

## Terms and conditions of use/licence agreement

### SERFAUS-FISS-LADIS (current version from 01.01.2021)

- (1) Welcome to our image database for royalty-free photos/videos/logos and texts (“image material”) from the Serfaus-Fiss-Ladis region. Before using our image material, please note that said material is available free of charge exclusively to the media, to journalists and freelancers who work for the media, as well as to bloggers/web authors in accordance with our terms and conditions of use below. The term “media” includes print, radio and TV media as well as online platforms with a media character.
- (2) We, the Serfaus-Fiss-Ladis Marketing GmbH, grant you, a user of our image database, a non-exclusive licence to use the image material you download from our image database for editorial (non-commercial) purposes in connection with articles and reports about Serfaus-Fiss-Ladis. The licence may not be transferred to third parties and is subject to no temporal or geographical restrictions.
- (3) Please note: All rights to image material, including all copyrights and other commercial intellectual property rights relating to the image material from our image database, shall continue to be held by us, the Serfaus-Fiss-Ladis Marketing GmbH, or by the respective photographer/author.
- (4) A permit for usage that goes beyond the usage authorisation granted in accordance with our applicable terms and conditions of use is to be requested directly from the Serfaus-Fiss-Ladis Marketing GmbH on an individual basis.
- (5) We assume no liability for ensuring that the image material that can be accessed or downloaded from our image database does not infringe upon third-party rights. Any use of the image material you have downloaded from our image database takes place at your own legal risk.

### Licence type

As a user, you are granted a non-exclusive licence to use the image material you download from our image database for the permissible purposes outlined below. The licence may not be transferred to third parties and is subject to no temporal or geographical restrictions.

- Only the **editorial (non-commercial)** use of the image material provided by us is permitted in connection with reports and articles about Serfaus-Fiss-Ladis.
- Using the material by including it in image databases, image catalogues and similar types of image collections is excluded.

### Permitted types of use in accordance with copyright law

As a user, you are granted

- The right to reproduction and dissemination, i.e. the right to reproduce and disseminate the image material as part of non-commercial use at will – including on image/audio/data carriers that differ from the ones originally used – and/or to allow it to be

reproduced/disseminated, provided this does not take place by means of inclusion in image databases, image catalogues and similar types of image collections.

- The retrieval and online right (provision right), i.e. the right to use the image material or make it available using analogue, digital or other storage and data transmission technology, with or without intermediate storage, wirelessly or via a cable for non-commercial purposes.
- The broadcasting right, i.e. the right to make the image material available to the public as part of the licence type listed above as often as desired in all technical processes (e.g. analogue, digital, high-resolution, incl. DVB-T, -C, -S and -H) via radio broadcasting, such as audio and television, wired radio, Hertzian waves, laser, microwaves, etc. or similar technical equipment, regardless of whether the broadcast takes place via terrestrial radio systems, cable television (including via the phone network) including cable retransmission, satellites including direct satellites (DBS), other data or telephone connections or networks such as ISDN, DSL, GSM, UMTS, directional radio, Powerline (electricity connections) etc., other equipment or using a combination of the broadcasting methods.
- The right to print, i.e. the right to use the image material as part of the licence type listed above to manufacture, reproduce and disseminate books, magazines and other publications with or without images. Usage in image databases and similar types of image collections is excluded.
- The videogram right, i.e. the right to utilise the image material by means of reproduction and dissemination using analogue and digital image/audio/data carriers of all kinds. The videogram rights apply, in particular, all storage media (image/audio carriers) of all kinds (CD, DVD, etc.).
- The restricted editing right, i.e. the right to edit the image material using analogue, digital or other image editing methods as follows: altering the image size (enlarging or reducing the proportions, cropping), changing the colour parameters. The rights to use the image material for other purposes shall continue to be held by the creator.

All other rights to image material, including all copyrights and other commercial protective rights relating to the image material, shall continue to either be held by us or by the creator.

### **The following, in particular, are not permitted:**

- Using the image material for merchandising purposes, i.e. no permission to use the image material, including the SFL logo, for commercial purposes by selling the image and logo material or manufacturing and disseminating goods of all kinds featuring images and logos from our image database (e.g. posters, postcards, garments, printed texts including comics, sound carriers, headgear, mouse pads, badges, etc.)

### **Free disposition**

We forego remuneration for the granting of the aforementioned rights of use to you as a user.

## **Appointing creator and indicating sources**

As customary for this type of usage and where technically possible, you as a user are to name Serfaus-Fiss-Ladis Marketing GmbH and the creator, either on the image itself or at the bottom of the page, using the creator's photographer name as stated upon uploading the image:

'Serfaus-Fiss-Ladis Marketing GmbH © Name of photographer/website'

If the material is used online or in digital media, reference to Serfaus-Fiss-Ladis must also be made in the form of a link to [www.serfaus-fiss-ladis.at](http://www.serfaus-fiss-ladis.at).

## **Prohibited use**

- The image material from our image database may be used exclusively for legally permitted purposes.
- The image material from our image database may not be used to disseminate defamatory, pornographic or otherwise illegal material, threaten or harass third parties or infringe upon the rights of third parties (including personality rights).

## **Blocking**

In the event of an infringement of these terms and conditions of use, we reserve the right to block access to our image database or parts thereof with immediate effect. Furthermore, we reserve the right to initiate criminal proceedings and assert claims (in particular, claims for compensation) against the unauthorised use of our image material.

## **Database right**

Our image database in its entirety represents a database protected under copyright law. It is prohibited to adopt or edit the structure of this database, either in whole or in part, without our permission.

## **Final provisions**

This licence agreement is governed exclusively by the material law of the Republic of Austria with the exception of the referral provisions.

Where a sole place of jurisdiction is legally permitted, the sole place of jurisdiction shall be Innsbruck.