Agreement for Use of Moving Images

As an inducement to and partial consideration for Special Collections, University of Mississippi Libraries (“Special Collections”) providing certain moving image footage (“materials”), the undersigned (“applicant”) agrees and consents to the following terms and conditions:

1. Special Collections may, at its discretion, provide materials in accordance with its current fee schedule and the terms hereof.

2. **Fees:** Applicant agrees to pay fees as determined by Special Collections upon submitting its order. Within one week of the final edit, applicant shall supply a copy of the production and an edit list with a tally of the amount of footage used. Applicant will then be billed for any license fees due Special Collections over and above the minimum license fee.

   A $300 non-refundable fee will be charged to borrow the BetaCam SP copy of the materials. This fee will be deducted from the final amount. A check made out to JD Williams Library must be sent to Special Collections before the loan can take place.

3. **Use:** Special Collections, subject to the other terms and conditions contained herein, grants to the applicant permission to make the following use of the materials:

   **Single Use:** Applicant is granted permission for non-exclusive, one time use of the material. Applicant must re-apply to use the material in another production. All footage remains the property of Special Collections. The applicant agrees to return all materials within 30 days including material duplicated but not physically used in the production such as: video tape, film footage, trims and outtakes and to destroy all digital files.

   Applicant agrees to use the material only for the purpose stated herein. Applicant understands that all rights granted hereunder are limited to the extent of Special Collections’ actual ownership interests in the materials and that applicant has the duty to investigate ownership and obtain all necessary permissions prior to use of the materials.

   Special Collections retains all rights it has in materials including, without limitation, its rights to publish, reproduce, or distribute these materials or to grant permission to others to do so. These materials may not be deposited in or donated to other repositories or libraries.

4. **Applicant’s Obligations:** Applicant is responsible for using these materials in accordance with applicable law, including, without limitations, United States Copyright Law and the laws of privacy and publicity. Applicant understands, and agrees that it has the sole responsibility for acquiring any and all permissions as may be necessary from the subject or subjects whose images appear in the materials to reproduce and/or use such images.
Applicant agrees to defend, indemnify and hold harmless the department of Special Collections, the University of Mississippi, and all its agents and employees against all claims, damages, actions, judgments, and expenses (including reasonable attorneys’ fees) arising from any claims or allegations of invasion of privacy and/or rights to publicity and any claims arising from failure to obtain adequate permissions from the subjects in the material(s).

5. **Attribution:** Applicant agrees to credit the source of the images in the official credits and acknowledgements of its production as follows: 1) Southern Media Archive, Special Collections, University of Mississippi Libraries or 2) Special Collections, University of Mississippi Libraries. Except as stated herein, applicant will not use the name of the Southern Media Archive, Special Collections, or the University in connection with its production, its distribution, advertising or publicizing, without the written consent of the institution. Acknowledgement of donor/creator will be made where appropriate e.g. Lytle Collection, ©Southern Media Archive, Special Collections, University of Mississippi Libraries.

6. **Applicant information:**

Name:__________________________________             Phone:___________________________

Address:_______________________________________________________________________
______________________________________________________________________________

Institutional Affiliation:___________________________________________________________

Address:_______________________________________________________________________
______________________________________________________________________________

Phone:________________    Fax:_________________    Email:___________________________

7. **Project Information:**

Title of Research Project:__________________________________________________________

Format(s) (book, DVD, film . . .):____________________________________________________

List of materials requested: ________________________________________________________
Special Collections  
Southern Media Archive  
J. D. Williams Library  
University of Mississippi

Brief description of project and use of materials:_______________________________________  
______________________________________________________________________________  
______________________________________________________________________________  
______________________________________________________________________________

I understand that the information provided herein will be relied upon by Special Collections. I have read this Agreement and agree to the terms hereof.

Signature:____________________________________    Date:___________________  
(Applicant)

Signature:____________________________________    Date:___________________  
(Special Collections)