



BILD-KUNST

Collecting Society BILD-KUNST 53113 Bonn Weberstraße 61

Legal society by state award

Main Office Frankfurt am Main

Directive on non-commercial usages

Version according to the decision of the Membership Assembly on 2 July 2016

According to section 11 German Act on the Management of Copyright and Related Rights by Collecting Societies (VGG), beneficiaries of a collecting society can grant the rights to their works to anyone for “non-commercial” usages.

1. Own usage

The member receives a royalty-free licence from VG Bild-Kunst for the own usage of the rights he/she has for his/her works.

2. Third-party usage

Upon request, the member receives a royalty-free licence from VG Bild-Kunst for the non-commercial usage by third parties of the rights he/she has for his/her works.

This licence allows the beneficiary to award the following to a third party

- a free individual case licence that is non-transferable and limited in content, time and territory for a specific usage
- a transferable non-commercial creative-commons licence that is unlimited in content, time and territory for a variety of usages (see www.creativecommons.org).

3. Non-commercial

The use of the work for a non-commercial purpose presupposes that the specific use is neither aimed at a monetary remuneration, nor at any other beneficial asset, nor used in a business context.

Non-commercial usages are normally used by private individuals for purely personal or private purposes.

Commercial usages are used by, e.g. companies (legal entities or sole traders), broadcasters or cultural and educational institutions, even if in this specific case it is a free offer.

4. Conditions

a. for own usage:

The member informs the office of VG Bild-Kunst about the specific use immediately after the start of the usage. The claim needs to be addressed to the office of VG Bild-Kunst (Weberstr. 61, 53113 Bonn, “reproduktionsrechte@bildkunst.de”).

b. for the individual case licence to third parties:

The member reports the planned usage to the office of VG Bild-Kunst in advance.

The claim needs to be made in advance of the intended use and must allow the office reasonable time for processing, which is at least 2 working days.

The claim needs to be addressed to the office of VG Bild-Kunst (Weberstr. 61, 53113 Bonn, “reproduktionsrechte@bildkunst.de”) and must contain the following information at least:

- 1) The user and contact details for any questions necessary on classifying the usage;
- 2) the work to be used including the specific title or another unique identifier;
- 3) the intended purpose for its usage including a detailed description (print run, layout, website etc.).

The copyright notice of VG Bild-Kunst is specified alongside with the author or work title copyright.

The office verifies the existence of non-commercial usages on the basis of the claim of the beneficiary. The beneficiary is informed of the result of the examination and may, if necessary, grant the rights for the specific purpose.

The office maintains a database of the respective usages.

c. for a creative-commons (CC) licence:

The licensing of VG Bild-Kunst to the member occurs only for CC licensing, which authorises the non-commercial usage by any third party.

The member must obtain information in advance at the office about the importance of CC licensing and confirm receipt of this information.