



How much attention are you paying to copyright law when you create slides for a presentation? Using some images here and there to enhance your presentation content seems so simple. But whenever you include an image in a presentation slide, you should consider the copyright implications. This overview is about establishing best practices when using images and texts to minimize your risk of copyright infringement and guide you towards a consistent use of images.

When creating presentations, it is tempting to use material – texts, images, etc. – you can find on the internet. But although copy & paste is easy, you have to make sure you do not infringe any copyright.

This overview is intended to help you avoid common pitfalls when preparing a presentation or other material. Although the answers are based on the legal situation in Germany, the same guidelines apply in principle to other countries as well.

In each and every case, a good strategy for avoiding copyright trouble is to rely on your own ideas and creativity. Just use the photos from the Media Pool Photo Live to avoid any problems.

If you have any questions, please get in touch with [Corporate Trademarks](#).

Am I allowed to use an image I found on the Internet in my slides if it does not have a © symbol?

Copyright generally covers any original expression of ideas. This expression can be in many different formats, including cartoons, books, music, videos, photos, movies, written work, drawings, artwork, speeches or slides. Regardless of how the format is represented – in physical or electronic form – copyright still applies. Copyright protection requires a certain level of originality. However, if you like something so much you want to copy and paste it into your presentation, you have to assume it is protected by copyright, regardless of whether it is accompanied by a © symbol or not. So you are not allowed to use it without the author's prior permission.

Can I use a modified cartoon or text for my presentation?

Using adaptations of a cartoon or text also require the copyright holder's prior consent. Showing unauthorized adaptations may even be a more serious copyright infringement than mere reproduction.

Is a trivial photo I could have easily taken myself protected by copyright as well?

Photos and films are protected by copyright even if they do not display the required level of originality. That is why even amateurish or technically inadequate photos may not be used without the author's consent. If you want to use a photo displaying a person, you will also need that person's approval ("Recht am eigenen Bild").



Using copyrighted material in your presentation

Does copyright law apply to internal activities or use on the Intranet?

Downloading an image for a presentation may already infringe copyright. Uploading the presentation to the Intranet may constitute a further infringement, namely of the so-called right to communication to the public. Even if all this takes place at a rather limited intra-company level, copyright has to be taken into account. The employees participating in the event are regarded as "public" in terms of copyright law since it amounts to more than mere private use.

The image I want to use is from a Bayer website. Am I allowed to use it for my presentation?

No, you cannot conclude from the presence of an image on a Bayer website that it may also be used in your presentation. The right to use a copyrighted work is usually granted only for a specific purpose and under timely and territorial restrictions. In addition, it is important to know what Bayer entity is entitled by the license to use the image. To be on the safe side, only use photos from our Media Pool on the Bayer Identity Net.

Is there any exception under copyright law if I use the presentation for training colleagues?

Using images or texts for educational purposes may indeed constitute "fair use". However, all activities within a corporation are regarded as commercial. Ultimately, internal training sessions also serve a company's commercial interests so the exception of "fair use" does not apply here.

What about parts of copyrighted works? And can I use copyrighted works if I cite my source ("right to quotation")?

Even parts of a copyrighted work are protected as well. Under certain circumstances you may show parts of other people's works if this is important for the message of your presentation and not just for illustration purposes. "Fair use" in terms of the "right to quotation" applies if there is (1) a truly contextual examination of the copyrighted work during the presentation; (2) only those parts of a text, film or song are shown or played that are essential for that examination; and (3) proper reference is made on the slide containing the copyrighted work, including author, title and source of the work. Please note that pictures and photos may be displayed in their entirety provided the other quotation requirements are met.

I would like to show a YouTube video during my presentation. Is streaming a problem?

As streaming is a heavily discussed issue among copyright experts, please do not show a video during a presentation without prior legal approval.

First of all, the video has to be uploaded by the copyright holders or with the consent of all (!) copyright holders. Please note that the material available on YouTube or other social media sites can be uploaded by anyone without the platform providers examining the uploaders' copyright entitlement. For that reason, you cannot assume that the videos available from such sources are free to use.

Furthermore, the concrete use of the video needs to be compliant with the YouTube Terms of Service (see <https://www.youtube.com/t/terms>) and other requirements, e.g. if the work is uploaded under a Creative Commons model.

On the other hand, only including links to YouTube or other videos in your presentation – without actually showing/streaming them – is usually permitted.



If a photo is covered by a Creative Commons License, may I use it without further restrictions?

Creative Commons ("CC") is a term for specific licensing models that usually permit more than copyright laws and are thus more user-friendly. However, a CC license does not mean that the work is free to use for anyone. Further information on Creative Commons is available here: <http://creativecommons.org/>. The meaning of "non-commercial" in the field of Creative Commons is also under discussion. Not just for this reason you need to check carefully what CC license applies and what kind of specific use is permitted.

Surely it's no big deal if I use content without permission ... the copyright holders will never know.

According to Bayer's Corporate Compliance Policy we are committed to respecting the legally recognized rights of others. This also applies if the copyright infringement will presumably not even be noticed. Failure to respect copyright infringes the legal rights of the copyright holder and could put you and our company at risk.