



Updated July 2021

The Enterprise Stock Photography Policy:

Using Preferred Suppliers and Centralizing Storage of J&J Licensed Images

The Enterprise Stock Photography Policy has been established to direct Johnson & Johnson colleagues on how to select and license images for internal and external use. Under the policy, **colleagues are required to use our preferred suppliers, Getty Images and Shutterstock Premier, for all their stock photography needs.** In addition, J&J colleagues can find the Enterprise Stock Photography Library at <https://dam.jnj>, to access images previously licensed by J&J companies, some of which are available for use without additional license fees, as indicated in the image details found in the Library.

We use images in promotions, presentations, newsletters and more to help tell stories to the many stakeholders we engage with every day. While there are endless resources on the Internet for downloading images – Flickr, Google Images, Imgur, etc. – many of these images are unavailable for lawful use by commercial entities such as J&J. Our contracts with our preferred suppliers are broad and ensure that images we license from those suppliers can be used for our many business purposes. Getty offers image pricing based on image size and Shutterstock offers tiered pricing depending on whether the image will be used on packaging. While you may find “cheaper” images available for purchase or license on the internet, those images do not come with the backing of and same broad pre-negotiated license terms that are provided by our preferred suppliers. In addition to stock photography, you may be able to meet any needs for royalty-free, stock music and video through Getty and Shutterstock (which may be particularly helpful when preparing your Burke Award entries!)

Images are protected by copyright, which grants the photographer or artist the right to control who can use the image and how much to charge for a license. These rights exist even if there is no copyright notice ©. Just because an image is available on the internet, doesn't make it available for use by J&J. Using an image without obtaining the proper license puts both our colleagues and the company at risk for a copyright infringement claim, which could result in monetary damages awards far greater than the fees for a license.

Colleagues are responsible for obtaining any necessary rights from the owner and subjects of the images they use. Our contracts with Getty Images and Shutterstock Premier help us to do just that. In addition, we are able to manage the images for which we have acquired rights in one central location, making it easier for colleagues to leverage existing images, while reducing future costs and strengthening Johnson & Johnson's brand. **Although our contracts with Getty and Shutterstock provide for royalty free, global usage in perpetuity, for any J&J entity, always confirm usage rights by examining the scope of rights for the image, which can be found by viewing the image's meta data in the Enterprise Stock Library.** In addition, if the image includes an identifiable person, there are limitations on how such an image may be leveraged. **When in doubt, you can always contact our Getty¹ or Shutterstock² Account Representative to confirm the scope of the existing license.**

Our agencies can also leverage our Getty and Shutterstock agreements on our behalf, which includes our pre-negotiated legal terms, and are strongly encouraged to do so. In order to leverage our agreements, our agencies need only contact our account representatives to set up an account. **In all situations where we are using an agency who is sourcing imagery from a source other than Getty or Shutterstock, ensure (a) that the terms they obtain for us including perpetual, worldwide, royalty-free rights to use the imagery; and (b) that we have a Master Services Agreement (MSA) with that agency, which requires the agency to indemnify us in the event that imagery they source for us is not properly and fully licensed.** If the MSA with the agency does not contain such indemnity language, or if they are unable to obtain perpetual, worldwide, royalty-free rights to the imagery, then the agency must source the stock photography through our Getty or Shutterstock accounts. In addition, small/ independent agencies, including those with less than five years of experience working with a Johnson & Johnson affiliate, **must** leverage the Getty and Shutterstock agreements for stock photography (even if they have the MSA language).

Please do not upload “comps” (a/k/a complimentary images) to the Library – as these are images that you may be able to obtain from one of our preferred suppliers for a limited time without charge while you determine whether it meets the needs of your project but are not intended to be used unless and until a license fee is paid. We recommend using a watermark over these images (such as the word COMP), so they are not leveraged into a final project.

Finally, please be advised that the terms of our Enterprise agreements with Getty and Shutterstock trump any automated agreement that may be sent to you after purchase or any click-thru that you may have to agree to in order to access the royalty-free imagery on their websites, so long as your account is set up under our Enterprise agreement with them. If you are looking to purchase an image or use a premium service, there may be a separate agreement which needs to be negotiated.

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