

# National Gallery of Art | NGA Images

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## NATIONAL GALLERY OF ART

### OPEN ACCESS POLICY FOR IMAGES OF WORKS OF ART PRESUMED IN THE PUBLIC DOMAIN

With the launch of NGA Images, the National Gallery of Art implements an open access policy for digital images of works of art that the Gallery believes to be in the public domain. Images of these works are now available free of charge for any use, commercial or non-commercial. Users do not need to contact the Gallery for authorization to use these images. They are available for download at the NGA Images website ([images.nga.gov](https://images.nga.gov)). See Policy Details below for specific instructions and notes for users.

### BACKGROUND

The mission of the National Gallery of Art is to serve the United States of America in a national role by preserving, collecting, exhibiting, and fostering the understanding of works of art at the highest possible museum and scholarly standards. In pursuing this mission, the Gallery makes its collection images and information available to scholars, educators, and the general public to support research, teaching, and personal enrichment; to promote interdisciplinary research; and to nurture an appreciation of all that inspires great works of art.

The Gallery's open access policy is a natural extension of this mission, and in applying the policy in a global digital environment, the Gallery also expands and enhances its educational and scholarly outreach. The Gallery believes that increased access to high quality images of its works of art fuels knowledge, scholarship, and innovation, inspiring uses that continually transform the way we see and understand the world of art.

Works in the public domain are those not subject to copyright protection. The Gallery has launched this open access policy with works it believes to be in the public domain, but is hoping gradually to include additional works whose public domain status is currently uncertain. The research necessary to determine public domain status of a work is often complicated, time-consuming, and inconclusive. Nevertheless, the Gallery is committed to clarifying, wherever possible, the status of all of its works and to making them available under the open access policy if and when the Gallery has reason to believe they are in the public domain.

The National Gallery of Art respects all intellectual property rights and complies with applicable copyright law, including the exemption from copyright restrictions under the doctrine of fair use. Nothing in this open access policy is intended to limit the application of this doctrine to the use of images of the Gallery's collections. The Gallery also respects the privacy and publicity rights of individuals and abides by provisions in donor and purchase agreements that may restrict uses of particular works of art.

### POLICY DETAILS

Users may download— free of charge and without seeking authorization from the Gallery— any image of a work in the Gallery's collection that the Gallery believes is in the public domain and is free of other known restrictions.

If an image of a work is not currently available under open access, it is for one or more of the following reasons:

- the work is still under copyright, or the copyright status is unclear
- privacy or publicity issues exist
- the work is not fully owned by the Gallery
- contractual restrictions specified by the artist or donor preclude open access
- the work has not yet been photographed or the image quality standards of the existing photographs do not conform to Gallery criteria

### NOTES FOR USERS

1. While the Gallery believes these images to be in the public domain, the Gallery can only give permissions with respect to rights it has and makes no representations or warranties that use of these images will not violate rights that persons or entities other than the Gallery may have under the laws of various countries.
2. No copyright or other proprietary right in the image itself or in the underlying work of art is conveyed by making the image accessible. Furthermore, in making the image accessible, the Gallery does not grant the user an exclusive right to use or reproduce such image or work of art.
3. As a courtesy to the Gallery and to enable others to identify and locate information about its collections, the Gallery encourages users to include the following credit with any use of one of its open access images: **Courtesy National Gallery of Art, Washington**
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5. The Gallery asks that users aware of any rights information associated with an image contact NGA Images at [rights-ngaimages@nga.gov](mailto:rights-ngaimages@nga.gov) with this information.

