

## The Borrowed Image

### Question: The Borrowed Image

As audiovisual coordinator for a presentation at a national meeting session on gene function, you note a person outside the presenting scientist's view on the other side of the podium near the door photographing some of the slides of chromosome repair as they are shown on the screen. During the question period, you approach the bystander who took the photographs and query his motives. He is surprised and states that 1) he plans to use the photos as evidence to support his own results and 2) because this is a

public meeting, he refuses to ask the presenter for permission for such use or even to inform the presenter that he has taken the photographs. You feel this is not quite right—what steps can you or should you take in this situation? (*CBE Views* 1996;19(4):93)

### Solutions:

In the atmosphere of a conference or meeting, the general goal is to exchange information in the effort to promote research on whatever subject the meeting is about. In

this context, the information presented, either in a talk or on a poster, is being given freely for others to examine. Lately, it is even customary to summarize the information contained on a poster in handouts. Taking photographs, then, is just another way of "seeing" the data, which may already be available in handouts. However, if the data are being used in a paper, or in any way referenced, that work should be cited by mentioning the talk or poster session. In this scenario, I would remind the bystander taking the photographs about this obligation, and I

would probably alert the speaker to his presence so they could confer later.

When slides are photographed during such a talk, this is being done in the context of a meeting of researchers. In the conference setting described, anyone who had data they did not want anyone else to see (for example, because they were getting ready to send in a grant proposal on the work) would probably not present it. If these were scientists working on high-level trade secrets in a private company, the information would probably not be shown in the 1st place. However, in all cases, if the data are to be used or cited, it is proper to reference the work. Omitting the reference is considered very bad form.

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Unless otherwise defined for a particular conference, the audiovisual coordinator's role is to assist presenters in projecting their illustrative materials to the assembled conferees. If audience members' use of recording equipment does not interfere with the operation of presentation equipment, audiovisual coordinators probably overstep their assigned role by challenging or questioning audience

members about their reasons for using recording equipment at the conference.

Nevertheless—and although conference coordinators may not be responsible for publications issued at or after the conference—they could render a service by reminding conferees as a group to be careful and courteous when using others' images. Conferees wishing to use others' images should attribute them properly, make every effort to obtain either original images or high-quality copies for accurate reproduction, and seek permission to use any proprietary images. These steps would seem a commonsense way to maximize clarity and to respect any existing copyrights.

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### **New Question: Use of a Photograph of You—Is It Legal?**

At a local dinner meeting of your professional society, a software vendor has been invited to give a demonstration of a product during the networking session, and you spend some time trying it out. When you receive a copy of the society newsletter later that month, you are somewhat disconcerted to see a photograph of yourself at the keyboard; you had not realized your picture was being taken at

the time and were not especially pleased with the product anyway. Shortly after, you discover incidentally that the society is just setting up a Web site and that it plans to provide access to issues of its newsletter, beginning with that issue. You are now mildly uncomfortable with the thought that your photo is going to be put up on the Internet with universal access and that still no one has consulted you. You are concerned not only that the vendor might want to download this image for advertising purposes without your endorsement but that your name will appear under the photograph, and you could inadvertently become, at the least, the recipient of all the unsolicited junk mail one receives when signing on to the Internet. You feel it is simply too public and wish to withdraw permission to include your photograph, but since your permission was never requested—how should you proceed?

Please send responses to the new question by 15 March 1997 to Della Mundy, Kaiser Foundation Research Institute, Department of Medical Editing, 1800 Harrison Street, 16th Floor, Oakland CA 94612-3429; telephone: 510-987-3573; fax: 510-873-5131; e-mail: [della.mundy@nca.kaiperm.org](mailto:della.mundy@nca.kaiperm.org).