

Gaining permission to use a work of art

How do I seek permission to use a work of art?

Either send your request directly to the author or contact Myndstef. Authors can grant permission of usage of her/his work without involvement of Myndstef.

To gain permission through Myndstef, send the following information to **myndstef@myndstef.is**;

- Name of author and name of artwork (if known)
- Specification of what kind of usage you wish to gain permission of and an other information that might apply based on specification in tariffs (for example quantity, size of work on a page or other)
- Name, ID number, address and currency to which payer wants to receive an invoice in.

When Myndstef has received the request and all information needed an invoice is sent.

With the payment of said invoice the permission is granted automatically and the payer is liable to follow the terms of condition.

A formal contract or a formal note of permission can be given if requested.

What is included in a permission to use a work of art?

The permission of usage is always based on the permission requested and is stated so on an invoice or in a contract.

The contract/permission can be limited to individual uses, such as the publication of a painting or a photograph in a particular book. Special contracts may also allow for more extensive uses, such as inclusion in advertising campaigns (in newspapers or magazines, on packaging, on television etc.).

A permission is only granted to the person/entity that requested it/paid for it and does NOT grant permission to allow other people/entities to use that work also (unless said person/entity also gains permission and pays for the usage).

What if works of art are used without obtaining permission?

Such use is contrary to copyright law. Myndstef will take measures to protect the rights of the artist in question.

If a reproduction has occurred without permission or if terms of permission are not respected, Myndstef may, on behalf of the author concerned, claim damages in the form of a raise of the tariffs by up to 100%.

Authors can also seek their rights and ask for damages in the amount they wish without the involvement of Myndstef. This usually involves a collection agencies and/or lawyers, with an added cost to the user.

Collective contract

Myndstef can arrange contracts covering also the rights of authors who are not members of Myndstef, the Icelandic Visual Art Copyright Association. This applies among others instances where several visual artworks are used in a publication or on the internet. Such a collective contract allows for a general permit which would be complicated and time-consuming to obtain if it were negotiated individually with each author. The responsibility for such a collective contract rests with Myndstef as it ensures that the authors are paid their fees.

Reproductions without fee

In certain cases it is permitted to use a copyrighted work without prior permission or payment. This applies when copyright according to the Copyright Act is cancelled or when there are special exemptions in the Copyright Act on such use without fee, see Chapter III of the Copyright Act No. 73/1972.