

The Usage Glossary is a collection of terms and their definitions. The glossary is provided to serve as a resource for various industry requests and to help agents negotiate on behalf of their artists. The glossary outlines standard understanding within the industry but should be reviewed carefully with clients according to specific job circumstances and parameters.

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# Types of Rights Transfers

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When negotiating fees it is important to understand which rights are being discussed and to distinguish between a license and an assignment. Transfers rights can include:

**License** Artist retains copyright but permits client specified rights and uses to the images. License terms typically identify the permitted use, media, duration, and territory. Artist retains all rights not specifically licensed.

**Copyright Assignment** Legal ownership of all rights to the images transfers to client. Client is unrestricted in its use of the images across all media for all time. Included are the rights to reproduce, use, display, broadcast, print, edit, transfer, and sublicense the images, as well as to create derivative works. Artist relinquishes all rights, including self-promotion and the right to create works that are “substantially similar” to the works being transferred. Also commonly referred to as “Work for Hire,” although that term more accurately refers to motion images and audio-visual works. Anything less than an assignment of all rights is referred to as a “License.”

**Buyout** AMA recommends clarifying meaning with clients. Can be interpreted as copyright assignment or perpetual license.

**Work for Hire** Similar to Copyright Assignment, Client owns all rights and title to the images.

## Licensed Term (Duration)

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Work may be licensed for any length of time. In addition to identifying specific dates of use, some common duration terms are:

**In perpetuity** Client is granted use for all time, copyright stays with photographer

**Perpetual License** Client is granted use for all time, copyright stays with photographer. Also called In Perpetuity

**Unlimited time** Client is granted use for all time, copyright stays with photographer. Also called In Perpetuity

**One season** Season length depends on the category of client. Fashion, consumer, etc.

**Single use** One insertion / post / use / event, etc.

# Advertising Usage Terminology

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Advertising is a broad category. Outlined below are types of media that relate to clients in fashion (seasonal and non-seasonal), beauty (prestige and mass), luxury, consumer and direct-to-consumer markets.

**3rd Party Grant of Rights** Advertisers' ability to sublicense or share images with a 3rd party brand (digital or printed media)

**Advertorial** Commissioned by an editorial outlet, funded and branded for an advertising client (digital or printed media)

**ATL** Any paid consumer-facing usage in any form

**Banners** Advertisements on websites

**Billboard** Outdoor advertising (digital or printed media) Branded content – Commissioned by an editorial outlet, funded and branded for an advertising client (digital or printed media)

**Brochures** Below the line advertising typically in situation or direct mail

**BTL** Unpaid usage including brochures, collateral, CRM, Brand's owned website, e-commerce, lookbooks, emails and social media accounts, direct mail, internal use, and trade show use

**Bus Shelters** Outdoor advertising (digital or printed media)

**Catalog** Printed use in a branded publication

**Clienteling** 1:1 selling from sales professional to client

**Connected TV** Commercial use on streaming services such as Hulu, Peacock, etc. (Similar to OTT)

**Co-op Advertising** Co-branded partnerships or use by retail partners (digital or printed media)

**Collateral** Below the line point of sale marketing materials like sample cards, flyers, postcards

**Coupons** Vouchers for discounts on products or services, below the line (digital or printed media)

**CRM** Customer relationship management. Email and direct mail marketing to existing customer base (digital or printed media)

**CVM** Creative visual merchandising, an example may be caselines

# Advertising Usage Terminology

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**Date of First Insertion** Date that triggers the start of a usage period

**Digital Archival Rights** Allows brands to keep historical posts across social media channels, does not include new postings

**Digital ATL** Paid placements on websites, e-commerce, lookbooks, emails, and social media accounts

**Digital BTL** Brand's owned website, e-commerce, lookbooks, emails and social media accounts

**Digital Media** Any device or medium that uses digital signals to convey content: mobile (including mobile applications); interactive online tools; electronic billboards and displays. Paid and unpaid placements on website, e-commerce, lookbooks, emails and social media accounts. May need further clarification from client.

**Digital Use Organic** Brand's owned website, e-commerce, lookbooks, emails and social media accounts

**Digital Use Paid** Paid placements on website, e-commerce, lookbooks, emails and social media accounts

**Digital Use Unpaid** Brand's owned website, e-commerce, lookbooks, emails and social media accounts

**Direct Mail** Below the line printed marketing materials

**Display insert** In store imagery at point of purchase, usually as a secondary visual

**Editorial** Use in the brand's publication (digital or printed media)

**EDM** Electronic Direct Mail

**Electronic Media** Any electronic or telecommunications media, including but not limited to the internet, interactive systems and mobile devices

**Email** Imagery used within email campaigns

**Emerging Media** A catchall to cover forms of media not yet developed  
FOS – Front of store

**In Store** In store imagery at point of purchase

# Advertising Usage Terminology

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**In-App Advertising** Imagery used within apps

**Industrial** Industrial advertising refers to advertising that targets businesses who seek products or services related to the manufacturing industry. It also refers to B2B advertising in general – which means a business promotes products or services to another business.

**Insert** The supporting visual in an advertisement, usually smaller and often inset on to the Main Visual (also called Secondary Visual)

**Internal** Non consumer-facing use, brands' internal communications/intranet (digital or printed media)

**Invitations** Single time use for events (digital or printed media)

**Lightbox** In store and/or travel retail point of purchase displays

**Literature** Print advertising

**Living One Sheet** Digital Out of Home billboard

**Main Visual** The primary or only visual in an advertisement

**Marketing Collateral** Below the line point of sale marketing materials such as sample cards, flyers, postcards

**New Media** A catchall to cover forms of media not yet developed

**OTT** Over the top, content streamed through the internet and watched on smart TVs and streaming devices rather than through cable or satellite TV (Similar to Connected TV)

**Out of Home (OOH)** – Outdoor advertising (digital or printed media)

**Packaging** Imagery used on printed packaging materials (on primary or secondary components)

**Patient Brochures** Below the line advertising typically in situation or direct mail

**Point of purchase (POP)** In store imagery at point of purchase

**Point of sale (POS)** In store imagery at point of purchase

**Postcards** Below the line printed marketing materials

**Posters** Out of home, another form of outdoor advertising, including wheat pasting and wild posters

# Advertising Usage Terminology

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**PR** Imagery included with press release for product and/or service, should be clarified on case-by-case basis with client (digital or printed media)

**Print** Various forms of consumer facing printed media

**QR Code Initiatives** Imagery used within QR prompted advertising

**Riser Cards** In store imagery at point of purchase

**Secondary Visual** The supporting visual in an advertisement, usually smaller and often inset in the Main Visual (also called Insert)

**Smart Ad** Algorithm based advertising where the cost to advertise is based on ad performance

**Social Media** Websites and digital apps that create and share content for social networking

**Targeting & Retargeting Ads** Advertising based on users personal data, algorithm based

**Trade Advertising** Also known as B2B advertising, advertising within industry could include trade show advertising, publications (digital or printed media)

**Trade Show** Below the line advertising typically at trade shows and industry events

**Travel Retail** Imagery used in/at travel hubs

**Wheat Pasting** Out of home outdoor advertising (also called Wild Posting)

**Wild Postings** Out of home outdoor advertising (also called Wheat Pasting)

# Editorial Usage Terminology

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Editorial use applies to work (still or motion) commissioned by a media publication or syndicated by an editorial publication or platform not promoting any particular brand or service. Editorials typically come with specified day rates or all in budgets in exchange for a limited use within the publication and on their owned and operated sites. Editorial contracts vary widely, some apply to specific commissions, others apply to all work for the publisher for any of their titles or sites. Some considerations around Editorial use:

- Size and reach of publication (daily, weekly, monthly or annual circulation / unique impressions)
- Size or social media following
- Free or Subscription based
- Embargo period
- Artist credit
- Licensing and third party rights

**Advertorial** \* Commissioned by an editorial outlet, funded and branded for an advertising client

**Archival** Historical use of the work, typically in its originally published context

**Branded content** \* Commissioned by an editorial outlet, funded and branded for an advertising client

**Consumer Magazine** Publication available for consumers

**Digital Use Organic** Publication's owned website and social media accounts

**Digital Use Unpaid** Publication's owned website and social media accounts

**Editorial** Use in the commissioning publication

**Embargo Period** Time during which the assigning or commissioning publication has the exclusive right to use the work

**Exclusive License Period** Time during which the assigning or commissioning publication has the exclusive right to use the work

**Initial Publishing Rights** First magazine and periodical right to publish the commissioned work

**Internal** Non consumer facing use

**International Edition** \* Foreign edition of the assigning or commissioning publication

**Outtakes** \* Unselected work resulting from the commissioned project

**Trade Magazine** Publication promoted within a specific industry or trade \* Additional fees may apply

# Entertainment Usage Terminology

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Work commissioned by a film or television studio, network, streaming service, or theatrical group for the purposes of advertising, promotion, and PR. Many commissions in the entertainment industry involve a full copyright transfer, though photographers may retain self-promotion rights.

**All Media** Any and all types of media

**Key Art** The singular, iconographic image(s) upon which a movie's marketing campaign is built (i.e., the movie poster or other main visual used across a variety of media to advertise a film or television show, or theatrical release).

**Living One Sheet** A collection of short animated key visuals that are usually shown in cinemas, online or OOH (such as a billboard), usually made of 5-10 seconds of video material.

**PR/Publicity/Gallery Shoot** Still photographs of talent in a film or TV production used for publicity, primarily in editorial type outlets, as well as in other related promotion. Can be with talent in or out of character. Usage may exclude paid advertising.

## Music Usage Terminology

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Work commissioned by a record label, management company, or musical artist or group, for the purposes of album promotion and PR. Usage may be an exclusive license in perpetuity, worldwide; or a full copyright transfer. Photographers may retain self-promotion rights and the right to negotiate merchandise-for-sale use separately.

Some considerations around Music use:

- Reach of musical artist or group and their following, whether they are signed or unsigned to a record label
- Artist credit on Packaging/Artwork and social media postings

**All Rights** All media and uses in Perpetuity. This is not necessarily a copyright transfer unless it's called out as such.

**Merchandise-for-Sale** Image use on talent merchandise (shirts, bags, hats, posters, etc.) offered for sale online, in stores, at concerts, etc. Merchandise-for-sale is often carved out as a separate usage.

**Packaging** Still photographs or artwork used on digital or physical product packaging (cover or interior booklet artwork). Includes the right to use these materials for marketing and promotion.

**PR/Publicity** Still photographs of talent used for publicity, primarily in editorial type outlets. Includes the right to use these materials for marketing and promotion.



# Territories / Regions

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Work can be licensed for use in any territory, common descriptions are:

**Africa** Comoros – Congo – Congo (Democratic Republic Of) – Cote D’Ivoire – Djibouti – Egypt – Equatorial Guinea – Ethiopia – Gabon – Gambia – Ghana – Guinea – Guinea-bissau – Kenya – Lesotho – Liberia – Libya – Madagascar – Malawi – Mali – Mauritania – Mauritius – Mayotte – Morocco – Mozambique – Namibia – Niger – Nigeria – Oman – Rwanda – Sao Tome & Principe – Senegal – Seychelles – Sierra Leone – Somalia – South Africa – Sudan – Swaziland – Tanzania – Togo – Tunisia – Uganda – Western Sahara – Zambia – Zimbabwe

**APAC (Asia Pacific)** Australia – China – Hong Kong – India – Indonesia – Japan – Korea – Malaysia – Mauritius – New Zealand – Philippines – Singapore – Sri Lanka – Thailand – Vietnam

**Asia** Afghanistan – Bangladesh – Bhutan – Brunei – Cambodia – China (Including Hong Kong & Macau) – India – Indonesia – Indochina – Iran – Japan – Kazakhstan – Korea (North) – Korea (South) – Kyrgyzstan – Laos – Malaysia – Maldives – Mongolia – Myanmar (Burma) – Nepal – Pakistan – Philippines – Singapore – Sri Lanka – Taiwan – Tajikistan – Thailand – Turkmenistan – Uzbekistan – Vietnam (May Or May Not Also Include The Countries Of Southwest And North Asia – See Below)

**Australasia/Oceania** Australia – Tasmania – New Zealand – Fiji – Samoa – Tonga – Papua New-guinea – Christmas Island – Cocos-keeling Islands – Cook Islands – French Polynesia – Kiribati – Pitcairn Islands – Solomon Islands – Nauru – New Caledonia – Nive-midway Islands – Northern Mariana Islands – Tahiti – Palau – Tokelau – Tuvalu – Vanuatu – Wallis & Futuna Islands – Guam Marshall Islands – Micronesia

**Cee (Central & Eastern Europe)** Bulgaria – Croatia – Czech Republic/Slovakia – Hungary – Latvia – Macedonia – Poland – Romania = Serbia/Bosnia – Slovenia – Ukraine

**Ceemea** Central And Eastern Europe, Middle East And Africa

**Central America** – Belize – Costa Rica – El Salvador – Guatemala – Honduras – Nicaragua – Panama

**Continental South America** Argentina – Bolivia – Brazil – Chile – Colombia – Ecuador – French Guiana – Guyana – Paraguay – Peru – Suriname – Uruguay – Venezuela South America Argentina – Bolivia – Brazil – Chile – Colombia – Ecuador – Faulkland Islands – French Guiana – Guyana – Paraguay – Peru – South Georgia And South Sandwich Islands – Suriname – Uruguay – Venezuela

**East Asia (Aka Far East)** China – Hong Kong (China) – Japan – Macau (China) – Mongolia – North Korea – South Korea – Taiwan

**Eastern Europe** Belarus – Moldova – Russia – Ukraine – Bulgaria – Czech Republic – Hungary – Poland – Romania – Slovakia

**EMEA (Europe, Middle East & Africa)** Countries Of Europe – Middle East – Africa – (See Countries Above)

# Territories / Regions

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**EU** Austria – Belgium – Bulgaria – Cyprus – Czech Republic – Denmark – Estonia – Finland – France – Germany – Greece – Hungary – Republic Of Ireland – Italy – Latvia – Lithuania – Luxembourg – Malta – Netherlands – Poland – Portugal – Romania – Slovakia – Slovenia – Spain – Sweden – Uk

**Latin America** (Commonly Countries Of Americas Where Spanish/Portuguese Predominate-strictly Ibero-/ Hispano-america) Mexico – Most Of Central And South America – Cuba – Puerto Rico – That Part Of The Dominican Republic Located In The Caribbean

**MEA (Middle East & Africa)** Countries Of Middle East – Africa (See Countries Above)

**Middle East** Bahrain – British Indian Ocean Territory – Egypt – Eritrea – Gaza – Iran – Iraq – Israel – Jordan – Kuwait – Lebanon – Palestinian Territory – Qatar – Reunion – Saudi Arabia – Syria – United Arab Emirates – Yemen

**North Africa** No Universally Accepted Definition, But Could Include Algeria – Egypt – Libya – Mali – Morocco – Sudan –Tunisia

**North America** (North America Is Often Divided Into Sub-regions But No Universally Accepted Divisions Exist) Canada – Usa – Mexico

**Northern America** Canada – Usa – Greenland – Bermuda – St Pierre – Miquelon

**Northern Europe** Aland (Finland) – Guernsey – Iceland – Isle Of Man – Jersey – Norway – Svalbard + Jan Mayen Islands (Norway) – Denmark – Estonia – Faroe Islands (Denmark) – Finland – Ireland – Latvia – Lithuania – Sweden – United Kingdom

**Pan-European (Across Europe)** Countries Of Eastern, Northern, Southern and Western Europe – (See Countries Above)

**Southern Africa** Angola – Botswana – Lesotho – Malawi – Mozambique – Namibia – South Africa – Swaziland – Zambia – Zimbabwe

**South America** Argentina – Bolivia – Brazil – Chile – Colombia – Ecuador – Falkland Islands (Uk) – French Guiana (France) – Guyana – Paraguay – South Georgia + South Sandwich Islands (Uk) – Suriname – Uruguay – Venezuela

**Southern Europe** Albania – Andorra – Bosnia + Herzegovina – Croatia – Gibraltar (Uk) – Macedonia – Montenegro – San Marino – Serbia – Vatican City – Cyprus – Greece – Italy – Malta – Portugal – Slovenia – Spain

**Southeast Asia** Brunei – Burma (Myanmar) – Cambodia – Timor-Leste – Indonesia – Laos – Malaysia – Philippines – Singapore – Thailand – Vietnam

# Territories / Regions

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**Southwest Asia** Armenia – Azerbaijan – Bahrain – Cyprus – Gaza – Georgia – Iraq – Israel – Jordan – Kuwait – Lebanon – Oman – Qatar – Saudi Arabia – Syria – Turkey – United Arab Emirates – West Bank – Yemen

**The Baltic States** Estonia – Latvia – Lithuania

**UAE (United Arab Emirates)** Abu Dhabi – Dubai – Sharjah – Ras Al Khaimah – Fujairah – Umm Al Quwain – Ajman

**US** United States

**US Region** Parts of the United States

**West Asia** Dubai – Egypt – Iraq – Israel – Jordan – Lebanon – Morocco – Sudan – Syria – Tunisia

**Western Europe** Austria – Belgium – France – Germany – Liechtenstein – Luxembourg – Monaco – Netherlands – Switzerland

**WW** World wide



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