

Market Trends

# Photo Copyright 101: Is it Legal to Use Photos from the Internet?

By EyeEm Team - 4 min read

## What's the right way to get and use images online?

The Internet has created this funny, or not so funny, illusion that any image you see is up for grabs to throw a caption over or repurpose for your own project. Such is not the case. Copyright is alive and well, and just as its purpose intended, it has served to protect photographers time and again – whether its a [macaque taking a selfie](#) or a photographer [like Daniel Morel](#) whose work was downloaded and shared from Twitter.

If you're an editor, designer or a creative looking for images online, get to know these basic rules when it comes to copyright. Not only will it protect you in your own creative endeavors, but it will protect the photographer, too.



comes into effect upon the creation of the work, and the owner is the creator of the work who has power to grant legal right of the work to others.

## **How do you legally use a photo?**

### **Paid Licensing**

The owner of an image (the photographer) can grant you the right to use their image legally by licensing the image to you via a photography licensing platform, like [EyeEm Market](#). This is the simplest way to access original images at fair prices for both you and the photographer. With two kinds of licensing, editorial and commercial, the image is priced depending on how you will be using it.

### **Fair Use**

Fair Use comes allows you to use an image based on three conditions. First is if it used for limited non-profit and educational use. Second is if it is changed so drastically that it no longer has the same meaning or purpose, and third is if it is used informatively for the public good.

### **Creative Commons**

Creative Commons is a kind of licensing. In this case, a photographer releases the rights to their image under certain conditions. These conditions vary and can be as simple as making sure the image appears with a credit to the owner. If a photographer gives you permission by email to use the image for free under their conditions, this would fall under Creative Commons.

### **Public Domain**

Public Domain is also a case in which the owners rights have expired, been forfeited or do not apply. Examples include the works of Shakespeare and Beethoven.



### **What to Avoid**

- Using a photo found online without addressing the above

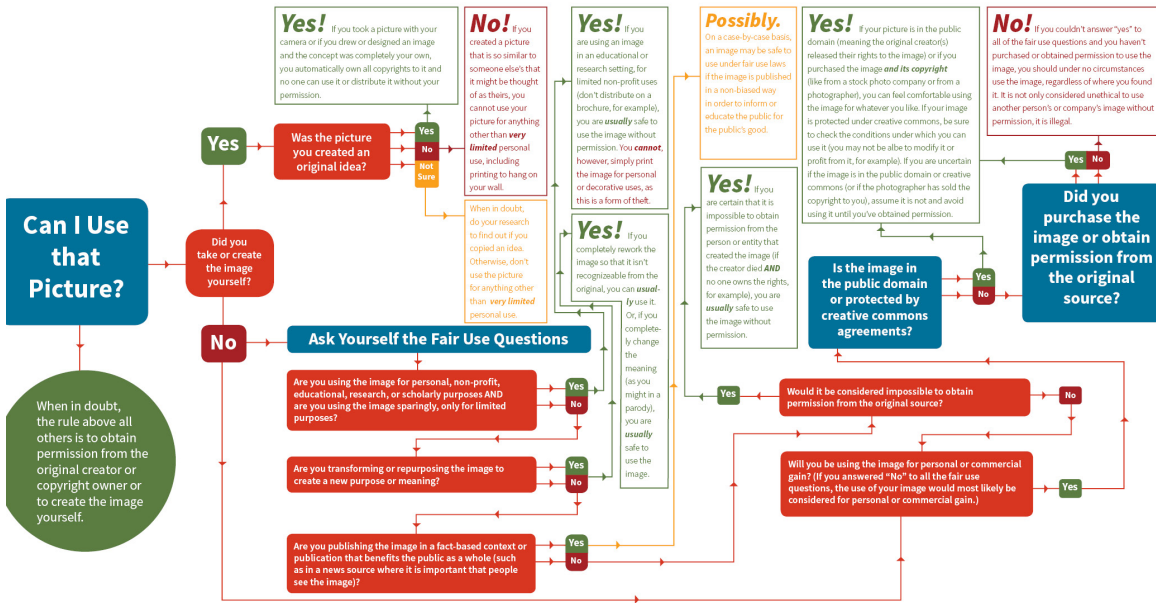
- Neglecting to educate yourself on copyright law, including local laws

### More resources

Note that the above is a general guideline to copyright, but law can vary case by case and from country to country. Learn more below and by researching on where you are.

# Can I Use that Picture?

## The Terms, Laws, and Ethics for Using Copyrighted Images



<p><b>Copyright</b> The protection given to any created image or work from being copied or distributed without permission. All images are immediately given copyright to the creator when the image is created.</p>	<p><b>Fair Use</b> The legal right to use copyrighted images as long as the images are used for educational, research, or personal use or as long as the image benefits the public good in some way.</p>	<p><b>Creative Commons</b> Images that are copyrighted but that the creator has put provisions on their use. A creative commons license might stipulate, for example, that an image can be used as long as it isn't modified in any way.</p>	<p><b>Public Domain</b> Images that no longer have copyright restrictions either because the creator willingly relinquished their copyright or because the creator is dead AND no one owns the copyright.</p>
---	--	--	---

**What if I found the picture on social media or a website?**

While the laws about distributing images through social media channels like Facebook, Pinterest, and blogs can sound fuzzy, it is generally considered **socially** acceptable to redistribute an image that was originally intended to be publicly viewed by the creator. This is why you will typically find original images re-posted on blogs, news sites, and social media channels even if the person re-distributing the images didn't obtain permission to do so.

*However*, much depends on the way in which you intend to use the image. It is unethical to redistribute an image on Facebook, for example, if a person didn't intend for the image to go public in the first place. It is also a form of plagiarism to post an image on your blog or website without citing the original source (and it is considered best practice to link back to the original source as well).

Pay attention to the fair use laws and other questions to the left when considering using other images you find online. Be careful about using others' images for personal gain, commercial gain, and even formal presentations without obtaining permission first.

By [The Visual Communication Guy](#).

- [Can I Use That Picture? A Flowchart](#)
- [8 Legal Cases Every Photographer Should Know](#)
- [The Best Ways to Be Sure You're Legally Using Online Photos](#)
- [Creative Commons Search](#)
- [An Interview with a Photo Attorney](#)

- For Brands
- For Contributors
- Photography culture
- About

