

# So You've Been Infringed

## 5 Things You Can Do When Your Photograph Is Stolen Online

### The Internet Makes Infringing Easy

If you're a photographer, this unfortunate reality threatens your ability to protect your works and your livelihood. Fortunately, there are several options for photographers when you encounter an infringing use online.



#### 1. Request Credit

First, you can simply reach out to the party that uploads or hosts your photograph and ask for credit. Perhaps the infringing use provides a valuable marketing opportunity for you, so you want to leave it up—just with proper credit.



#### 2. File a DMCA Takedown Notice

If you stumble across your photograph on a popular site like Facebook, Instagram, or Reddit, you can file what's called a "DMCA Takedown Notice" with that site. The Digital Millennium Copyright Act (DMCA) requires content-hosting sites like Instagram to remove infringing content when they receive proper notice.



#### 3. Send a Demand Letter

A formal letter carries more impact than an online message. Along with thank-you notes, demand letters provide a great example of the power of old-school snail-mail. Get a lawyer to send the letter for you, and your chance of getting your desired result rises even more.



#### 4. File a Copyright Infringement Lawsuit

If your demand letters aren't working and the damages are piling up, you should consider hiring a lawyer to file an infringement suit. Prior to filing, you should gather evidence, like screenshots, that provide proof of the infringement. You should also be sure to gather registered copyrights on the works at issue (most jurisdictions require certificates of registration to file a complaint).



#### 5. Do Nothing

Finally, you can always do nothing. As mentioned previously, not all infringements are malicious, and some may provide valuable exposure.

### Conclusion

Ultimately, the best route forward depends largely on the extent of the infringement and the damage suffered. Further, professional photographers may wish to enforce their copyrights more aggressively than other, more independent artists.