

Aurora Color Television Project
Neal Brown, Tom Hallinan, and Daniel Osborne
Geophysical Institute
Fairbanks, Alaska 99775-7320

IMAGE DISTRIBUTION POLICY

TO: Image Requestors

FROM: Daniel L. Osborne (907) 474-7107 - Tel.
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SUBJECT: Policy of Releasing Images from the
Aurora Color Television Project (ACTP)

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- 1) All requests shall be broken into three major categories:
- a) **CATEGORY TWO:** This category is for normal stock footage sales. Organizations that do not fit the descriptions below and are not a News Media or do not wish the restrictions of the other categories.
 - b) **CATEGORY THREE:** Organizations which are a (regularly broadcasting, full time) news media and intend to use the images in a news story about the aurora; other related geophysical phenomena, or report on scientific research or education in geophysics. This category includes government agencies willing to accept this category's restrictions who are requesting images for their official purposes.
 - c) **CATEGORY ONE:** Organizations that make an educational, scientific production on the aurora or closely related geophysical phenomena which ACTP has editorial control of the use and treatment of the images and story. **CATEGORY ONE** users will be considered as our workload allows time.
- 2) a) Conditions of release for all images from the video, "Aurora Color Television Project" (ACTP) copyright 1985, 1986 videotape and other ACTP images.
- b) These images are privately owned and donated for use by the Aurora Color Television Project at the Geophysical Institute. ACTP operates on a part-time basis; long lead times are needed to handle your request. Since time devoted to this project is volunteered, generally we need at least **15** working days to cut your selected images and prepare a license agreement.

c) The license fee prices are dependent upon using **our** license form, not any other substitutions. Currently, we fair trade and charge the same fees for all users. Sample license sent on request.

d) **A kill fee is required due to the nature of the project. Before any images will be cut or shipped a kill fee of \$600 is required. This \$600 counts towards the minimum.** An estimated invoice for search, duplication and license fees will be faxed and/or mailed. Any overpayment will be returned after final adjustment has been made. Minimum charge for license, services, and fees is \$600 and is non-refundable.

e) All payments shall be made payable by U.S. bank check, certified check, credit card or money order in U.S. dollars to the Geophysical Institute. A preliminary license payment shall be made within 30 days of final edit, or within 30 days of receipt of draft license agreement, whichever comes first.

The license agreement is not considered valid until full payment is received and the agreement has been signed by both parties.

f) Requestors shall agree to hold totally harmless the University of Alaska Fairbanks, Geophysical Institute, Aurora Color Television Project, and the copyright holders of this material (Neal Brown, Thomas Hallinan, and Daniel Osborne) for any indirect, incidental, consequential, special or exemplary damages arising out of, or in connection with, your request for, your use of, or inability to use these images. Users agree to indemnify the above from all claims, demands, or liabilities (including reasonable counsel fees) arising out of breach of the foregoing terms. Users remedy for breach of this agreement will be limited to the return of monies previously paid and will not include any other relief.

g) **Prior to our release of images**, and in order to correctly license the rights you need, all requestors must send ACTP a statement listing:

- (a) the party or company to whom the images will be licensed to and who will sign the license,
- (b) their audience, geographic region or countries, or other description,
- (c) type of medium(s) the release(s) will be made in, locations of releases,
- (d) intended purpose and subject of the program,
- (e) working or final title of the program,
- (f) expected release date and/or planned broadcast information, plus editing deadline,
- (g) story line and treatment of images

The above information is important to us to ensure the correct license is issued.

h) **CATEGORY TWO:** Only non-exclusive rights in perpetuity are offered. Permission is granted for one program only and one edition of that program, the user may run, show, or sell copies of that complete program as often as the user wishes. User will pay the complete cost of search, editing, and duplication, plus usage license fee. See license usage fee list in Section 4 below. Maximum run time used per production is limited to less than 10% of program run time or 6 minutes run time, whichever is less. Minimum run time is 20 seconds. Our standard credit as

listed in Section 3 below is required for every category of use, except spots. User must supply ACTP with an NTSC, VHS copy of the complete program(s) using our images. Overall minimum billing charge for all services and fees is \$600.

i) **CATEGORY THREE:** Only non-exclusive rights for one year from date of delivery are offered. Images are to be used only for a single purpose or program per request. Additional permission must be requested for additional use of the images. Images are offered at our determined cost of search and duplication. No license usage fee will be charged. Maximum run time is 4 minutes, unless special prior authorization is given. Minimum run time is 20 seconds. **ALL CATEGORY THREE** users shall superimpose on the images the words, "**IMAGES COURTESY OF THE UNIVERSITY OF ALASKA FAIRBANKS**" in characters not less than 12 TV lines high or equivalent for the entire run time. User's unwilling or unable to superimpose the credit lines will be considered as CATEGORY TWO users. User must supply ACTP with a NTSC copy of the program(s) using our images and any time(s) and place(s) shown or broadcast.

j) **CATEGORY ONE:** All users shall work closely with Tom Hallinan, Neal Brown, or Daniel Osborne for their input into the use and treatment of the images and accompanying story line. **CATEGORY ONE** projects will be subject to editorial control by ACTP. Charges for **CATEGORY ONE** users shall be charged our determined cost of labor, search, and duplication. No usage license fee will be charged. Our standard credit as listed in section 3 below is required. User must supply ACTP with a NTSC copy of the program(s) using our images and any time(s) and place(s) shown or broadcast. Rights for use are in perpetuity. Acceptance as a **CATEGORY ONE** user is dependent on the availability of our time and worthiness of the project. There is no automatic guarantee of acceptance in **CATEGORY ONE**.

- 3) Ending credits shall have the following credit lines:

**"Auroral Images from
Neal Brown,
Tom Hallinan, and
Daniel Osborne
Geophysical Institute
University of Alaska Fairbanks"**

Character size is a minimum of 12 TV lines high or equivalent, with a 4 second total run time (still or scrolled).

- 4) CATEGORY TWO usage license fees:

A user wishing to use a multiple of the below listed types of use will pay the highest license fee, plus 50% of all the lessor license fees their use may involve. Run time includes repeats and refrains.

"All rights in all media yet to be invented" are not licensed by ACTP.

Type of Use:	Price/second of Run Time
Local or regional TV commercial	\$54
National TV commercial	\$72
Theatrical (Worldwide Television)	\$72
Theatrical (W/Foreign Television)	\$60
Theatrical (W/U.S. Television)	\$60
Theatrical (No Television)	\$54
Public Television (United States)	\$21
Public Television (U.S. plus Foreign TV)	\$45
Government, Religious, and Pilots (No TV)	\$18
Educational 16 mm films (No video)	\$18
Video for Home & School Use (Cassettes, DVD disks, and the like)	\$21
Live Theatre, Night Clubs, Exhibit Films in Theme Parks, Concerts (No Television, Displays only)	\$21
Corporate Films and Presentations (No Television)	\$27
Pay Television, Cable (U.S.)	\$27
Pay Television, Cable (Foreign)	\$27
Pay Television, Cable (World)	\$36
Television (U.S.) (No cable or pay T.V.)	\$30
Television (Foreign) (No cable or pay T.V.)	\$30
Television (Global) (No cable or pay T.V.)	\$45
CD-ROM (10 year limited license)	\$45

Non-Theatrical Standard TV. Non-Theatrical Non-Standard TV, & Home Video Media - Bundle	\$120
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- 5) Rights to the complete videotape, including audio track will be separately covered. The fees covered in Section 4, do not convey any rights to the audio track. Separate arrangements must be made for using any part of the audio track. For information on use of the audio track only, contact the FAIRBANKS SYMPHONY.
- 6) Time windowed preview tapes are available for inspection and selection of images. A \$100 advance deposit plus cost of mailing is required before shipment of the preview tape. This deposit will be returned or subtracted from the total cost of the images when the preview tape is returned to ACTP.
- 7) Copy, search, duplication and other services are currently billed at \$100/hr.
- 8) Modifications to the images, including, but not limited to, changes orientation, colors, changes in time base more than 1%, reversals of time, inversions of images, reversals of images (unless depicting aurora australis), or compositing horizon scenes on zenith auroral views, that render the images scientifically questionable in our judgment are not permitted, without specific advance permission.

Daniel L. Osborne
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Check out our website:

<http://aurora.gi.alaska.edu>