

Photography 101

WHO OWNS YOUR SOCIAL MEDIA CONTENT?

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Copyright

- In the simplest terms, "copyright" means "the right to copy."
- Copyright applies to all original works including artistic works such as paintings, drawings, films, videos, photographs etc...
- Marking a work with the copyright symbol is not mandatory under Canadian copyright law
- With your copyright, you can use and reproduce the work yourself, lend it out to others to use (through something called a "license," which is the way most social media platforms gain the right to use your content)

LICENSING YOUR CONTENT TO SOCIAL MEDIA PLATFORMS

- Social media platforms, including Facebook, Instagram, Twitter and Youtube, are only allowed to display your content online because of licenses that you, the copyright holder, grant them.
- If you look at the language used by Facebook, Instagram, Twitter and YouTube, in their respective Terms of Use “... a non-exclusive, royalty-free, transferable, sub-licensable, worldwide license to host, use, distribute, modify, run, copy, publicly perform or display, translate, and create derivative works of your content (consistent with your privacy and application settings). You can end this license anytime by deleting your content or account. However, content will continue to appear if you shared it with others and they have not deleted it.”
- Simply put, you own the content you post to social media, but you've given each platform a license to use it as spelled out in their terms and conditions. These licenses are slightly different from each other, but all of them grant the social media platform the right to use your copyrighted work in *whatever* way they see fit.

Social Media Platforms

- Theoretically they could exploit it commercially and even sell or sublicense their license to a third party to use, and, as each one specifies that the license is “royalty free”, you would never receive any part of the profit.
- Now, this is by no means a reason to panic; the likelihood Facebook will start selling copies of your photos of your niece’s dance recital is very low but if we are posting our best works that is another matter.
- But keep in mind that if one day one of your photos pops up on TV in a Facebook commercial, you can’t really do anything about it.

COPYRIGHT TIPS FOR POSTING CONTENT ON SOCIAL MEDIA

- You *should* refrain from posting specific pieces of content on social media platforms if at some point you intend to sell or otherwise commercially exploit your content, third parties looking to purchase it might not be so pleased when they learn that a social media platform already has the rights to it.
- If you have a piece of content that's simply too good to let someone else use, only post it on your own, privately-run website.
- Always read the fine print and keep up to date on each platform's terms of service.
- Each social media platform has its own, unique take on licenses, so you should know exactly what you're signing up for before you check that little box and open a new account. For example, where Facebook's license typically terminates when you delete your account, Instagram and Twitter's last forever.

Posting content online

- Here are some tips you could follow when posting content online:

Place a *copyright symbol* on your content

Include a link to your email or website in your profile so people can easily obtain permission from you prior to using your content

Post only low resolution image

Use watermarks on your content

Questions?

- More detailed information on Copyright law can be found under the Canadian Intellectual Property Office at following link:

<https://ised-isde.canada.ca/site/canadian-intellectual-property-office/en/guide-copyright>