

# berg imaging inc.

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## **Use of Copyrighted Material on Demo Reels**

Motion pictures made by Berg Imaging, Inc. (the “Company”) are protected pursuant to the U.S. Copyright Act, 17 U.S.C. §§ 101 – 810, and other applicable law. All rights to images and performances by actors in such projects are assigned and secured to the Company pursuant to motion picture performer releases. Rights to other contributions to such projects, for example, those made by hired photographers, cinematographers, artists, set designers, composers, prop builders and others, also belong to the Company pursuant to the “work made for hire” doctrine or by contractual assignment as a result of the company’s employment or engagement of such contributors on a collective project.

Contrary to popular belief, the Fair Use doctrine of U.S. copyright law does not allow the free use of copyrighted work for profit-making purposes (with the possible exception of critical review, comment, or artistic parody.) There is no minimum number of images or number of seconds that may be used without infringing the copyright.

Nonetheless, as a professional courtesy, we recognize the desire of actors and other creative contributors to showcase projects they may have worked on as part of their professional portfolio.

On a case-by-case, request-by-request basis, the Company may grant limited use rights to selected footage from Company projects for inclusion by our actors and creative personnel on personal demo reels for self-promotion purposes provided the use adheres to our guidelines and the resulting reels are not sold and are distributed within professional circles only by the individual to whom the limited license right may be expressly granted.

Normally, we will ask that you limit the running time to 2:00 minutes. The Company may allow the use of some scenes, but not all. Some scenes are more expensive to produce than others, and the Company reserves the right to limit the use of any of its material in its sole discretion and judgment.

If you are an actor or creative contributor to any of our projects and wish to use footage from a project, please send your request to us in writing. Be specific about the project, the scene (or scenes), the length, and the details of your intended use. The Company will respond, in writing, in due course. A valid consent (i.e., license) from the Company to use any requested material must be received from the Company in writing and you should not rely on any alleged oral consent as a valid license.

Thanks.