Subject: National Geographic
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GEOGRAPHIC ON DISC

National Geographic will be releasing this fall a series of discs of every issue of National Geographic covering over 100 years from 1888 to the present.

According to Bob Madden, head of National Geographic Interactive, there will be 30 discs in the series with approximately three and a half years of issues on each disc. The entire National Geographic index will also be included on all discs. Thus, by placing any disc into a computer the user will be able to look up a particular subject and determine which disc contains that story.

Each page in the magazine is being individually scanned and will appear exactly as it did in the magazine. The images will not be scanned separately. The file size for each page will be approximately 80K. While the pages are scanned individually they will normally appear as spreads on the screen.

Madden says, "If you like pixels you love these images because you can see a lot of pixels in them." These will be straight JPEG files. User will be able to print out the pages, but a copyright notice will appear on the bottom of each page when it is printed. There is no plan to use Digimark technology on the images so they might be tracked if they were transferred into another on-line program.

It is not clear whether school children will be allowed to copy images from the disk and uses them in their own projects. However, it is becoming a common practice of many publishers to authorize this educational use.

Angelo Grima who is in charge of working out the arrangements for rights to these images said "No comment," when asked what type of arrangements would be made to compensate photographers for their work.

Clearing copyright on this project may well be a nightmare. Copyright will have expired on some of the older material. But, everything since 1976 will be a different ball game. Geographic clearly owns the staff produced material, but in the last couple decades an increasing amount of the work for the magazine has been done by freelancers. A couple years ago they were down to two staff photographers. Now they have six.

When it comes to the freelance work there were several different deals. Each contract was different. There were individuals who did one or more stories on a straight contract basis and owned all secondary rights. Then there were varying agreements with the photographers who had contracts guaranteeing them a certain number of days work per year. In some, but certainly not all, of these cases may have granted some secondary uses.

Many of the photographers also wrote for the magazine and received compensation as writers. Each writer may have a different agreement as well as the photographers. We know of one photographer/writer who has a specific written agreement transferring the copyright back to him.

The nearest precedent for this was "The Face of LIFE" disc that was published in late 1994. This disc contained 1800 Life covers from the years 1936 through 1972. It also contained more than 2200 other selected images, but nearly all of these were produced by staff photographers.

In their letter to photographers Life said, "While as a legal matter we are not obligated to make any additional payments to reproduce our covers, in the spirit of this project we decided to make a payment to all non-staffers