

USE AGREEMENT for duplication of HSFA materials

NAME OF USER: _____

ADDRESS: _____

Materials Requested: _____

Intended use / program: (describe project, state if for research or for broadcast and distribution)

A signed copy of these terms and conditions must be received prior to any delivery of broadcast-quality video tape or master film elements.

- 1) The material will be supplied on a non-exclusive basis and shall be used only within the project described above.
- 2) **The Human Studies Film Archives, Smithsonian Institution ("HSFA") grants permission for reproduction and other uses specified above of the material only to the extent of the HSFA's ownership of rights related to each request.** Certain film and video material may be protected by copyright, trademark or related interests not owned by the Smithsonian Institution.
- 3) The user understands and agrees that the responsibility for obtaining any and all permissions as may be necessary from the holder of copyrights and related rights to material (including permission from subject(s) whose images appear in the material), rests with the user.
- 4) The user agrees to indemnify and hold harmless the Smithsonian Institution, its officers and employees, and the United States from all claims, actions, judgments, and expenses (including reasonable attorney's fees), arising from user's use of the material provided pursuant to this request.
- 5) The user agrees to credit the HSFA and, where appropriate, the donor and/or creator of the material as follows:

Human Studies Film Archives
Smithsonian Institution

- 6) The user agrees to pay the following fees for the use of the material requested:

Use of the material is not authorized until all user fees, shipping and other appropriate costs have been paid and approval signature appears on bottom of this agreement.

- 7) All videotape and film elements supplied by the Human Studies Film Archives and not physically incorporated into the final production are the property of the HSFA, whether duplication was paid for by HSFA or by the user, and must be returned within 30 days of completion of project.
- 8) The user agrees to donate to the Human Studies Film Archives a reference copy of the completed production for verification of footage used and for future reference use by Archives' researchers.
- 9) The user agrees to notify the HSFA of initial broadcast or public screening for the above described project.

AGREED:

Signature Date

APPROVED: