



Commissioning **Architectural Photography**

Best practices in working with a professional photographer.

*Developed jointly by the
American Institute of Architects (AIA) and the
American Society of Media Photographers (ASMP)*



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Selecting a Professional Photographer

Contributed by the Architectural Photography Specialty Group of the American Society of Media Photographers

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WHEN ONLY EXCELLENCE WILL DO

Photography, like any other custom service, is never a "one size fits all" proposition but rather a matter of finding the right person for the job. In this Best Practice we discuss how to identify prospective photographers and choose the best one for your needs.

The applications that demand the utmost in image quality are Web sites, portfolios, client proposals, competitions, magazine articles, advertising, and display art. What these have in common is the factor of *persuasion*. You aren't merely documenting your work but actively trying to convince other people that yours is the best of its class. You hope that folks you've never met—competition judges, professional peers, potential clients—will be impressed.

Just as architecture is more than construction materials, photography goes far beyond the mechanics of focus, exposure, and composition. It requires an aesthetic aptitude for creating a unique and compelling presentation of a physical structure. It requires craft: knowing how to choose lenses and where to aim lights, caring for details of cleanliness and arrangement, understanding what color adjustments will put the most pizzazz on a printed page, making sure the permissions and releases are airtight, and so on. It requires professionalism, ensuring that finished images will be delivered reliably, on time, on budget, and looking better than you expected. Not least, it requires a visual style that presents your work to its best advantage.

Photography plays a major role in defining how we come to know architecture and interior spaces. Because of the pivotal role that photography plays in understanding the built environment, choosing a professional photographer to photograph your completed project is a most important consideration. Here are some suggestions on how to make the experience of photographing your project a good one.



Cathedral at San Ildefonso de Merida, Mexico—Architecture by Juan Miguel de Aguero; photograph © Philip Beaurline (www.beaurline.com). This historic structure dates from 1562–1599; Aguero was considered Spain's most prominent military architect at the time. The cathedral was build largely by Mayan labor.

IDENTIFY YOUR NEEDS

Begin the planning for photography by identifying which aspects of your project might best represent your designs. Would you like to highlight any specific concepts, architectural elements or other features? Are some areas best avoided? Which areas would illustrate creative problem solving?

Next, consider how you will use the photography as an integrated part of your marketing plan. Will the photographs be

- Shown to clients via a Web site, portfolio, or presentation?
- Kept in your archives and used for in-house reference and documentation only?
- Used for internally produced publications?
- Submitted for competitions?

- Used in trade or consumer advertising?
- Supplied to editors of trade magazines or books?

The answers to these questions will help you and the photographer to define the assignment parameters and develop cost estimates.

Joining with other parties. At this stage, it's worth inquiring whether other parties in your project (such as the owner, contractors, consultants, product suppliers, financing sources, or even public agencies) might be interested in participating in the assignment and sharing the expenses. If so, all of the participants should likewise identify their needs and priorities.

It is important that the participants understand which costs are shared and which are not. As discussed in Best Practice 06.03.06, "Understanding the Estimate for a Photographic Assignment," the total price has three components: expenses, production fees, and rights licenses. Expenses (e.g., travel; consumables; equipment or prop rentals; and fees paid to assistants, models, and stylists) and production fees (the photographer's time, expertise, and judgment) can be shared on any basis the participants choose. Rights licenses, in contrast, are based on the use each participant makes of the images and are not shared or transferable among the parties. (For more details about multiparty assignments, see Best Practice 06.03.04, "Sharing the Photographic Assignment: A Case Study.")

RESEARCH THE CANDIDATES

There are a number of possible strategies for finding the right photographer for the job. One is to scan architecture magazines for images that impress you, then find out who made those shots. If the photo credits do not appear next to the pictures, they are usually near the magazine's table of contents or the masthead.

Coffee-table books and competitions usually credit their photography sources. Advertisements often do not, but a call to the advertiser (and perhaps to the ad agency) might produce a name. Of course, your professional colleagues may have a recommendation or two as well.

To narrow the field of candidates, you may wish to visit photographers' Web sites, then request samples of their work or schedule meetings for portfolio presentations. Be aware that Web sites and portfolios often represent only a limited selection of the photographer's work. Thus, when asking to see portfolios, it is reasonable to request images from assignments of similar scope and building type to the project you have in mind.

FIND A PHOTOGRAPHER

The American Society of Media Photographers (ASMP) operates a free "Find a Photographer" service at www.findaphotographer.org. Only qualified professionals are in this database, and you can search by geographic location and photographic specialty. The search results include full contact information, sample photographs, and Web-site links.

Architectural photography is a specialty within the profession, requiring different tools and skills than, say, weddings or wildlife. Within the specialty are further specializations—interiors, exteriors, landscapes, aerials, scale models—that may be important to your project. One criterion for evaluating a Web site or portfolio is whether the images indicate that the photographer has the skill and experience you want.

Another factor is often just as critical, however: the photographer's "vision" or stylistic approach. You want a visual style that complements both your architectural designs and your marketing goals. Style cannot be quantified in a database or listed on a CV. Thus, evaluating this factor is often the primary goal of a portfolio review.

ASK FOR ESTIMATES

Once you have identified the few photographers who seem to have the experience and skills that you need *and* a vision that matches your goals, it's time to ask for estimates. You are not looking for a "lowest bidder" at this stage but rather for a confirmation that each candidate fully understands the nature of the assignment. This understanding should encompass your budgetary goals, of course, but also your marketing goals in using the images.

Although photography is a competitive industry, it is not a commodity business; you should expect some variations in the initial proposals you receive. The differences may reflect the photographers' experience and professional stature but also their different creative approaches and interpretations of your needs.

An estimate is not a cut-and-dried document. If it reveals a misunderstanding of your requirements, call the photographer to discuss the matter. The photographer might make suggestions that could yield better results or lower costs. (For some concrete suggestions, see Best Practice 06.03.08, "Controlling the Cost of a

Photography Assignment." For more information about interpreting the photographer's estimate, see Best Practice 06.03.06, "Understanding the Estimate for a Photographic Assignment.")

Don't underestimate the value of a photographer's enthusiasm and experience, as he or she can become an important part of your creative team.

CONCLUSION

Just as architects specialize in certain kinds of work, so do architectural photographers. Some are adept at photographing interior design, residential spaces, and scale models. Others may have expertise with industrial locations, construction documentation, and aerials. Still others may be versed in exteriors, commercial spaces, or complex lighting techniques. Each of these disciplines requires special knowledge and equipment.

Of course, some photographers have the knowledge and skill to produce high-quality work in all these areas. Depending on the scope and complexity of your project, you may choose one photographer or you may prefer to collaborate with several.

Try to match your needs with a photographer's strengths. Other factors to consider when making your decision include the photographer's professionalism and compatibility with your style. The right photographer for you is one who understands your design ideas and can communicate them visually to the wider world.

Understanding the Estimate for a Photographic Assignment

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SPECIFICATIONS FOR THE ESTIMATE

As a creative professional, you undoubtedly understand the importance of accurately defining the scope of work in order to determine your firm's design fees. Similarly, to prepare an estimate, a photographer must have a detailed description of the assignment.

As described in Best Practice 06.03.05, "Selecting a Professional Photographer," before you request an estimate, list the aspects of your project that you think might best represent your designs. The list should identify any specific concepts, architectural elements, or design features you'd like to highlight. In addition, identify how the images might be used: for project documentation, portfolio, editorial features, trade advertising, design competition submissions, Web sites, and so on. It's also important to identify all other parties, such as contractors or consultants on the project, who may want to use the photos. These are the major factors that a photographer needs to know in order to frame an accurate, detailed estimate.

Additional factors include a thorough description of your presentation needs as they relate to specific forms of media. Do you require slides, prints, digital files for publication, or other specific deliverables? You may wish to consult with your photographer—and with any communication specialist you hire—about the specific sizes, types, and quantities you will need.

Based on all these factors, the photographer submits a formal estimate for the assignment. A photography estimate has three components:

- Assignment description
- Licensing and rights granted
- Pricing

Let us look at each of these in turn.



University of Chicago's Graduate School of Business, Chicago, Illinois—Architecture by Rafael Viñoly; photograph © by Thomas H. Kieren (www.customcorpphotog.com). The view is from a faculty lounge on the third floor. For this assignment, the clients (the University, Armstrong World Industries and the architect) especially wanted to highlight the novel use of materials, such as the combination of arched ceiling glass and steel, acoustical ceilings, student and faculty furniture, lighting apparatus, fireplace, architectural hardware, etc.

THE ASSIGNMENT DESCRIPTION

A description of the project will include its name and location, the number of views, a list of deliverables, and a timeframe for completing the assignment. If there will be any extraordinary circumstances, such as dawn shots, all-night sessions, views from cherry pickers, or aerial photos, this is where they will be detailed.

In some cases, the photographer will propose alternatives to your initial specifications. As a creative professional, he or she may be able to visualize some ideas you hadn't considered or to find ways to get the desired results at lower cost.

COPYRIGHT LAW

Under the Copyright Act of 1976 and the Berne Convention for the Protection of Literary and Artistic Works, photographs (like designs and drawings) automatically receive copyright protection immediately upon their creation. Copyright gives the creator of an image the exclusive legal right to control how the image is used.

This control is exercised by granting licenses to specific persons for specific uses. The right to use an image cannot be transferred by anyone without the written consent of the copyright holder.

Absence of a copyright notice does not mean that an image is free of copyright, and it does not relieve a prospective user from the responsibility of obtaining permission from the copyright holder. In addition, altering or removing a copyright notice can result in liability under the Copyright Act and several other state and federal statutes. Simply having physical possession of photographs, slides, prints, transparencies, or digital files does not grant the right to use them.

Practical implications

It's important that you and your photographer agree on the scope of the license before the contract is signed and photography has begun. For this reason, it is a good idea to outline your tentative plans for using the images, even if they are vague at the moment, and to negotiate for optional future rights at the outset. Should your marketing plans change mid-course, be sure to discuss them with your photographer.

If you plan to share photographs with third parties who have not been involved in the commissioned assignment (e.g., members of the design team, contractors, consultants, product manufacturers, clients, tenants, or magazine editors), they must understand that any use of the photos requires a written license agreement from the photographer. By the same token, if you've received photographs without written permission for their use, do not use them until you have secured licensing rights directly from the photographer.

To avoid any misunderstandings, contact the photographer before passing along photographs. You should also advise the party receiving the images to contact the photographer directly to secure a license granting permission for their use.

LICENSING AND RIGHTS GRANTED

A photograph, like an architectural design, is considered intellectual property. The photographer owns the copyright to the images he or she creates and has the exclusive right to license their use. Licensing agreements are specific with regard to use and should answer three basic questions:

- Who will use the images?
- How and where will the images appear?
- How long will the images be used?

This information may be detailed in the licensing section of the estimate, or it may be supplied in a separate licensing agreement that grants specific rights to commissioning clients. If several parties agree to share in the cost of an assignment, the photographer will develop a separate licensing agreement for each individual client to cover the permissions and rights.

PRICING

A photographer's fee typically has three components:

- Production fee
- License fee
- Expenses

Unless there is reason to separate them, many photographers will quote an umbrella "creative fee" that includes both the production fee and the license fee. However, when several parties have agreed to share costs, they usually need to license different rights. In that case, the production and license fees will generally be stated separately.

Production fee. This component reflects the time and skill it takes to complete the assignment. Variables contributing to the production cost include the total number of views, scheduling and deadlines, site logistics, and artistic considerations such as unique vantage points or special times of day. It also includes such intangibles as the experience, creativity, and vision that the photographer brings to the assignment.

In addition to the time spent behind the camera, a photographer's preproduction and postproduction time is included in the production fee. Preproduction tasks commonly include client meetings, advance site visits, meetings with the facility's management to organize access to the location, conversations with building engineers to arrange technical coordination with lighting,

landscape maintenance, and other site-specific preparation.

To help you anticipate the issues that must be handled during preproduction planning, consult Best Practice 06.03.07, "Preparing for Professional Photography: A Checklist."

Postproduction tasks commonly include image editing and selection (which may involve more client meetings), digital processing (color correction, retouching, compositing), and preparing images for final delivery. It takes more time than you might think; it is not unusual for the postproduction work to consume as much time as the on-site shooting.

License fee. This component (sometimes referred to as the usage fee) reflects the value of the authorized uses for the images. The value is determined by a number of considerations, including how widely and for how long the images will be viewed, reproduced, and distributed. Typically, the more extensive the use, the higher the fee will be.

Licenses use specific language to describe the rights being conferred. A glossary of licensing terms used in the photography and publishing industries has been compiled by PLUS (Picture Licensing Universal System); visit www.useplus.com to browse the definitions.

To obtain the best value, negotiate a license for the entire group of images based on your current needs and those needs that are firmly planned. There's no point in paying for a right that you will never use. However, it is smart business to negotiate a commitment regarding the cost of additional rights that you might need in the future, even if you currently have only a vague idea of what those needs may be.

Expenses. If the job will require travel, special equipment, prop rentals, special insurances, or fees for location access, these will all be indicated on the estimate. Likewise, the anticipated cost of hiring photo assistants, stylists, and models will be part of the total. There may be some contingent costs, such as for weather delays.

Expenses for traditional (film) photography typically include material costs such as film, processing, and supplies. For digital photography, the expenses may include charges for image capture; digital processing; master file prep; and postproduction tasks such as color manipulation and digital retouching, archiving, and file

delivery. For publications, electronic file delivery is increasingly the norm, but each publication has its own specs and, often, its own guidelines that the photographer must accommodate to make the image look as good as possible on the printed page.

DIGITAL PROCESSING COSTS

People outside the graphic arts are often surprised to learn that image capture (the actual picture-taking) and processing costs for digital photography are actually greater than for traditional film photography.

Digital technology saves time and money "downstream" when the images are used in various printing and publishing applications, but it requires the photographer to spend considerable postproduction time to get the best results. In effect, the photographer has taken over the work of the film lab, print lab, and prepress house. Also, the specialized tools for capturing and processing high-end image files are expensive and (as with most computer systems) are quickly obsolete.

Both digital and film techniques can yield fine images. In specific circumstances, the photographer may prefer one or the other for technical reasons.

Delivery considerations

If the image is to be delivered digitally, it may have to be processed in several different ways. Each destination has its own particular requirements.

For instance, an image to be used on a Web site might be formatted as an 8-bit JPEG in the sRGB color space, sized appropriately (say, 600 x 400 pixels), and at a resolution of 72 ppi.

Another version of the same image to be used for printing might be delivered as an 8-bit TIFF in a Matchprint-compatible color space, sized appropriately (say, 8 x 10 inches), at a resolution of 240 ppi.

Finally, the actual delivery might be electronic (FTP) or burned to a CD, DVD, or even an external hard drive. Sometimes a "guide print" is provided for color reference.

It may seem as though there are endless variations for delivering high-quality images, but your photographer will be able to simplify the options as you decide on your needs.

A WORKING DOCUMENT

Just as a breakout of fees and responsibilities between architect and client allows the client to make adjustments to the project, so breaking out the components of the fee structure allows architects to work with the photographer in changing the proposed scope of work with a minimum of disruptions.

For example, suppose you initially asked for an estimate based on creating six views on site, to be used for brochures, office displays, exhibitions, and a Web site. After you see the images, you decide to also submit them to a magazine in conjunction with an article on your project. This constitutes an extra use, for which there will be an additional license fee (and perhaps additional expenses to deliver optimized images), but the production fee would not be materially changed.

Likewise, you may find that the estimate for the work as originally proposed is higher than you had budgeted. The estimate will indicate where there is room to reduce costs without sacrificing the objective of visually "telling the story" of the project through the essential views. In addition, the photographer may have suggestions for capturing more successful views without significantly increasing the costs. For some practical recommendations, see Best Practice 06.03.08, "Controlling the Cost of a Photography Assignment."

THE FINE PRINT

At the end, the estimate will have a space for your signature. By signing and returning a copy to the photographer, you indicate your acceptance of the assignment description, license, and total price. At that point, the estimate becomes a contract.

Attached to the estimate, or on the back of the form, will be a set of Terms and Conditions. As with any contract, one purpose is to agree on each party's responsibilities if problems arise and how any disputes will be resolved. Another purpose is to state the industry norms; for photography, these include copyright, photo-credit requirements, and what alterations (such as compositing) you can make to the images.

CONCLUSION

The photographer's estimate is more than a financial document; it can serve your creative and promotional planning needs as well. It is a tool that can help you meet your business objectives, your documentation needs, *and* your marketing goals.

Controlling the Cost of a Photographic Assignment

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PHOTOGRAPHY TO FIT YOUR BUDGET

Professional photography is of great value in advertising, marketing, magazine articles, competition submissions, and office décor—in fact, in any situation where you would like to impress people with the caliber of your work. Whether your goal is to generate more commissions or to gain the respect of your peers, good imagery is a powerful tool for conveying the quality of your work.

Like architectural design and development, professional photography is a custom service that can be molded to meet your business goals and stay within your financial constraints. If your needs seem to outweigh your means, don't be discouraged. This paper offers a few ideas to relieve the pressure on your budget.

SHARE THE COST WITH OTHERS

On any kind of project, you aren't the only one who might benefit from photographs of the work. The owner, interior designers, landscape architects, contractors, consultants, product manufacturers, tenants, and others probably have similar pride in the building and similar need to market themselves. With a bit of forethought, all may be served by a single photography assignment and the costs can be distributed equitably, to everyone's advantage. Photographers who specialize in architectural work are quite familiar with such arrangements.

If this is your plan, it is essential to let the photographer know about it before the initial estimate is prepared. As detailed in Best Practice 06.03.06, "Understanding the Estimate for a Photographic Assignment," the estimate typically will have separate cost components for production fees, licenses, and expenses.

The production fees (the photographer's professional time) and expenses (e.g., travel, consumables, props, rental equipment, assistants, models, and stylists) are



Phoenix City Hall, Phoenix, Arizona—Architecture by Langdon Wilson, Phoenix; photograph © Michael Meacham/Studio Infinity (www.azphotobook.com). This is an unusual sky for Phoenix; the shot was taken at 6 AM on a Sunday.

generally not affected by the number of parties unless their separate interests require different views or special setups. Thus, a sharing arrangement means these cost elements may be lower for each participant.

Each party will be charged a separate rights-license fee, which is based on the use he or she will make of the images. In addition, each participant will pay separately for any special deliverables, such as large-format prints, Web galleries, or image files formatted and sized in different ways. (For more information on cost-sharing arrangements, see Best Practice 06.03.04, "Sharing the Photographic Assignment: A Case Study.")

PLAN AHEAD, ALLOW LEEWAY

Absent some real deadline pressure, schedule the photography well in advance and plan for some variability in the timing. As with any task, creating photography on a rush basis adds to the expense, while a relaxed schedule means that your photographer can work through any last-minute glitches without incurring extra expenses.

The weather, too, can be a factor: A tight schedule means that foul weather and other uncontrollable variables may become problems. In contrast, an extended schedule may provide the opportunity to highlight your design with dusk or night illumination, different people, moving vehicles, and even a variety of changing seasonal elements.

Another aspect of planning for photography is ensuring the site is prepared before the shooting begins. Are the windows clean? Is all the construction equipment out of sight? Is electric power on? (For a more comprehensive list of planning details, see Best Practice 06.03.07, "Preparing for Professional Photography: A Checklist.") In a pinch, problems can sometimes be retouched away, but this adds to the postproduction time and can mean compromises in image quality. It's usually easier and less expensive to prevent the problems.

SHOP LOCALLY

In addition to minimizing the travel expenses, engaging a local photographer will often allow the most flexibility in scheduling the work. It can also simplify getting back on schedule after a weather delay.

The American Society of Media Photographers (ASMP) operates a free "Find a Photographer" service at www.findaphotographer.org that lists several hundred specialists in architectural photography. Only qualified professionals are in this database, and you can search by geographic location and by specialty. The search results include full contact information, sample photographs, and Web-site links.

USE FEWER VIEWS

It goes without saying that the number of views is a major factor in the job's cost. Each view must be composed and lit; the location must be cleaned and the background cleared; and all the props and personnel must be in position. In other words, each view takes time and costs money. You can get the most value from a given budget by listing the concepts you'd like to

illustrate and assigning a priority to each. Your photographer can then make sure that you get the most important images while staying within your budget.

WORK WITH YOUR PHOTOGRAPHER

A good photographer can bring to bear a wealth of experiences and skills to get you the images you need at the lowest feasible cost. Just as small changes to a building's specs can make a big difference to the cost of construction, so small adjustments to a photographic assignment can drastically alter the cost of images. Your photographer can advise you about the options and trade-offs that are available, giving you the freedom to balance the costs and benefits to your advantage.

CONCLUSION

The decisions you make during the process of planning for the photography will affect its cost far more than any later steps you might take. Here are a few options that will help minimize the outlays:

- Share the costs of the photography assignment among several stakeholders in the job—owner, contractors, consultants, vendors, tenants, and so on.
- Prioritize the views you'd like and phase the work over a period of time. This option may also provide you with an opportunity to highlight your design with a variety of changing seasonal elements.
- Hire locally. ASMP offers a free service at www.findaphotographer.org to help you identify qualified photographers near the project location.
- Schedule flexibly. Rush work and overtime are costly, so make allowance for weather delays and other external factors.

The quality of the photography you use to represent your designs is a reflection of your firm's values. The images you display affect how the marketplace perceives your business. While there will always be someone willing to photograph your project at a lower price, what may initially appear to be a bargain can easily turn into an expensive problem when the resulting images do not meet expectations and have to be rephotographed. In the long run, commissioning a professional photographer is an investment that can prevent frustration while saving time and money. Most importantly, the photographs you receive will be a valuable resource for your marketing as well as a source of inspiration and legitimate pride.

Preparing For Professional Photography: A Checklist

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A LITTLE ADVANCE WORK PAYS OFF

Photography, like any outside service an architect might need, has both cost and quality parameters—one to be minimized, the other to be maximized. By choosing an experienced professional and, in particular, by following the due-diligence steps recommended in Best Practice 06.03.05, "Selecting a Professional Photographer," you can be reasonably assured of getting the quality of results you need. Likewise, you can minimize the cost by working closely with your photographer in advance of, and during, the assignment.

The most productive photography assignment is one with few surprises while on location. Delays, downtime, and retakes are too often the cause of both unnecessary expense and hasty compromises that may lead to disappointing results. With this in mind, the American Society of Media Photographers (ASMP) has compiled a checklist that covers many of the details involved when photographing architecture and interior design. By collaborating closely with your photographer and paying attention to details, you will maximize efficiency and productivity.

GENERAL CONSIDERATIONS

- Has the architect walked the site with the photographer?
- Who will be the architect's representative at the shoot?

INTERIOR PHOTOGRAPHY

Site access and security concerns generally require careful coordination among the key players. Among the concerns are these:

- Is security clearance required?
- Where is the loading dock? Are there restricted hours?



Time Warner Center, New York City—Architecture by Skidmore, Owings & Merrill; photograph © by David Sundberg/Esto (www.esto.com). Gloomy and glowing, the image was taken during a February blizzard.

- Will the photographer have access to all areas, or will he or she need keys to specific areas?
- Will the crew and equipment be able to get in or out after hours?
- Will a floor plan be provided?
- Will elevators be working?
- Will all alarms be off?

- Is there a secured place to store equipment during multiple-day assignments?
- What is the site contact name and number?
- What are the emergency phone numbers for assignments taking place during weekends or after hours?

Control over all sources of illumination, both natural and artificial, is essential. Both the photographer and the architect's on-site representative should have explicit, detailed information about the following:

- Does the photographer need approval to adjust interior, exterior, and ambient light?
- Is the lighting computer-controlled?
- Are the lights controlled by motion sensors?
- Is all lighting operational, and are the bulbs consistent within areas?
- Will spare bulbs be available?
- Can lights be manually turned on and off from a circuit breaker?
- Will the photographer have access to the circuit box?
- Are the different types of lights (e.g., fluorescent, tungsten) on individual circuits?
- Is a building engineer or an electrician available if required?
- Are there windows in the space? Is there a way to control ambient light?

Whether seen as props or obstacles for the purpose at hand, the furniture and fixtures must be considered carefully.

- Do any decorations or signage need to be removed?
- Can desks be rearranged without permission?
- Will props or models be necessary?
- Does the photographer have permission to turn on computer screens, television monitors, and AV equipment? Must specific images be loaded into the devices in advance?

What about the personnel? Consider who should be present and who should not be present during the

photography, and make sure that everyone is fully briefed on the roles he or she will be playing.

- Are the owner and the occupants expecting the photographer and crew? Do they understand the nature of the project and the duration of the photographer's work?
- Is there a cleaning crew in the space after hours? Can they work around the photographer? Can the photographer work around them?
- If models will be used, are they employees of the tenant or the architect? Do they understand what they may be required to do and to wear and how long they may be needed?
- Are model releases required? (This is especially important for children.)
- Who is responsible for meals and for supplying water, coffee, and snacks?

Miscellaneous concerns will typically include issues such as these:

- Are certificates of insurance required? Who needs to receive them?
- Will a memo be sent to employees or tenants regarding advance cleanup and the assignment date and time?
- Does the photographer have access to ladders and dollies?
- Does the photographer have access to vacuum cleaners and cleaning supplies?
- Will the air-conditioning or heat be off during the assignment? Do special arrangements need to be made to keep the HVAC on or to turn it off?
- Is any union permission required for photography?

EXTERIOR PHOTOGRAPHY

The photographer will need detailed information about the site itself, of course, but also about any activities that may be in progress when the assignment is to be performed.

- Will a site plan be provided ahead of time?
- Is there any construction activity? Are there window washers on the building?
- Is any facility maintenance scheduled?

- Will the interior of the building be accessible to adjust window blinds and lights?

The landscaping and surroundings are of great importance, of course.

- Is the landscaping complete and mature?
- Are there any fountains, and can the photographer control them?
- Are there any computer-operated sprinkler systems, and can the photographer control them?
- Will the photographer have access to exterior lighting and signage?
- Are the lights controlled by timers or photo sensors? Can they be manually controlled?
- Has a client representative checked the site recently for dumpsters, scaffolding, window stickers, fences, debris, and graffiti?
- Must any decorations or signage be removed?

Miscellaneous details can trip up an otherwise flawless plan. So don't forget to look into these potential problem areas:

- Is there a security department that must be notified about the assignment?
- Is parking available for the photography crew?
- Can customer or tenant parking be controlled?
- Will the Police Department be needed for parking or traffic control on public streets? Do any government authorities require that permits be obtained?

CONCLUSION

This checklist is not intended to be exhaustively complete. Rather, it should serve as a stimulus to your planning and a reminder of the range of issues that may need your attention in advance of the photography session. Every site is different; every season has its special concerns. Nevertheless, with a bit of forethought, you can help your photographer get the work accomplished efficiently and without disruption to other activities while also delivering the quality of results that you need.

Licensing Photographs for a Publication

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THE VALUE OF PHOTOGRAPHY

When properly handled, placing attractive images in a trade or consumer publication is a win for everyone. The publication gets better images, the architect gets favorable coverage, and the photographer gets a licensing fee for the use of the images.

Editorial images have tremendous value for both the publisher and the architect. The magazine benefits because high-caliber professional photography adds to both the design and the depth of the stories. Good architecture, represented by good photography, attracts a more affluent and professional readership. This, in turn, allows the magazine to charge premium rates for its advertising. It also buffs the magazine's prestige. Although difficult to measure, prestige is more than a feel-good; it smoothes the road and opens doors for the magazine's editors and sales reps.

The architect benefits by getting visibility and renown. Not only is the cost of an editorial-use license far lower than the price of an ad in that same magazine, but the credibility of editorial content is also far higher than advertising. In addition, the architect can purchase reprints from the publisher at a tiny fraction of the cost of commissioning a similar piece from a graphics house or advertising agency.

Besides these benefits to the architect and publisher, the publication can benefit the entire architectural profession and especially its students and emerging practitioners. Architectural designs are not created in a vacuum but within an evolving tradition or cultural milieu, which both influences and is influenced by the newest designs. Written descriptions and drawings are important in this process, but photographic images are the most direct form of communication. Without photos, architects would have to travel to see examples of successful design. It is no exaggeration to say that good photography is a bedrock element of architectural progress.



Montezuma Castle, Montezuma, New Mexico—Original architecture by Burnham and Root; restoration architecture by Einhorn Yaffee Prescott; photograph © by Chun Y. Lai (www.chunlaiphotography.com).

WHAT'S A PAGE WORTH?

Magazine subscribers rarely have any idea what the one page in a publication is worth. It's a lot! To find out just how much, visit the publication's Web site, follow the links for advertisers, and look at the media kit.

One example: A standard full-page ad in the January 2006 issue of *Architectural Record* cost \$14,750.

ISSUES THAT MAY ARISE

Conflicts can arise, however, when the publisher, architect, and photographer have different expectations about rights and licenses. For example, if the architect has submitted the images as part of a story pitch, the publisher may believe that it's the architect's

responsibility to secure the publication rights. The architect may not see why there should be any restrictions on the uses of the photographs. The photographer may be unsympathetic to the publisher's deadline pressure, and so on.

It is a rare magazine publisher who would run a feature story without pictures, especially if the images had been instrumental in getting the story planning started. At the same time, the publisher would prefer not to drop the story out of hand; the magazine staff has probably invested time in story development and would have to find something else to run in its place, with the deadline inexorably getting closer each day. However, if the necessary rights are not in hand, those are the unpleasant choices the publisher faces.

(This Best Practice refers primarily to magazines—and, by extension, all periodicals—including journals, newsletters, and their online equivalents. However, we do not mean to exclude books from the discussion. Deadlines are usually less urgent in the book business, but the upfront investment of staff time and writers' advances can create the same financial dynamics.)

In the worst case, there may be a standoff, with neither the architect nor the publisher agreeing to pay for the use rights and the photographer unwilling to give the rights for free. If so, the book or the article will be killed and everyone will lose something.

SECURING AN EDITORIAL LICENSE

Since the magazine receives the most direct financial benefit from the use of the images, it is most often the magazine that pays the photographer for the necessary license. The publication typically contacts the photographer directly and pays a fee commensurate with the value the images contribute to the magazine's success. Several factors determine this fee, including the number of images to be used, their printed size, and their placement. Thus, a photo used on the cover has a higher value to the magazine than photos used inside. Other factors include the magazine's editorial payment rates for photos that it commissions from freelancers, the magazine's circulation, and the rates it charges advertisers.

(Licensing of images for books follows the same principles as magazine licensing. The fee is based on the type of book [e.g., college text, popular press, coffee-table, trade paperback], the press run, and the size and placement of the images.)

However, the publisher may refuse to pay this fee, either as a negotiating ploy or an attempt to shift its editorial cost to another party. It is in the publisher's interest to get the license at the lowest cost, of course, and he may sometimes play a little hardball. However, most photographers have established pricing, which is based on the value that the images bring to the publication. Despite the publisher's protestations, it's quite rare that a publication truly cannot pay. When that happens, it's a sign that the publication is soon to fold, because rights licenses are such a small part of the total editorial, printing, and distribution cost.

If the publisher can't or won't pay for the rights, the other option is for the architect to obtain the editorial-use license. The cost is the same either way, and many architects find that spending time dickering over who pays is costlier than simply taking the initiative.

It is rare that an architect will license broad publication rights in advance, although it can be done. Without knowing what use a future publisher or art director might make of the images, the photographer would write the license to cover a wide range of possibilities and charge accordingly. This is not usually a wise use of the architect's working capital.

EXECUTIVE SUMMARY: EDITORIAL LICENSING

- Editorial publication rights are not typically granted to architects unless specifically stated in a written licensing agreement.
- A publication's content is its most valuable asset, attracting both readership and advertisers. If the publication refuses to acknowledge the value of photography and does not secure an editorial license, the responsibility for licensing the rights may revert to the architect.
- A photo credit is not equal to the value of the content (images) received by the publisher.

THE VALUE OF A PHOTO CREDIT

It is often argued that a photo credit, like a byline, has value to the photographer as a form of advertising. This is true in one sense: Its value depends on its prominence on the page. However, it's not true that the credit can be used to negotiate down the license fee. Most photographers have already factored its value into their fee structure.

In this respect, photographers and architects have much in common. Architects like to see their firm's name on the sign above the construction fence, but they nevertheless expect to be paid for their design work. Professional photographers view a credit line in much the same way. A visible photo credit may improve the photographer's chances of getting future work, but it's not payment for the work that was completed.

CONCLUSION

In the optimum scenario, when an architect and a publisher begin discussing a story, they decide who will be responsible for securing the license rights for the images they want. The fee depends not on who pays it but on the value that the specific use brings to the publication. In practice, the value of high-quality images, both to the publication and to the architect, is always much greater than the cost—and that's why everyone wins when the deal is completed.

Sharing the Photographic Assignment: A Case Study

Contributed by the Architectural Photography Specialty Group of the American Society of Media Photographers

The AIA collects and disseminates Best Practices as a service to AIA members without endorsement or recommendation. Appropriate use of the information provided is the responsibility of the reader.

SHARE THE WEALTH—AND THE EXPENSE

This article will introduce in concrete terms several topics that this series of related Best Practices (listed at the end) address in greater detail. Our purpose here is to clarify the roles and relationships that arise when several parties—architect, interior designer, owner, contractor, and so on—join forces and budgets to photograph a building.

The scenario: Suppose that an architect wants a dozen views of an office building. What's more, the architect happens to know that the building owner, the interior designer, and one of the contractors may also be interested in using some or all of the images. In informal discussions, all four parties agree to participate in the photography assignment.

This is good for all of them for several reasons. One is to minimize their expense; the participants can divide the job overhead costs such as site preparation, travel, permits, and so on. In addition, they will have a say in defining the assignment parameters (what concepts to highlight, what issues to play down) before the job is begun, and they will participate in the selection of final images at the end.

CONTRACTUAL FORMALITIES

Often, the architect acts as the primary commissioning client, setting the scope of the photography and taking the lead in selecting a photographer. (See Best Practice 06.03.05, "Selecting a Professional Photographer.") After reviewing the assignment parameters, the photographer will provide a written estimate to the architect that states the terms of the cost-sharing agreement; names the architect as the primary commissioning client; and lists the owner, designer, and contractor as participating parties.



The Heritage at Millennium Park, Chicago, Illinois—
Architecture by Solomon Cordwell Buenz; photograph
© by David Seide (www.DefinedSpace.com).

Alternatively, the photographer may draw up separate estimates for each of the parties. This relieves the architect of any responsibility for collecting payment from the other participants. It also clarifies the cost-sharing details when different parties need different views. For instance, it's unlikely that the interior designer will make much use of the exterior photography, while the architect probably has limited use for photos of the furniture in the lobby. Nevertheless, each of the parties will get the benefit of dividing the costs that are incurred in common.

LICENSING AND RIGHTS GRANTED

The photographer's estimate customarily separates out the anticipated expenses, production fee, and license fees. (See Best Practice 06.03.06, "Understanding the Estimate for a Photographic Assignment," for more details.) While all the participating parties will be sharing the expenses and the production fee, each party will pay separately for the uses that he or she will make of the images. The building owner may need only brochures for prospective tenants, for which an advertising brochure license would be needed. The designer might require Web-site use and glossy prints for a portfolio. The architect might be interested in Web rights but also want large prints for the office lobby and permission to submit images for competitions. Thus, whether the assignment paperwork is framed in terms of separate estimates or a single estimate with primary and additional clients, each party is asked to sign a license agreement.

A vast array of uses and rights can come into play for any particular situation. Some common standards exist, however. PLUS (Picture Licensing Universal System) has compiled a glossary of licensing terms used in the photography and publishing industries. Visit www.useplus.com to browse the definitions.

A MORE REALISTIC SCENARIO

Now let us introduce a complication into the case. As before, an architect, a contractor, a designer, and an owner have joined forces to engage a professional photographer. The architect, designer, and owner review and sign their estimates. But this time, let us suppose that the contractor decides not to participate. The photography can proceed without him. Although the setup costs of the job will now be divided three ways instead of four, the job can also be simplified because it no longer must take the contractor's particular requirements into account.

A few weeks later, however, the contractor needs to print up some capability brochures and asks to license several images from the shared photography session. In declining to accept the terms of the estimate up front, the contractor forfeited the option to license the images at the prenegotiated license fee and terms. The contractor is thus in the same position as any outside party involved in the construction project.

Photographers are usually willing to license images to third parties but typically charge these parties at least as much as the original group for several reasons,

including different delivery requirements, deadlines, and license terms. The photographer and the latecomer will have to negotiate new agreements from the ground up. From the photographer's point of view, this is an inefficient way to do business. (One reason that multiparty licensing is cost-effective for the original clients is that it allows streamlined planning and preparation for the photography.)

In addition, the latecomer can choose from a portfolio of existing images—known quantities—while the original group could anticipate only the outcome of the assignment they had commissioned. There is also the factor of simple fairness: If nonparticipants could get photography at the same cost as participants, the benefit of cost-sharing arrangements would be negated.

KEY POINTS TO MULTIPLE-PARTY LICENSING

- All participating parties must sign an agreement before photography begins.
- Each participant is charged a licensing fee commensurate with his or her specific usage needs.
- Each participant is responsible for ordering and paying for his or her individual deliverables.

CONCLUSION

If all the participants have similar interests and requirements for photography, a multiparty arrangement is generally a cost-effective way to meet those needs. Obviously, clear communication among all participants is of prime importance, whether the photographer contracts only with the architect (acting as liaison and collecting the other parties' respective shares of the fees) or contracts with each party separately. The benefit can quickly be lost if the parties don't share an understanding about goals, timelines, and use rights.

Honest doubt and a practical wait-and-see approach have their place in obtaining photography, as in any business decision. Sometimes the wise course is to license after the fact; other times, it is best to commission a separate assignment. However, if your requirements are congruent with the other parties' needs, there is no benefit in standing aside from a multiparty agreement. Rather, there can be considerable advantage to joining with other parties, not only to minimize cost but also to participate in the job planning and thereby ensure that the resulting images are maximally useful for your business purposes.



About AIA

Since 1857, the AIA has represented the professional interests of America's architects. As AIA members, over 74,000 licensed architects, emerging professionals, and allied partners express their commitment to excellence in design and livability in our nation's buildings and communities. Members adhere to a code of ethics and professional conduct that assures the client, the public, and colleagues of an AIA-member architect's dedication to the highest standards in professional practice.

The AIA web site, www.aia.org, offers more information.



About ASMP

Founded in 1944, the American Society of Media Photographers (originally the Society of Magazine Photographers and later the American Society of Magazine Photographers) is the leading trade association for photographers who photograph primarily for publication. ASMP promotes photographers' rights, educates photographers in better business practices, produces business publications for photographers and helps buyers find professional photographers.

The ASMP web site, www.asmp.org, offers more information.