

ACKNOWLEDGMENT AND RELEASE: PORTRAIT PHOTOGRAPHY

I represent that I am photographing at the Museum of Fine Arts, Houston (“MFAH” or “Museum”) in my capacity as a professional photographer. While on the MFAH campus, I agree to abide by all Museum policies and procedures, including those in the MFAH Photography and Filming Request Form and the Bridal and Portrait Photography Info. Sheet (on the back of this acknowledgment). I further agree to bear all legal and financial responsibility for property damage or third party personal injury that may occur as a result of any activities that I engage in or conduct on the MFAH campus.

COPYRIGHT RELEASE

I hereby acknowledge that any and all images, video footage, recordings, or other form of electronic media obtained during the course of filming and/or photographing in and around the Museum’s galleries, grounds, and campus, including the Cullen Sculpture Garden, Bayou Bend, and Rienzi, are subject to the copyright restrictions proscribed by 17 U.S.C. §§ 101-122. I understand that any filming and/or photographing of copyrighted works must qualify as “fair use” under 17 U.S.C. § 107 in order to avoid copyright violation or infringement, and I agree that it is my sole responsibility to obtain clearance from the copyright holder(s) of any object that I film and/or photograph in and around the Museum’s galleries, grounds, and campus. In addition, I agree to obtain the appropriate releases from any individuals that may appear in photographs or footage that I produce. I hereby hold harmless, release, discharge, and agree to indemnify the Museum from, and will not sue or bring any proceeding against the Museum for, any claim, demand or cause of action, whether now known or unknown, for copyright infringement, violation of publicity rights or privacy rights, or any related matter, based upon or in connection with my filming and/or photographing.

RELEASE FROM LIABILITY

I agree to and at this moment do release, indemnify and defend the Museum, its officers, directors, employees, and agents from any liability, claim, judgment, cause of action or expense (including attorney’s fees) which arise during or in connection with my filming, photographing and/or related activities in and around the Museum’s galleries, grounds, and campus. This release and indemnity includes, at a minimum, any liability, claim, judgment, cause of action or expense resulting from any injuries (including death), economic loss, emotional distress, property loss, or other damages occasioned by, or in connection with any activity related to photography or filming. I agree to provide this release and indemnity even for the Museum’s negligence, in whole or part, but not for the Museum’s gross negligence or willful misconduct.

I am at least eighteen (18) years of age, and am authorized to sign this acknowledgment and release. I have read this acknowledgement and release before signing below and I understand and agree to its terms.

Signature

Date

Date and Location of Photography

Bridal and Portrait Photography Information Sheet

- All professional portrait photographers wishing to schedule a photography shoot on the south lawn of the MFAH main campus should sign, date and return the above Acknowledgment and Release via email to press@mfaah.org
- All photography must be conducted on the south lawn at MFAH's main campus. Professional portrait photography is not permitted inside the MFAH buildings, on the Bayou Bend campus, Rienzi campus, or in the Sculpture Garden.
- While there is no charge to shoot professional portrait photography on the south lawn of the MFAH main campus, the MFAH requests that professional photographers consider a \$50.00 donation to the MFAH.
- Please do not touch the plants, banners or landscaping during your shoot.
- Tripods are not permitted on the lawn.
- The MFAH is a "place for all people"; please do not restrict or impede walkways or the experience of other visitors.
- All resulting photographs must be for private, non-commercial use. Photographs may not be published, sold (other than to the photographer's clients) or otherwise commercially exploited.