

# ■ Guide: Using Images for Logos in the U.S.

## ■ ■ What is considered an “image” under U.S. law?

- Includes pictorial, graphic, and sculptural works.
- Examples: 2D & 3D artworks, applied art, photos, prints, maps, globes, diagrams, models, technical drawings, architectural plans.

## ■ Do you need permission for photos (e.g., on blogs)?

- ■ Yes – if used as part of your brand/design or repeatedly.
- ■ Not always – if it’s just part of a single post, but you must assess context carefully.

## ■ When is permission NOT required?

- Public domain works (including many U.S. government works).
- ■ ■ But note: not all government works are free—contractors can hold copyright.
- Explicit permission from the copyright holder.
- Fair Use doctrine may apply (case-by-case).
- Creative Commons licenses (BY, NC, ND, etc.) – always read terms and credit author.

## ■ ■ Extra Rights: Moral Rights (VARA)

- Artists can demand attribution.
- They can prevent harmful modifications to their work.
- Covers: unique or limited edition artworks (≤200 copies, signed & numbered), and exhibition-only photos.

## ■ Key Checks before using images for trademarks/logos

- License: confirm you have one.
- Authorship: credit the author if required.

- Copyright term: usually life + 70 years (with exceptions).
- Context: ensure use aligns with license terms.
- Permission: when in doubt – ask.

## ■ Risk Tip

- Misuse can lead to lawsuits. Better safe than sorry. Always evaluate risks before adopting an image.

## ■ Questions for Lawyers

- What purposes are permitted by this license?
- Is it possible to purchase rights outright?
- If used without permission, can rights be secured later (e.g., pre-trial settlement)?
- What practical strategies exist for dispute resolution?

■ Takeaway: Always double-check licenses, credit authors when required, and seek legal advice if unsure. Investing in clear rights now is safer than litigation later.