

For photographic order: /

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The copies are intended for (title/subject of the exhibition):

.....

Promoter:

Catalogue:

Place(s)/Date(s) of exhibition:

Application for reproduction approval for Image-no.:

Image-no. listed in appendix

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| per photo/digital copy | Exhibition poster |
|------------------------|-------------------|
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.....

(place)

(date)

.....

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Conditions of use*

1. The copies provided from photos or negatives in the image archive of the Herder Institute, Marburg, may only be used for the purpose stated above. All rights - if stated - shall remain with the image archive of the Herder Institute; no claim for the surrender of further rights shall be made. The photos may not be passed to third parties nor filed in other collections accessible by the public without the agreement of the Herder Institute.
2. If copies of photos are made available by the image archive of the Herder Institute, the rights to which lie with a third party or are unclear, then the user shall bear the responsibility for clarifying the legal situation and shall also meet any justified demands made by the third party.
3. The written agreement of the Herder Institute must be obtained before any use in an exhibition. For photographs named in photographic orders and the exhibition(s) named above, this is considered to be granted on payment of the due fees. The period of use for travelling exhibitions is limited to two years, starting from the day of the first exhibition. In the case of all subsequent uses - even of parts of the exhibition - a new application must be made. Separate conditions apply for exhibitions abroad; these can be requested in writing. At the end of the period of use and return of the photos, € 10 shall be refunded for each image. For reproductions of photos from the image archive of the Herder Institute in exhibition catalogues or in other publications associated with the exhibition, reproduction approval must be obtained separately and a reproduction fee paid.
4. In the exhibition and in the case of the reproduction of photos in books or in the exhibition catalogue, **the image archive of the Herder Institute, Marburg** must be stated as the owner of the original(s) in the image caption or in the photo credits. Commercial exploitation (posters, postcards, reproduced slides, all types of reproductions, videos and all forms of multimedia use) requires the written agreement of the Herder Institute and is subject to a charge.
5. I declare that I am willing to pay any costs due (creation of deductions and loan fees). If the exhibition applied for does not come about, then I shall be obliged to pay a flat-rate processing fee of € 100.
6. The user fees may be reduced in the case of non-commercial events, particularly academic events, public or charitable promoters, or in the case of events in which the Herder Institute is particularly interested. This also applies if the Herder Institute appears as a co-promoter of an exhibition/event, or has particular influence on the design of the content, including the selection of image and textual materials.
7. As a rule, a reference copy of the exhibition catalogue must be sent without being requested and free of charge to the image archive of the Herder Institute, Marburg.
8. Contractual penalties will be due if the contractual conditions above are flouted. In the case of missing or incorrect evidence of origin, the image royalty shall be increased 100 %; in the case of misuse of image materials provided by the image archive of the Herder Institute, this shall be increased 500 %.

Place of fulfilment and court of jurisdiction is Marburg

* Basis: The principles and fees for photographing in museums/collections for commercial purposes and for the use of photos for reproduction. Decision of the Conference of German Cultural Ministers dated 25.06.1992. CGCM Erg.-Lfg. (supplemental set) 79, September 1994



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