

# This is an example of a release document and a privacy policy that we would accept.

**We are not lawyers and we are not allowed to give legal advice.**

**Please note that the attached documents are mere suggestions and we are not liable for any errors.**

If you upload images with a recognizable person you need this person to sign both a **model release** and a privacy policy, permitting you to sell the created images and to use the data from the model release. These signed documents are uploaded to Photocase only after an image has been accepted.

If that recognizable person is not 18 years old yet, you need to use in the **model release for minors** and a signature of the legal representative of the model. The legal representative needs to sign the privacy policy too.

If the image displays a recognizable private house, apartment, garden or any other fenced property or if the photo has been shot from such a "fenced area" a **property release** is required. The same is true if the image shows a part of a corporate identity or a copyrighted item by a designer, an artist or a brand.

Please take these legal matters serious and treat the models and property owners with fairness and respect. Their personality or property rights are just as important as your copyrights. No need to mention that breaches can lead to significant legal consequences.

Disclaimer: Photocase Addicts GmbH can not be made responsible for the content of these documents. The documents are subject to change and will be updated from time to time. By using these documents you release, discharge, and agree to hold harmless the Photocase Addicts GmbH, their heirs, legal representatives and assigns, and all persons acting under Photocase's authority or those for whom he/she is acting, from any liability by virtue of any use of the attached release and/or privacy policy or any changes or alterations made thereto.

**MODEL INFORMATION**

Name:

Date of Birth:

**PARENT INFORMATION**

Name:

Address:

Post Code: City:

Country:

E-Mail:

Date of Shoot:

**ARTIST INFORMATION**

Name:

Address:

Post Code: City:

Country:

E-Mail:

Phone:

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## MODEL RELEASE FOR MINORS.

I am the legal representative of the model and the photographer / illustrator (hereinafter referred to as "Artist") has produced images showing the model (hereinafter referred to as "Media Content"). For this Media Content I hereby confirm:

**Grant of Rights**

I am granting the Artist the exclusive, irrevocable and transferable right to use the Media Content without restriction of time, territory or content. The Artist may transfer this usage right or parts of it to third parties, their affiliates and partners, as well as their customers (hereinafter referred to as "Entitled Parties").

This authorization covers the complete usage rights required for the comprehensive utilisation and processing of the Media Content by the Artist or by the Entitled Parties. The authorization includes, but is not limited to the rights to distribute, to reproduce, to make publicly accessible, to transmit and to broadcast, to invoke and to use online, to process, to edit, to combine with or to integrate into other media.

**Permitted Purposes**

This permission applies to all commercial and non-commercial purposes, in particular, but not limited to promotional and editorial usage in all contexts with the exception of pornographic, defamatory, or deceptive contexts, or in a manner that could be considered libellous, obscene, or illegal.

**Private Sphere & Other Rights**

For Media Content that has been created in my private sphere, I herewith confirm that I am the solely authorized person, who may decide if this Media Content created from or in this protected area can be used for the purposes mentioned above.

I agree that the Media Content can be used without reference to the model's name. I am aware that the model might be recognizable in the Media Content.

If during the production of the Media Content any copyrights, performance rights or other rights have originated, the aforementioned declarations shall apply accordingly.

**Compensation**

I confirm that I have received appropriate compensation for the production of the Media Content as well as for the rights granted above. I hereby acknowledge the receipt of this remuneration and I confirm that there are no unsettled claims against the Artist and the Entitled Parties.

**Data Protection**

All necessary declarations as required by data-protection law have been acknowledged and received from the Artist. My and the model's personal data must not be made available to the public. The Artist is permitted to store this personal data to be used for all described purposes.

**I hereby certify that I am at least 18 years old and that I am contractually fully capable. I have understood the above declaration and agree to its entire content. All information provided is true and correct.**

**I confirm that I am the solely authorized person, acting as the legal guardian of the model, and that I have the full legal capacity to consent to the production of the Media Content and to execute this release of all rights in the Media Content.**

Date/Place:

Signature Photographer:

Date/Place:

Signature Legal Representative:

# Privacy Policy for Releases.

The protection and legally compliant collection, processing and use of your personal data is important for me.

## 1. Responsible body

Responsible body for the collection, processing and use of your personal data is:

Name of Artist

Address

E-Mail

If you wish to object to the collection, processing or use of your data in accordance with this Privacy Policy as a whole or for individual measures, you can send your objection by e-mail or letter to the above address.

If you have the feeling that I am violating the DSGVO in the processing of your data, you can contact the authority responsible - the Berlin Commissioner for Data Protection and Information (<https://www.datenschutz-berlin.de/>).

## 2. Collection, processing and use of personal data

### 2.1 Personal data

I am an Artist and you granted me the permission as model, owner or legal representative to publish and distribute the usage rights of the created Media Content via a Model or Property Release (hereinafter the Release). In order to transfer these rights of use, I need to collect, use and store some of your (or your legal representative's) personal data.

### 2.2 Purpose and lawfulness of the data processing

The data processing is carried out according to the principles according to Art. 5 GDPR and the legality is always based on the conditions required by the legislator according to Art. 6 (1) GDPR.

In order to license the Media Content I need to store, process and use your personal data for verification for the licensees, which I also need to fulfill my legal obligations.

### 2.3 Collection, processing and use of your personal data

I strictly adhere to the legal provisions of the **EU Data Protection Directive** and the German Telemedia Act. I collect, store and process your data solemnly for the purpose of the verification and execution of the Release:

- **Model Releases for Adults:** full name, e-mail address, date of birth, location and time of creation of Media Content
- **Model Releases for Minors:** full name and date of birth of the Model and the full name, date of birth and e-mail address of the legal representative, location and time of creation of Media Content
- **Property Releases:** full name, e-mail address and date of birth plus a description of the object or protected area and its address data, location and time of creation of Media Content.

### 2.4 Transfer to Third Parties

Your personal data will not be transferred to Third Parties with the exception of legal challenges and disputes, distribution of license rights through Third Parties, i.e. photo agencies.

### 2.5 Memory limit and deletion periods

According to Art. 17 DSGVO, I only store your personal data as long as they are necessary for achieving the purpose of the processing, i.e. for possible legal claims to prove my original authorization. The same applies to Third Parties.

### 2.6 Claims and Rights You Can Claim

According to the European General Data Protection Directive, you have the right to free information about your stored data, as well as a right to correction, blocking or deletion of data. Your claims include:

- Art. 15 DS-GVO - Right to information
- Art. 16 DS-GVO - Right to rectification
- Art. 17 DS-GVO - Right to be erased, right to be forgotten
- Art. 20 DS-GVO - Right to data portability
- Art. 21 DS-GVO - Right to object

If you wish to make a claim, please direct your request by e-mail or by post to the address above.

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**I have received, read and accepted the Privacy Policy for Releases and agree with their content.**

Date/Place :

Signature Legal Representative: