

Cease Fire

Discussing the trend of photographs being used without permission

By: Virpratap Vikram Singh

How many times have we seen a photo online that we really like, we might want to save it as our wallpaper, or use it in a presentation, maybe just to share it with our loved ones. With that thought in mind, we right-click and 'Save as' – it's an innocent act, after all, it's a photograph on the internet.

Except, it's not so innocent.

There is an incredible amount of photographs that are generated and posted on the internet on a daily basis, a report from 2013 said that as an online community we upload and share up to 1.8 billion photographs a day, this figure is covering major sites and apps like facebook, WhatsApp, Snapchat and Instagram. This figure is also from 2013, and thus obsolete; Instagram reports a total of 70 million photographs per day while facebook brags of a whopping six billion photographs per month and that number is steadily rising

This enormous trove of photographs means that people are not only bombarded with millions of photographs, but the intrinsic value of the photo gets lost and it becomes easier for a photograph to be viewed as free commodity.

Granted, plenty of photographs are uploaded with the intent of being shared and used, however, in a few circumstances, the photographs uploaded by professional photographers or photojournalists belong to them and as a result any usage of it is a violation of copyright law.

PM Vs Nepal

In 2014, Narendra Modi celebrated his first Diwali as Prime Minister of India; his social media team used the occasion to upload an image commemorating the holiday. This image was of a trail of diya lights, an extremely common sight during this holiday. Before the day was done however, a photographer by the name of Bimal Nepal claimed that his photograph which had been taken in 2012

and uploaded on Flickr had been used without informing or crediting him as the original photographer.

The incident has been covered by a wide number of newspapers, with sources like Buzzfeed and Hindustan Times interviewing Bimal to get his take on the situation. The responses have also been varied, most news outlets, due to lack of information reported the situation, whereas Firstpost went ahead and put forth rational and legal arguments as to why Bimal was in the right, on the other hand, NITI Central went on the offensive and labelled the photographer as a digital ambulance chaser, after his 15 minutes of fame and nothing more.

Till date the PMO has not given credit to the photographer.

Passive Aggression

This is the murky state of photography on the internet, and this situation is a perfect example of how the rules need to evolve. The image was uploaded onto Flickr by Bimal Nepal, and managed to find a way onto appzoom, where it was picked up by the PMO's social media team. The social media team claimed that this is a legitimate source that provided the image for free, and they're right. If the site said it was free content for use, they're not really required to hunt further. Naturally, the minute the image was contested on such grounds the team should have given credit. Especially since Narendra Modi's social media reach amounts to the millions of followers. This means that an act of theft, which copyright infringement is, is being prominently displayed to more than a million social followers.

The interesting thing is the conspicuous lack of action from the PMO's team. Firstpost aligned this move as an effort to not fuel controversy, however, when one realizes that in a sea of 2 billion photo uploads per day if not or more, one photo can be quickly forgotten.

Social Trends

As a society, we're so accustomed to copy pasting from the internet that we never once wonder - Who created it? What efforts might have gone into the creation of such a work? How much did the photographer spend to get that shot?

This unintentional theft happens more often than not, it's easy, it seems harmless and it's kind of like piracy which all of us are happy to indulge in. That unfortunately makes it a problem for the creators of said content, and for lawmakers, because to protect the rights of the creators, the law would have to govern the internet, something that is vehemently opposed by the online community.

As a result, the only 'safe' avenue is for photographers to withdraw from facebook and other social media sites (Instagram prevents a direct save of an image but screenshots can still happen) which damages the craft, because part of the joy of being a photographer is having your work out there, and having people enjoy and appreciate it. Copyright infringement ruins that, but without it, the photographer has nothing.

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