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## Terms of Photo Delivery Photoafrica

### Contract and conditions of acceptance of this submission of photographs and of reproduction rights to these photographs.

#### Client:

The client agrees to accept the photographs on the following conditions and if the contents of the submission count is not deemed accurate, objection and correction must be made by immediate return mail:

- 1) The enclosed photos are for your consideration for future use. I expect this will take a reasonable length of time, up to 30 days. Let me know if you need longer for consideration, otherwise a holding fee will be charged.
- 2) LOSS OR DAMAGE: these photographs are held at your risk against loss, theft or damage, until returned to the photographer. (A photograph shall be considered damaged when it is torn, bent, kinked, stained, scratched or in any way defaced so as to render it unfit or prejudice the likelihood of its being selected for reproduction or sale in the future.)
- 3) REPLACEMENT FEES: these transparencies are very valuable. Please treat the photos as though handling valuable papers, cash or similar items. Unless otherwise clearly stated they are original photographs not duplicates and by their nature are difficult if not impossible to replace. You agree to pay the photographer a replacement fee of **SFr1500** in respect of each photograph lost, stolen or damaged, whilst on approval or loan to you - without regard to the actual value of the transparency. You agree to assume full liability for your employees, agents, assigns, messengers, couriers and any other people who have cause to handle these transparencies whilst in your care, for any loss, damage or misuse of the transparencies. Reasonable value of each lost or damaged DUPLICATE transparency shall be **SFr 50**.
- 4) RETURN OF PHOTOGRAPHS: Photographs must be individually protected by a plastic sleeve and packed between sheets of rigid cardboard. In your interest, returns shall be made by a method by which delivery is recorded (preferably by courier service). The photographer must be advised of the return of the photographs by prior correspondence.
- 5) COPYRIGHT REPRODUCTION RIGHTS, USE OF DIGITAL STORAGE and ALTERATION:
  - a) Copyright is in each instance retained by the photographer, except where a photograph is sold outright and the Copyright transferred in writing.
  - b) Reproduction rights, once granted, shall entitle the client to reproduce any of the photographs listed in one medium, for one edition and in one language and territory only as specified. All other rights are reserved to Original Brand Digital Imaging. The sale of other rights is negotiable and follows general ASMP pricing practices.
  - c) Digital Storage of a photograph is only permitted whilst the image is being prepared for publication or use in a presentation medium as agreed in the reproductions rights. Digital reproductions of the supplied photograph must be deleted from any digital storage media when it's use has been fulfilled as in the agreement of sale.
  - d) Alteration of a photograph through use of digital imaging software must be met with the approval of the photographer.
  - e) Credit Line. Adjacent credit line must accompany editorial use or fee is doubled.
- 6) DISPUTES AND RESOLUTION THEREOF: Any and all disputes arising from, or in connection with this agreement, including without limitation, the validity, interpretation and breach thereof shall be settled by arbitration in the Gerichstand, Canton Bern, Switzerland. All costs of arbitration shall be met by you, the client, including reasonable attorney's fees and other disbursements relating thereto.

We acknowledge the safe receipt of the photographs listed and agree to the Conditions of Acceptance as set out above.

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Company Name:** \_\_\_\_\_

Please sign one copy and return it to the photographer immediately. Failure to do this will render the above offer of reproduction rights null and void. If the above conditions are unacceptable to you please return these photographs immediately, as per clause 4.

**RETENTION OF THESE PHOTOGRAPHS SHALL BE REGARDED AS AGREEMENT WITH THESE TERMS AND CONDITIONS EVEN IF THIS DOCUMENT HAS NOT BEEN SIGNED OR RETURNED.**

## Pricing Photos 2004

### Magazines, House Organs and Newsletters-Editorial Use Brochures

#### Advertising in magazines - National Exposure

#### Books - Textbooks, Encyclopedias, Trade Books & Paperbacks

#### Paper Products- Greeting cards, Postcards, Billboards, Murals, Decorative Prints, Calendars, etc

### Magazines, House Organs and Newsletters-Editorial Use

Circulation	Spot	¼ Page	½ Page	¾ Page	Full Page	Double Page	Cover
Over 3M	SFr225	SFr425	SFr495	SFr565	SFr700	SFr1,150	SFr1,235
1-3M	220	385	445	510	635	1,050	1,115
00,000-1M	200	345	400	460	575	945	1,000
250-500,000	190	265	310	350	445	435	775
100-250,000	180	240	280	320	400	675	710
50-100,000	175	220	250	290	365	600	640
20-50,000	160	200	235	275	350	550	625

Charge 50 percent (multiply the numbers below by 0.5) for internal house newsletters that will be used for internal distribution only.

Charge 75 percent (multiply the numbers below by 0.75) for editorial use in consumer newsletters that will be distributed or sold to the public at large.

Charge 170 percent (multiply the numbers below by 1.7) for editorial use in external house organs (a term used for magazines published within an organization, company or corporation for both internal and external distribution to its membership).

If the client is using the photograph as an interior shot plus a spot insertion on the Page of Contents, we charge the space fee plus 25 percent (multiply the space fee by 1.25). If the spot insertion is on the cover, we charge the space fee plus 50 percent (multiply by 1.5

### Brochures (One time, non exclusive)

Circulation	Spot	¼ Page	½ Page	¾ Page	Full Page	Double Page	Front Cover
Back Cover							
100-250,000	SFr 200	SFr 225	SFr 300	SFr 375	SFr 450	SFr 750	SFr 900
50-100,000	180	200	275	325	400	675	800
20-50,000	160	175	225	275	350	600	700

## Advertising in magazines - National Exposure

Circulation Over 3M	¼ Page	½ Page	¾ Page	Full Page	Double Page	Back Cover
	SFr1,300	SFr1,750	SFr2,200	SFr2,600	SFr4,200	SFr3,500
1-3M	780	1,020	1,250	1,575	2,575	2,080
500,000-1M	625	810	990	1,250	2,050	1,675
250-500,000	520	675	835	1,050	1,720	1,400
100-250,000	475	625	775	950	1,550	1,280
50-100,000	400	525	650	750	1,200	1,000
20-50,000	375	440	540	675	1,125	925

Charge 80% (multiply by 0.8) of the fees for regional exposure.

Charge 60% (multiply by 0.6) of the fees for local exposure.

Charge the same for advertisements in trade magazines as for regional advertisements in consumer magazines.

Charge 75% (multiply by 0.75) for advertisements in newsletters that will be distributed or sold to the public.

### ADDITIONAL FEES:

Rights: One year exclusive: Subtotal plus 100%  
 Five year exclusive: Subtotal plus 200%  
 Unlimited use- 1 year- Subtotal plus 250%

Insertions: 2-4: Space fee plus 25%  
 5-10: Space fee plus 50%

Inside cover: Negotiations halfway between the full page price and back cover price

### Additional Categories:

**Magazines, House Organs and Newsletters-Editorial Use**

**Brochures**

**Books - Textbooks, Encyclopedias, Trade Books & Paperbacks**

**Paper Products- Greeting cards, Postcards, Billboards, Murals, Decorative Prints, Calendars, etc**

## Books - Textbooks, Encyclopedias, Trade Books & Paperbacks

Press Run	¼ Page	½ Page	¾ Page	Full Page	Double Page	Jacket or Cover
<b>Textbooks</b>						
>40,000	SFr185	SFr200	SFr225	SFr270	SFr550	SFr550-820
<40,000	145	170	195	225	450	450-650
<b>Encyclopedias</b>						
>40,000	215	270	300	325	650	825-1,075
<40,000	190	215	250	275	550	435-650
<b>Trade Books</b>						
>40,000	185	200	225	270	550	550-825
<40,000	145	170	195	225	450	450-675
<b>Paperbacks</b>						
>40,000	200	220	250	285	565	510-780
<40,000	175	200	235	260	525	425-650

### ADDITIONAL FEES:

- Reuse or revisions: Charge 50% of the original price each time a new edition comes out or the photo is used in a foreign edition. If world rights are requested during initial negotiations charge 150% of the listed price for a book being published in one language. Charge 200% for world rights for a book being published in several languages.
  - For chapter openers, charge 125% (multiply by 1.25) plus the space fee.
  - For wrap around covers start negotiations at the highest listed price for covers.
- Charge SFr350 for an author head shot, plus travelling costs to get it and SFr15 per roll of film taken.

The normal run for a book is around 10,000 copies. Rarely are books published in runs over 40,000, unless they are in paperback format. The pricing for books therefore is divided into two categories: under 40,000 and over 40,000.

If a print run is for 5000 copies only, negotiate a price of approximately 80% (multiply by 0.8) of the under 40,000 fee.

### Additional Categories:

**Magazines, House Organs and Newsletters-Editorial Use**

**Brochures**

**Advertising in magazines - National Exposure**

**Paper Products- Greeting cards, Postcards, Billboards, Murals, Decorative Prints, Calendars, etc**

## **Paper Products:**

### **Greeting cards, Postcards, Billboards, Murals, Decorative Prints, Calendars, etc**

Post cards and greeting cards (5,000-20,000).	SFr200-500
Billboards (one local for one year - one regional for one year).	SFr500-1,000
Murals (1mx1.75m to full wall).	SFr300-2,500
Display prints for decoration (small-large)	SFr250-450
Bank Checks (local-national)	SFr400-750
Place mats	SFr325
Key Chains and charms	SFr300
Stationary letterheads	SFr375
Playing cards	SFr375
Stamps	SFr400
Plates or coffee mugs	SFr375
Apparel (actual photo used)	SFr350
Apparel (facsimile used)	SFr200
Telephone directory covers	SFr750

## **CALENDARS**

Calendars can be promotional or retail. They can have either one photo visible for 12 months, use one photo per month, or have several photos per month as in the desktop appointment book style.

- Photo visible for 12 months: charge twice the rate as for first 3 photos that would be provided.
- Calender cover photo add 50% to the list price for first 3 photos.

Press Run	Photos 1-3	Photos 4-7	Photos 8-12	Photos 13 and up
>100,000	SFr1,000	SFr700	SFr500	SFr400
50,000-100,000	800	650	450	350
20,000-50,000	600	500	400	300
10,000-20,000	450	400	350	275
5,000-10,000	300	250	200	150

## **Additional Categories:**

**Magazines, House Organs and Newsletters-Editorial Use**

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