

#11 – ADDITIONAL RIGHTS HOLDERS

ESDC Intellectual Property (IP) Job Aid Series

Copyright protection gives the owner the exclusive right to reproduce, publish and profit from a work to which they own the rights.

However, there can be additional rights holders within a work who must be considered.



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TYPES OF ADDITIONAL RIGHTS

Model, Publicity, and Privacy Rights

Allows individuals to control and benefit financially from the use of their name, voice or image, or to protect their personal privacy.

If employees or family members appear in images or videos created at work, ensure to obtain (and retain) a model release giving permission to use and/or share their image, voice and/or name.

Trademark Rights

Used to distinguish one company's goods or services from competitors.

These should not be copied to sell or market competing products or to imply an endorsement by the company

Moral Rights

Protects the reputation and integrity of the owner

[See: [Job Aid #8 – Moral Rights](#)]

Neighbouring Rights

Protects the rights of performers, record producers, and broadcasters.

Property Rights

Protects famous landmarks, such as the Hollywood sign or European castles

WHAT YOU NEED TO KNOW

An image that includes a recognizable model holding a Coke bottle in front of a famous trademark building like the Louvre in Paris could infringe on the rights of others.

- Make it a practice to scan material for other potential rights such as background music, famous buildings, identifiable persons, statues and art or personal information such as a license plate or street address.
- If concerns exist, contact the copyright owner or additional rights holders for permission. If in doubt, seek advice or find other material.

Many sources of materials, including Creative Commons and Public Domain, may not consider these additional rights holders leaving the user responsible to verify.

[See: Job Aids [#3 – Finding Free Images](#), [#7 - Public Domain](#) and [#10 – Creative Commons](#)]

Respecting the additional rights of persons who have a personal or financial interest in the materials we use is a responsibility under the “ESDC Code of Conduct” as well as an obligation under the [ESDC IP Management Policy](#).

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KEEP RECORDS

- If permission to use the material is provided at the source, keep a record of the source location or URL, a complete copy/screenshot of the material/image and a complete copy of the Use Requirements.
- If permission from the Copyright owner is required, contact them to provide clear details around how and where the material will be used and keep a record of all communication.
- Save all records in a Shared Repository where they can be found later, are accessible to multiple employees and will be kept indefinitely.

Questions? Refer to the [IPCOE Website](#) or contact the [IPCOE](#) by email.