Agreement for Use of Photographs with Consent of Copyright Holder

As an inducement to and partial consideration for Special Collections, University of Mississippi Libraries (“Special Collections”) providing certain photographs, copies, or reproductions (“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 set by Special Collections in full upon submitting its order.

3. **Use**: Special Collections provides these materials subject to the scope of the permission and consent of the copyright owner attached hereto. Applicant agrees to use the materials only for the purpose within the scope stated therein. Applicant agrees to be bound by the consent attached hereto.

   Applicant understands 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 right to publish 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 use such images.

   Applicant agrees to defend, indemnify and hold harmless 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. Martin
Dain collection, Southern Media Archive, Special Collections, University of Mississippi Libraries.

6. **Ownership**: All materials remain the property of Special Collections. The applicant agrees to return all materials and to destroy all digital files.

7. **Gratis Copy**: A copy of the completed work must be donated to Special Collections for the institution’s records.

8. **Applicant Information**:

   Name: ________________________________    Phone: ________________________________

   Institutional Affiliation: __________________________________________________________

   Address: ________________________________________________________________

   ________________________________

   Fax: ________________________________    Email: ________________________________

9. **Project Information**:

   Title of Research Project: ______________________________________________________

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

   Brief description of project and use of Special Collection materials: ____________________

   ______________________________________

   ________________________________

   List of photographs requested: ____________________________________________________

   ______________________________________

   ________________________________

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)