



Images and French Copyright

About the reuse of images in scientific works

[Link to detailed analysis](#)

THE LEGAL FRAMEWORK

- Any work is protected as long as it is **original**
- When using an image in scientific work (*publications, academic work, lectures*), you must **always check the conditions for reuse** and, if necessary, obtain authorisation from the image's author or rights holders.

REF: French Intellectual Property Code
Literary and artistic property branch

EXCEPTIONS

Exceptions allow researchers to reuse an image without prior authorisation in certain cases:

- Educational exception (course or lecture)
- Reproduction in a PhD thesis
- Scientific blogs offering current information

BUT: No exceptions specific to scientific writing
Except for PhD thesis and courses in Virtual Learning Environment



In most cases, reproducing an image in a scientific paper requires obtaining permission from the author.



Citing the author is always mandatory but is not sufficient to make reuse legal.



IMAGES AND THE WEB

Finding an image on the web does not mean you can reuse it. Here are **the questions you should ask yourself:**

- Does the image have an open reuse license notice (Creative Commons)?
- Is the image in the public domain?
(i.e. author deceased for more than 70 years?)
- Can **my use** be considered **an exception**?

If the **answer** to these questions is **no** → **authorisation must be obtained.**



THE CASE OF PhD THESES

The PhD thesis is the only type of scientific paper that benefits from an exception allowing images to be reproduced without authorisation, provided that **the following criteria are met:**

- Use of **maximum 20 copyrighted works** "without authorisation" per thesis.
- Image size and resolution must be limited:
72 dpi, 800 x 800 pixels max.
- The images must not be downloadable from the thesis.
- The exception **does not apply to the commercially published version** of the thesis.

In practice

How do I obtain permission to use an image?

- Clearly identify the author and copyright holders
= mention the source, supply metadata, use reverse image search
- Send a request to specify the context of reuse.
- Keep authorisations, both those sent and received.
- Note: The authorisation is sometimes subject to a fee.



Special cases

- It is possible to reproduce a work of art yourself without the museum's permission, but reproductions provided by the museum are their property.
- Rights management for some visual artworks is handled by French collective organisations: ADAGP, SAIF, SOGIA.
- The publisher or journal may handle rights requests.
Always inquire as early as possible!