**Friends of the C&TSRR**

**Historic Photo Collection**

**Use Agreement and Order Form**

**Terms and Conditions**

1. All orders must be prepaid. Prints or CD-ROMs are made to order for each customer and all sales are final. Current prices and availability of services are quoted in the Print & Digital Copy Fee Schedule.

2. All responsibility regarding questions of copyright or invasion of privacy that may arise from materials reproduced by the Friends of the C&TSRR must be assumed by the user.

3. The Friends of the C&TSRR give no exclusive rights for the use of its materials.

4. The Friends of the C&TSRR reserve the right to limit the number of photographic copies; to restrict the use for reproduction of rare or valuable material; to ensure that reproductions are in good taste and use is consistent with the mission of the Friends; to make special quotations of costs for material involving unusual difficulty in copying; and to charge a higher than specified copying fee for certain of special items. The Friends reserve the right to request a proof copy prior to publication.

5. Permission for commercial or other publication is granted by a signed copy of the Use Agreement and Order Form. Permission is granted for a one-time use only for the number of copies specified in the Agreement according to the current Use Fee Schedule. Subsequent use of an image requires the written permission of the Friends of the C&TSRR and the payment of the appropriate fee. Permission is not granted by this agreement for resale of images from the collections of the Friends of the C&TSRR.

6. It is the responsibility of the user to properly credit the Friends of the C&TSRR for materials used. The preferred citation is as follows:

*"Friends of the Cumbres & Toltec Scenic Railroad, Collection, by [name of photographer, if known],[ call number]."*

7. Images to be used on Internet web pages are to be scanned and displayed at 72 dots per inch (dpi). They may not be altered or cropped without the approval of the Friends of the C&TSRR. Credit must appear on the screen with the image. Permission is for one-time use only for the web page address and period of time specified in the Use Agreement.

8. The Friends request a free copy of the publication or item containing the materials used from this collection.

9. Requests requiring research time more than 30 minutes will be charged at the rate specified in the Print & Digital Copy Fee Schedule.

10. Please note that the Library of the Friends of the Cumbres & Toltec Scenic Railroad, Inc., does not sell photographs that are directly available from currently active archives and collections, such as Amon Carter Museum, Denver Public Library, M. D. McCarter, La Plata County Historical Society, St. Louis Mercantile Library Barriger Collections, and the like. Research prints (office laser printer) will be provided.

**Internal Use by the Cumbres & Toltec Scenic Railroad Family of Organizations**

Members, employees, and contractors to the Friends of the C&TSRR, the Operating Company, and the C&TSRR Commission are requested to give credit to Friends Library and Collection as noted above. Specific needs and circumstances should be discussed with the Librarian or volunteer staff to determine availability of materials. Prints and scans will be provided at cost; however, fees may include research time if that becomes excessive.

Use Agreement and Order Form (continued)

*Notice Concerning Copyright Restrictions*

The copyright law of the United States [Title 17, United States Code] governs the making of photocopies and other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish reproductions. One of these specified conditions is that the photocopy or reproduction is not to be used "for any purpose other than private study, scholarship or research." If a user makes a request for, or later uses, a reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement. This institution reserves the right to refuse to accept a copying order if, in its judgment fulfillment of the order would involve violation of the copyright law.

**Agreement**

In consideration of the Library of the Friends of the Cumbres & Toltec Scenic Railroad, Inc., supplying you with images listed below, you agree:

• To accept responsibility regarding questions of copyright or invasion of privacy that may arise from the use of this material.

• To use the photographs once only and for the purpose stated in this agreement.

• Not to authorize others to use the materials for any reason.

• Not to modify or alter the images in any way.

• To credit each reproduction with the following citation: *"Friends of the Cumbres & Toltec Scenic Railroad, Collection, by [name of photographer, if known], [call number]."*

•Note: The following Order Form constitutes part of this Use Agreement.

**I have read and agree to the terms and conditions stated above:**

**Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Address**

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**City & State**

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**Friends of the Cumbres & Toltec Scenic Railroad**

**4421 McLeod NE, Suite F**

**Albuquerque, NM 87109**

**(505) 880-1311**

**Order Form** – see next page for costs

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Name Member of Friends?

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Institution (if any) Friends Project Team?

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Address Telephone

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Address e-mail

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City, State, Postal Code, Country

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Reproductions Total $\_\_\_\_\_\_\_\_

Extras:

Setup Fee $\_\_\_\_\_\_\_\_

Research Time $\_\_\_\_\_\_\_\_

Packing and Postage $\_\_\_\_\_\_\_\_

Use Fees (Describe Use)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_

 Total $\_\_\_\_\_\_\_\_

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 Type: Visa, Mastercard, Discover

 Name on card: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 Expiration Date: \_\_\_\_ / \_\_\_\_

**Print & Digital Copy Fee Schedule**

**Policy**

The Board of Directors of the Friends of the C&TSRR has required that the Historic Photo Collection be self-supporting. Accordingly, fees must be charged for images, prints and services to recover expenses and equipment costs.

**Digital Files and Prints**

A. Digital Files

Digital image files will be provided at 300 dpi or better and .tiff format.

 Setup Fee [includes one CD\_ROM] $ 5.00

 300 dpi or better image files Non-Member $ 5.00 per image

 300 dpi or better image files Member $ 2.50 per image

 72 dpi image files for Internet Use are handled as Special Orders with prices and user fees set at the time of ordering.

B Prints

Prints will be made with photo quality inkjet on high quality archival type paper and are priced as follows:

 8 x 10" image size Non-Member $20.00

 8 x 10" image size Member $15.00

 8 x 10" image size Project Team $ direct costs

 At this time, other sizes and types are handled as Special Orders with prices set at the time of ordering. Depending on the progress of cataloging, some images may not be immediately available.

Prints for Friends of C&TSRR Project Teams must be ordered by the duly-appointed Team Leader. As required by the Friends Board of Directors, a nominal fee will be charged to cover direct costs. Please consult the Librarian or volunteer staff to determine the availability of images and the charges.

C. Research Prints

Visitors to the Friends Library may obtain prints from the office laser printer for research as follows:

 8½" x 11" Laser Prints Non-Member $ 1.50

 8½" x 11" Laser Prints Member $ 1.00

 8½" x 11" Laser Prints Project Team $ 1.00

D. Commercial Use

In addition to the price for prints, a Use Fee will be charged for commercial use. See Use Fee Schedule.

E. Research Time

Requests requiring research time exceeding 30 minutes will incur a research charge of $25.00 per hour. Please consult the Librarian or volunteer staff for details at the time of the request. An estimate of total costs will be provided prior to starting work.

**Use Fee Schedule**

**Books, Brochures, Newsletters**

|  |  |
| --- | --- |
| 1-1,000 copies | No Fee for one time use |
| 1,000-10,000 copies | $10.00 |
| Over 10,000 copies | $25.00 |

**Magazines, Newspapers**

|  |  |
| --- | --- |
| 1-10,000 copies | $10.00 |
| Over 10,000 copies | $25.00 |

**Magazine Covers, Book Jackets, Advertising Items**

|  |  |
| --- | --- |
| 1-10,000 copies | $20.00 |
| Over 10,000 copies | $50.00 |

**Film, Videotape, DVD**

|  |  |
| --- | --- |
| 1-10,000 copies | $20.00 |
| Over 10,000 copies | $50.00 |

**Commercial Media (Television, Motion Pictures)**

|  |  |
| --- | --- |
| Public Broadcasting | $50.00 |
| Commercial Broadcast | $150.00 |
| Motion Pictures | $150.00 |

**Internet**

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| --- | --- |
| Single Image | $15.00 per year |