

## Using Images with Fair Use Guidelines

**Copyright:** Copyright specifies how creators want their work used, shared, or adapted by dictating a user’s right to make copies, right to distribute copies, and right to make derivative works by altering the original. Contrary to popular belief, works are *automatically* copyrighted upon their creation.

**Fair Use:** Fair use is a person’s ability to use a copyrighted work under certain conditions *without* acquiring the copyright owner’s formal consent. According to Patrick Thomas, a legal consultant for Weber State University, fair use is not a secure defense against copyright infringement. The courts usually determine on a case-to-case basis whether the use of a copyrighted material falls under fair use, so it’s safer to use images that are available for public use.

### Always Analyze the Image’s License

The image’s license defines the copyright and dictates how the work can legally be used. An image’s license will dictate what students can use the image for and how many times they can use it. *Always* read the terms of use, copyright, or other legal statements if they are available. If an image or video does not have information about its license stipulations, students should avoid using it.

As Patrick Thomas says, “presume nothing is free unless you can find proof to the contrary that it is safe to use.”

### Finding Images in the Public Domain

#### Creative Commons Search Engine

[search.creativecommons.org](https://search.creativecommons.org)

- Check the box that selects the best license for your project.
- When you find an image, select the “Info” tab to access the image’s license.
- When citing the image, search the “Attribution” tab to find out who uploaded the license.

#### Google Images Search Engine

[google.com](https://google.com)

- Find the “Settings” button.
- Click on “Advanced Search.”
- Look for “Usage Rights.”
- Scroll through the available options for usage rights.
- Select the license that works best for your project.

#### WSU Stewart Library

<https://libguides.weber.edu/images>

- For website links, select the “Home” Tab.
- For help citing pictures, select the “Citing Images” Tab.
- For further guides about image copyright guidelines, select the “Copyright” Tab.

### Always Cite the Image

For academic purposes, you should always cite the images that you use. Even if the image states that you do not need to give the source credit, you should cite the image anyway.

**Citation Example** (for an Image from *Pexels*):

“Silhouette of Man with Right Hand on Lips.” Uploaded by Sourav Mishra, *Pexels*, March 19, 2018. [www.pexels.com/photo/silhouette-of-man-with-right-hand-on-lips-1275324/](https://www.pexels.com/photo/silhouette-of-man-with-right-hand-on-lips-1275324/). Accessed 23 Sept. 2019.