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PACA RESPONDS TO NGI CD-ROM

September 17, 1997

PACA represents more than 100 picture agencies throughout North America. These agencies represent more than 10,000 photographers and more then 40,000,000 images. PACA works to develop uniform business practices within the stock photo industry based on ethical standards. PACA members sign a code of ethics, which serve as a guideline for relationships between agencies, as well as with agencies and photographers. On August 21, 1997 their attorney, Robert Cavallo, sent the following letter to Tom Stanton at National Geographic Interactive relative to NGI's claim that they are not required to make additional payment for republication of 108 years of National Geographic Magazines on CD-ROM.

Dear Mr. Stanton,

We are writing on behalf of the 107 members of the Picture Agency Council of America (the current membership roster is included with this letter.) As the Executive Committee, we must publicly state our disagreement with the philosophy and questionable actions regarding creation and distribution of your current CD-ROM, to be distributed by Mindscape, Inc.

We understand it is the position of National Geographic that no additional licensing fees will be paid to photographers whose work is included in the project. We most strongly object to this decision.

Our concerns include but are not limited to the fact that National Geographic will be selling this product as a separate and distinct collection of the magazines existence, that it will be reusing all of the imagery included in any single publication and that it will be marketed and distributed as a collection of works distinct from any other. Therefore, we believe that the production of this CD-ROM is an additional editorial use of the imagery in the magazines included on the CD-ROM. That you should decide to ignore this is most disappointing, especially in light of the important role professional, high quality photography plays in all of your products and publications and in light of The National Geographic Society Image Collection's Provisional Membership in PACA.

In the PACA Code of Ethics, signed by each member in each membership category annually, it states that PACA members will (among other things):

Be ethical in dealing with photographers.... Be mindful of the trust placed in them by photographers and always endeavor to promote the interest of the photographers they represent in tandem with their own.

Clearly your actions do not promote the interest of the photographers whose work appears in the CD-ROM project.We respectfully request your reconsideration of this action. Thank you for your immediate attention to this matter.

Sincerely
The Executive Committee
Picture Agency Council of America

Legal Action by Photographers Also see: **Photographers Fight For Rights** in an effort to get compensation from National Geographic Interactive.