

Guidelines for Use of Images

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Under general law, each individual has a legal right to prevent use of his or her name, voice, likeness, and/or image (whether in a still or motion picture) in a way that implies endorsement or approval by the individual of a product or message or that commercially benefits someone, unless the individual consents to that use.

Church policy requires that consent be obtained prior to using an image in any case where one of the following applies:

1. An image shows a named, generally recognizable group (such as a musical or political group).
2. An individual in an image is recognizable by those who are casually acquainted with the individual, and one of the following applies:
 - a. The individual is a public figure or celebrity.
 - b. The image includes less than 25 people.

If consent would be required under the above policy from a child under the age of 18, a parent or legal guardian of that child must give consent.

How to Obtain Consent

A signed Release to Use Image form (37077) must be obtained in any case where consent is needed, except as noted below.

1. When a Church-sponsored event that includes a large number of people is to be photographed, videotaped, or broadcast, one of the following three consent methods may be used:
 - a. The following verbal announcement may be made at the beginning of the event, before any photography, videotaping, or broadcast begins:

This event is being broadcast on public and cable television stations and is being recorded for use in future print, audio, or video productions and broadcasts. By attending this event, you consent to our use of your image and/or voice in these broadcasts and productions.

Written or recorded verification that this action has taken place must be dated, signed, and then submitted by the product manager to the Intellectual Property Office (IPO).

- b. If the event is ticketed, the following text may be printed on each ticket:

By attending this event, you consent to the use of your photograph, voice, likeness, and/or image in broadcasts of this event and in subsequent publications and productions drawn from photographs or video or audio recordings of this event.

- c. A placard may be displayed at each entrance to the venue, having the following text printed in at least one-inch type:

Legal Notice

This event is being recorded for use in possible future print, audio, or video productions; broadcasts; or cable television. The event may also be used in productions affiliated with The Church of Jesus Christ of Latter-day Saints. By attending this event, you consent to the use of your photograph, voice, likeness, and/or image in any such broadcasts or productions, in any media, in any location worldwide, without remuneration. If you do not consent to this use, do not attend this event.

Written or recorded verification that this action has taken place must be dated, signed, and then submitted by the product manager to the IPO.

2. Church magazines that receive submissions of material from readers or freelance authors should obtain a statement of consent with the submission. To request such a statement from an adult, a magazine issue should include an instruction such as the following, placed near the text that describes how readers can submit material:

Please send submissions to [address]. A written statement must be included, granting permission to publish your name, photograph, and place of residence. Submissions may be published in print or electronically.

When requesting submissions from children under the age of 18, an instruction such as the following may be used:

Please send submissions to [address]. A written statement by a parent or legal guardian must be included, granting permission to publish the child's name, photograph, age, and place of residence. Submissions may be published in print or electronically.

The IPO will confirm the appropriateness of the specific instruction.

3. General authorities and general officers of the Church collecting photographs of members while on assignment may use the Release to Use Image form provided by the IPO or may obtain a paper, signed by the persons being photographed or by a parent or guardian, as appropriate, stating the following:

I consent to The Church of Jesus Christ of Latter-day Saints (and its affiliated legal entities) publishing my photograph.

4. When images are provided by an independent contractor who is working under an approved contract that requires the contractor to obtain appropriate releases, no further documentation of consent is needed for those images.

5. When a *specific use* of an image qualifies as news reporting, no documentation of consent is required *for that use*. News reporting communicates events without promoting an overt message. Despite formats that may resemble news reporting, nearly all Church communications have an overt message and cannot be classified as news reporting.

The IPO can help a department determine which type of consent is appropriate for a particular project or intended use.

Using Images Already in the Church's Possession

It may be virtually impossible to obtain consent to use an image already in the Church's possession. In such cases, the relevant department may decide to accept the risk of using the image without consent after the IPO has assisted them in quantifying that risk based on factors such as:

- A search of the IPO's contract files for applicable Release to Use Image forms.
- A history of use without objection for a given image or individual. (A history of use consists of more than a one-time use.)

- The level of potential offense that might be taken from the intended use of the image.
- The remoteness of the person shown from the market in which the image will be used.
- Statements by Church employees regarding the identity of the person shown in the image.

When necessary, the IPO may consult with the Office of General Counsel to assist in quantifying the risk so that the relevant department can make a fully informed decision about the risk of use versus the cost of replacing the image.