WASHINGTON, D. C. 20036

ROBERT E. GILKA DIRECTOR OF PHOTOGRAPHY

May 1, 1968

Mr. Jerry Greenberg 6840 SW 92nd Street Miami, Florida 33156

Dear Jerry:

Just understand that I still luv ya, Jerry, even if I don't agree with your stand on rights.

Sincerely,

REG ds

REFUSAL TO ACCEPT ASSIGNT BECAUSE OF "RIGHTS" ISSUE

National Geographic Magazine WASHINGTON, D. C. 20036

ROBERT E. GILKA DIRECTOR OF PHOTOGRAPHY

April 22, 1968

Mr. Jerry Greenberg 6840 S.W. 92nd Street Miami, Florida 33156

Dear Jerry:

Dave Bridge has talked to you about doing a couple of days of work on the hydro lab about May 2. This letter is simply to make the agreement more formal. We will pay the standard day rate for this assignment and will reimburse you for expenses. Any of your photographs which are published in the underwater book (revision) or any other publication of the Society will become the property of the Society.

Sincerely,

Bob Gilko

REG:1d

Apri 28, 1968

Mr. Bob Gilka/ Director of Photography NATIONAL GEOGRAPHIC MAWAZINE Washington, D.C. 20036

Dear Bob:

Thank you for your letter and assignment of April 22nd on the Hydrolab project. I'm sorry I haven't answered your letter sconer but I was tied up at the annual photo conference in Miami.

I appreciate the assignment but I am unable to accept the work because the clause "any photographs which are published in the underwater book (revision) or any other publications of the Society will become the property of the Society".

I feel very strongly that the legal, moral and artistic ownership of photographs, copyright rights and all residual rights rest initially and ultimately with their creator, the photographer. I have signed my name to the ASMP's declaration of conscience on this matter. I don't see how I am able to accept this or any other assignment from the Society so long as the Society has provisions which are contrary to this code.

Thanku again for the above assignment and past projects I have done for the National Geographic Magazine. I am sure you know the warmth I hold for the magazine and for my many good friends there.

I feel that the National Geographic Society will eventually come around to accepting the ASMP recommendation, and when they do I look forward to working for them once again.

Sincerely yours,

Jerry Greenberg 6840 SW 92nd St. Miami, Fla. 33156

cc: Dave Bridge cc: Cornell Capa/ ASMP

National Gevaraphic Magazine WASHINGTON, D. C. 20036

ROBERT E. GILKA

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REG:ds

National Geographic Society washington, d. c. 20036 U.S.A.

DAVID S. BOYER Director Educational Filmstrips

August 2, 1971

Mr. Jerry Greenberg 6840 S. W. 92nd Street Miami, Florida 33156

Dear Mr. Greenberg:

I had no sconer finished talking to you on Friday when I received a call that your check was ready. I really am sorry for the delay; but we are pleased to be able to send it to you now.

Once more for the record, this is in payment for one-time rights to 2 pictures from your <u>Buck Island</u> coverage, KR 109 f.20, and KR 16 f.10, the latter being used three times, in our filmstrip about fish.

Thank you again for your contribution to our program.

Sincerely, forection

(Mrs.) Linda J. Forestier Educational Filmstrips

FILM STRIP ABOUT FISH 3- ITEMS

Enc.: check #47722 voucher #656

		• PI Q	NAT NAL GEOGRAPHIC 90	Vouch		
EC		47722	2 WASHINGTON, D. C. 20036	-2967	500	
	e	Jerry Gr 6840 S. Miami, F	W. 92nd Street			
	THE ATTA	ACHED CHEC	CK IS IN SETTLEMENT OF ITEMS LISTED BELOW. IF INCORRECT, PLEASE	RETURN THIS YOUC	HER WITH CHEC	эк.
	DATE	ACCT. NO.	DESCRIPTION	GROSS	DEDUCTIONS	BAL
9	JUL 29 7	<u>1</u> ,475	PAYMENT FOR ONE TIME REPRODUCTION RIGH 2 TRANSPARENCIES FOR A TOTAL OF 4 USES IN THE FISH FILMSTRIP ANIMALS SERIES	TS TO 200.00		

WASHINGTON, D. C. 20036 U.S.A.

April 16, 1971

DAVID S. BOYER Director Educational Filmstrips

> Mr. Jerry Greenberg 6840 S. W. 92nd Street Miami, Florida 33156

Dear Mr. Greenberg:

Mr. Patton is returning, or has returned, your Buck Island photographs.

The Filmstrips Division would like to use two pictures from the coverage in our "Fish" filmstrip, and we are rapidly approaching a deadline. They are in a separate group in the shipment, marked "Hold for Filmstrips". The numbers are:

KR 109 f.20 KR 16 f.10

Our usual fee for one-time reproduction rights is \$50.00 per frame. The originals would, of course, be returned to you as soon as production is finished.

We would also like to have, if possible, the original transparency that was published in the Geographic magazine in January, 1962, on page 84 upper. (Star Coral, Key Largo, #JG-303).

If the above terms are agreeable to you, could you send us the three pictures at the earliest possible moment? Thank you very much.

Sincerely, Junda V. Forestrei

(Mrs.) Linda J. Forestier Educational Filmstrips

FIMSTRIP "FISH"

WASHINGTON, D. C. 20036

ROBERT E. GILKA DIRECTOR OF PHOTOGRAPHY

August 13, 1969

Mr. Jerry Greenberg 6840 S.W. 92nd Street Miami, Florida 33156

Dear Jerry:

I just got back from leave to see a copy of the correspondence between you and Bill Garrett.

I guess Bill - who is now off on an assignment of his own - didn't realize it, but we have established a policy here about payment for re-use of photographs. You should be protected if any of your pictures are used a second or third time in Geographic publications.

All the best,

REG:1d

DOLICY ON RE-USE OF PHOOS

National Geographic Magazine washington, d. c. 20036

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All the best,

REG:1d

WASHINGTON 6, D. C.

W. E. GARRETT

.nn

JUNE, 1960

Mr. Jerry Greenberg 6840 S. W. 92nd Street Miami 56, Florida

By now you know the good news that the Editor has approved the assignment on Key Largo for you. I have received your list of expenses and gone over them. In view of the unusual problems of working underwater I feel this is reasonable even though it adds up to over a hundred dollars a day.

· We will pay a premium of double the normal page rate because of the difficulty of the job. This would amount to \$200.00 a page or \$100.00 minimum per picture used in color. Considering a minimum size of 8 color pages we would guarantee you \$1,600.00 for the job. I would estimate that a successful job would occupy no less than 16 color pages, and as high as 24.

All pictures used in the story plus a few for file selects would become the property of the National Geographic Magazine. After publication in the Magazine all rights on those pictures not held by us would be yours to sell.

Insofar as The Society is concerned, you will undertake this assignment as a free lance agent and independent contractor, and not in any sense of the word as a person employed by the Society, directly or indirectly. Further, acceptance of financial and other considerations outlined in this letter shall constitute an absolute release to the National Geographic Society of all responsibility for personal injury, and/or death, which may arise out of or result from this assignment.

Enclosed is a check for \$1,500.00 as an advance towards expenses on the assignment. Please keep records for our Auditing Division. The enclosed daily expense slips are used by the staff, and do have the advantage of providing a system. Use them if you like. As this money is used notify us and we will try to guess how much more if any will be needed within reason to produce a top story. If you have any questions on large expenses that you are In doubt about call me and I will advise you.

National Geographic Magazine

WASHINGTON 6, D. C.

W. E. GARSETT In the second second second

> Mr. Jerry Greenberg 6840 S. W. 92nd Street Miami 56, Florida

Dear Jerry:

Today we are returning all Greenberg Key Largo pictures still in our possession except 54 selects pulled from your assignment choosing and 23 published pictures. The fit published file pictures which you requested be returned are being duplicated and we will send the originals this week. Our files are not in complete agreement with your list of material. I think if you will check, you will find some of the material which you requested was published and not marked for return. I personally spent many hours trying to organize all of this for return. I think you will find it in order.

The rejects are yours, but you understand that you would not sell for publication pictures identical to those used by the Magazine.

Thanks for sending along the letters.

For the present I have not been able to work on the cave material. If you need it I can return it now, but I would prefer to keep it for awhile. I will try to get some positive, favorable answer on your Miami Lab layout. I personally think we can do something with it, and would like to see it given as as assignment.

WEG:LE Enclosed:

3,434 35mm transps. 1,527 cut film 29 b&w contact sheets 932 b&w negs.

32 bew photos 54 bew photos follance

January 2, 1961

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WASHINGTON 6, D. C.

W. E. GARRETT Assistant Illustrations Editor

> Mr. Jerry Greenberg 6840 S. W. 92nd Street Miami 56, Florida

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Enclosed is a check for \$1,500.00 as an advance towards expenses on the assignment. Please keep records for our Auditing Division. The enclosed daily expense slips are used by the staff, and do have the advantage of providing a system. Use them if you like. As this money is used notify us and we will try to guess how much more, if any, will be needed within reason to produce a top story. If you have any questions on large expenses that you are in doubt about call me and I will advise you.

Mr. Jerry Greenberg

L- 1.

Your sketches on the potential pictures for the story make very good sense. As you know from our conversations the key picture will be a superwide shot. This may be two VeriWide shots side-by-side or even three or four. I would like to be there to work with you on it, but I'm not counting on it.

The night shot with the lanterns lends itself to a dramatic picture, but it has to be more than just the lantern and man. In other words, it must be obvious that it is part of a reef story and not in a pool.

The brain coral looks promising.

The sled picture is excellent. It indicates possibilities for recreational use of the area. In this same category would be the picture of the diver using your Rollei housing with the ring light on the front.

For a model be on the lookout for a full-breasted mermaid.

Let's plan to do a spread with 8 to 12 different types of coral that are most common or most interesting. If you do not know which to select let me know and I will talk to a coral expert and make suggestions. This would be in the nature of a catalogue of coral. Those represented in other large pictures in the series should be left from this collection.

Try getting on top of one of the lighthouses and shooting down into the water. This is just a wild idea, but you might try a Panon or wide angle that would cover from the horizon (with a freighter moving across a sunset or sunrise) to the base of the light scaffold looking straight down onto a shallow reef. If you look down into the water (calm night) from this perch would you be able to see a model lighted by a flash or torch underwater? If so, this would make quite a shot. Perhaps having a small boat in the middleground and a diver on the bottom lighted with flash would be successful. This may all be impossible. Even if the diver were only 5 feet below the effect would be there.

If there is anything to be shown do not hesitate to rent a plane for an aerial of the reef.

I'm going to see a park service man here who is well-informed about this park and will pass on any ideas that come from him.

I'll try to answer your questions. We cannot restrict use of your files, but would expect that you not produce a story on the reefs for another magazine. $(\gamma qh \uparrow \rho w \mu)$

The proposed author for the article is Mr. Charles Brookfield. We will see that you two get together as soon as his assignment is firm.

-2-

Mr. Jerry Greenberg

•

Mr. Brookfield knows of a wreck or two in this area that might spice up the photographic coverage a bit. If there are any known wrecks in the area be sure to get coverage.

I agree it would be best to rent a compressor.

Regarding a model wouldn't it be easier, cheaper and safer to hire an assistant than to pay a daily rate for a model. This would give you an assistant and diving buddy as well as a model. You might look into the possibility.

If this letter raises any questions or leaves any of yours unanswered don't hesitate to ask me.

Please let me see your film as you go, rather than hold it all until the end. Let me know what film or equipment you might need that we can provide. As soon as the 120 size High-speed Ektachrome is available we will try to get it to you.

Bert of Luch

WEG:CIM Enclosures Air Mail

WASHINGTON 6, D. C.

W. E. GARRETT Assistant Illustrations Editor

January 2, 1961

Mr. Jerry Greenberg 6840 S. W. 92nd Street Miami 56, Florida

Dear Jerry:

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WEG:LE Enclosed:

Traveler

September 26,1994

Dear Jerry Greenberg,

Heres to your perserverance and your gracious patience.

Enclosed you will find 14 duplicate transparencies that are identical to the ones that were published in the **TRAVELER's 1985** Winter issue on John Pennekamp Coral Reef State Park. Per your request National Geographic's Illustrations Library currently does not hold any duplicate transparencies for that story. This will obviously remove any possibility of the Society ever publishing any of the these particular pictures without your permission or your knowledge.

Your \$750. check for the picture we published in our state park story was sent at least a couple of months ago. I trust you have it you possession. If for whatever reason you have not received it please give me a call and I will personally track it down.

Again your understanding and considerate manner has been greatly been appreciated.

Sincerely yours,

Winthrop Scudder Senior Illustrations Editor FACSIMILE/TELECOPIER TRANSMISSION

NUMBER OF PAGES	(INCLUDING COVER PAGE):
T0:	305/667-3572
	JERRY GREENBERG
	5840 S.W. 92nd STREET
	MIAMI, FLORIDA 33156

	ENT J. KOBERSTEEN HOTOGRAPHIC DEPARTMENT
	NATIONAL GEOGRAPHIC SOCIETY
	1145 17th Street, N.W.
· · · · -	Washington, D.C. 20036
TELEPHONE NUMBER:	(202) 857-7453

FACSIMILE/TELECOPIER NUMBER: (202) 775-6141

WASHINGTON, D. C. 20036

KENT J. KOBERSTEEN Assistant Director of Photography June 14, 1989

Mr. Jerry Greenberg 6840 S.W. 92nd Street Miami, FL 33156

Dear Jerry:

This letter, when signed by both parties, will constitute your agreement as a freelance photographer with the National Geographic Society ("NGS") to photograph Pennekamp Reef Park(#05738) for <u>National Geographic</u> Magazine.

1) This assignment will extend for 20 days. Your compensation will be at the rate of:

(a) \$350 per day for days spent shooting or in field research (i.e., research directly germane to producing the coverage); and

(b) one half of the above rate per day for days spent in travel (including arranging or waiting for travel); on standby, in the field or elsewhere; or in consulting with NGS editors ("editorial days").

2) Your compensation is subject to the following provisions:

(a) Work beyond the anticipated assignment days mentioned above will be compensated at the same daily rates as above. Should it become necessary to extend this assignment for additional days, you must get authorization to do so from the Director of Photography, the Assistant Director of Photography or the Illustrations Editor assigned to the project.

(b) The total compensation paid to you for this assignment will be applied against the page rate of \$300 a page for the <u>National</u> <u>Geographic</u> Magazine, or a minimum of \$100 a transparency, whichever is greater.

3) When working for NGS, you will carefully avoid doing similar work for publications which NGS would consider to be editorially competitive with it. You will advise NGS promptly of any possible conflict of interest that may develop. You also will take care not to grant any prepublication interviews or assist in any way in the preparation of any prepublication articles or other press coverage in any medium which would reveal the subject matter, editorial content or the scheduling of an assignment, article or story for the National Geographic Society. Mr. Jerry Greenberg (Pennekamp Reef Park/#05738)

4) By this Agreement you warrant to NGS that publication of any photographs taken by you on this assignment will not infringe upon any right of privacy, copyright or any other proprietary right of a third party.

-2-

5) All photographs taken by you under this Agreement will be considered as specially commissioned for use by NGS and upon creation all rights, including the copyright and world publication rights, to these photographs will automatically, by virtue of this Agreement, be deemed transferred exclusively and indefinitely to NGS, subject to the following provisions:

(a) all photographs will be returned to you along with all rights to said photographs under the following conditions: (i) none may be made available to anyone for publication until sixty days after NGS has published its selections; (ii) it is understood that any necessary rights clearance or release for non-NGS publication is your independent responsibility; and (iii) NGS may make and retain copies of some of the photographs ("reference selects") for reference purposes only in its Illustrations Library;

(b) you grant to NGS without additional charge the right to use your name, likeness and biographical material in connection with the publication of any photographs retained by NGS under this Agreement;

(c) NGS may crop your photographs.

6) You undertake all work under this Agreement as an independent contractor. NGS assumes no responsibility for your health, safety or property or that of any person accompanying or assisting you. While on assignment in the field you will be covered by NGS's accident insurance policy, which provides a payment of \$200,000 to you in the event of total disability or to your beneficiary, specified below, in the event of death, and lesser coverage for other injuries. The policy also provides up to \$10,000 for excess medical coverage, i.e. for costs beyond those covered by your own personal accident and health coverages. The above coverage is restricted to you alone.

7) While you are on NGS assignment, NGS will pay or reimburse you for all reasonable expenses and will supply you with film and processing. At the close of this assignment you will provide NGS with a diary of your activities while on assignment, including an accurate and complete record of the people and places represented in your photographs. A final accounting of expenses, supplies, etc. for an assignment will be due to NGS no later than two weeks after the work on that assignment is finished. Failure to reconcile expense/supply accounts with NGS in a timely manner may impede payment of fees.

8) Your work on this assignment will not be considered complete until so indicated by the Illustrations Editor. At the end of the assignment you will deliver to NGS all photographs you have taken on this assignment as well as complete captions for your photographs. You will be available for a projection session with the editor to explain your work. If you are Mr. Jerry Greenberg (Pennekamp Reef Park/#05738)

WEEK

ALL RIGHTS RESERVED

Check to be Written to the Order of

Credit Line to read

-3-

called back for editorial consultation, you will be paid a fee of \$175 per day plus expenses.

9) This agreement cannot be modified except by written instrument signed by both of us.

If the foregoing is acceptable, please sign and return the enclosed copy of the Agreement to me.

Sincerely yours,

Ъy ccepted: Relat *ิสร-8ล*ล Social Security Federal ID# JERRY BERC

IBË

NATIONAL GEOGRAPHIC SOCIETY Kent J. Kobersteen

Insurance. Beneficiary

ኞኳ 57

Address

(For NGS records): Executed copy received:

Date

KJK/mac

ime

WASHINGTON, D.C. 20036

SUZANNE DUPRÉ

December 18, 1985

Mr. Jerry Greenberg SEAHAWK PRESS 6840 SW 92nd Street Miami, Florida 33156

Dear Mr. Greenberg:

In reply to your letter of November 15th to Mr. Garrett, the National Geographic Society hereby assigns to you all right, title and interest, including copyright, in your photographs appearing in <u>National Geographic Magazine</u>, as follows:

> -- January, 1962 Vol. 121, No. 1

> > Photos on cover and pages 58 through 89

Registration No. B-960824 Date: March 22, 1962

-- February, 1968 Vol. 133, No. 2

Photos on cover and pages 222-223, 225, 226-227, 238, 240-241 and 251

Registration No. B-402772 Date: January 31, 1968

-- May, 1971 Vol. 139, No. 5

Photos on pages 674 through 683

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WASHINGTON, D. C.

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Registration No. B-701984 Date: July 15, 1971

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Juipan Stigner

W. E. Garrett, Editor

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Author(s)	National Geographic Socie	ty *
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4 Facts of Original Badiatration	assignment o	graphic Society : original claimant f copyright to Jerry Greenburg 12/18/85 ordation 16/Sept88, Vol 2391, pg.422
ORIGINAL DATE	OF COPYRIGHT: gistration for this work was made in published form. LICATION March 22, 1962	(* if the original registration for this work was made in unpublished form, give: DATE OF REGISTRATION:

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WASHINGTON 6, D. C.

W. E. GARBETT

JUNE, 1960

Mr. Jerry Greenberg 6840 S. W. 92nd Street Miami 56, Florida

By now you know the good news that the Editor has approved the assignment on Key Largo for you. I have received your list of expenses and gone over them. In view of the unusual problems of working underwater I feel this is reasonable even though it adds up to over a hundred dollars a day.

. We will pay a premium of double the normal page rate because of the difficulty of the job. This would emount to \$200.00 a page or \$100.00 minimum per picture used in color. Considering a minimum size of 8 color pages we would guarantee you \$1,600.00 for the job. I would estimate that a successful job would occupy no less than 16 color pages, and as high as 24.

All pictures used in the story plus a few for file selects would become the property of the National Geographic Magazine. After publication in the Magazine all rights on those pictures not held by us would be yours to sell.

Insofar as The Society is concerned, you will undertake this assignment as a free lance agent and independent contractor, and not in any sense of the word as a person employed by the Society, directly or indirectly. Further, acceptance of financial and other considerations outlined in this letter shall constitute an absolute release to the National Geographic Society of all responsibility for personal injury, and/or death, which may arise out of or result from this assignment.

Enclosed is a check for \$1,500.00 as an advance towards expenses on the assignment. Please keep records for our Auditing Division. The enclosed daily expense slips are used by the staff, and do have the advantage of providing a system. Use them if you like. As this money is used notify us and we will try to guess how much more if any will be needed within reason to produce a top story. If you have any questions on large expenses that you are In doubt about call me and I will advise you.

National Geographic Magazine

January 2, 1961

pure hope

WASHINGTON 6, D. C.

W. C. GARRETT

Mr. Jerry Creenberg 6840 S. N. 92nd Street Miami 56, Plorida

Dear Jerry:

Today we pre returning all Greenberg Key Largo pictures still in our possession except 54 selects pulled from your assignment shooting and 23 published pictures. The fil published file pictures which you requested be returned are being duplicated and we will send the originals this week. Our files'are not in complete agreement with your list of material. I think if you will check, you will find some of the material which you requested was published and not marked for return. I personally spent many hours trying to organize all of this for return. I think you will find it in order.

The rejects are yours, but you understand that you would not sell for publication pictures identical to these used by the Magazine.

Thanks for sending along the letters.

For the present I have not been able to work on the cave material. If you need it I can return it now, but I would prefer to keep it for awhile. I will try to get some positive, favorable answer on your Mami Lab layout. I personally think we can do something with it, and would like to see it given as as assignment.

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Enclosed: 3,434 35mm transps. 1,527 cut film 29 baw contact sheets 932 baw negs. 32 bew ness. 54 bew photos falance

WASHINGTON 6, D. C.

W. E. GARRETT Assistant Alloutradions Edit

> Mr. Jerry Greenberg 6840 S. W. 92nd Street Miami 56, Florida

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Enclosed is a check for \$1,500.00 as an advance towards expenses on the assignment. Please keep records for our Auditing Division. The enclosed daily expense slips are used by the staff, and do have the advantage of providing a system. Use them if you like. As this money is used notify us and we will try to guess how much more if any will be needed within reason to produce a top story. If you have any questions on large expenses that you are in doubt about call me and I will advise you.

Mr. Jerry Greenberg

Your sketches on the potential pictures for the story make very good sense. As you know from our conversations the key picture will be a superwide shot. This may be two VeriWide shots side-by-side or even three or four. I would like to be there to work with you on it, but I'm not counting on it.

-2.

The night shot with the lanterns lends itself to a dramatic picture, but it has to be more than just the lantern and man. In other words, it must be obvious that it is part of a reef story and not in a pool.

The brain coral looks promising.

The sled picture is excellent. It indicates possibilities for recreational use of the area. In this same category would be the picture of the diver using your Rollei housing with the ring light on the front.

For a model be on the lookout for a full-breasted mermaid.

Let's plan to do a spread with 8 to 12 different types of coral that are most common or most interesting. If you do not know which to select let me know and I will talk to a coral expert and make suggestions. This would be in the nature of a catalogue of coral. Those represented in other large pictures in the series should be left from this collection.

Try getting on top of one of the lighthouses and shooting down into the water. This is just a wild idea, but you might try a Panon or wide angle that would cover from the horizon (with a freighter moving across a sunset or sunrise) to the base of the light scaffold looking straight down onto a shallow reef. If you look down into the water (calm night) from this perch would you be able to see a model lighted by a flash or torch underwater? If so, this would make quite a shot. Perhaps having a small boat in the middleground and a diver on the bottom lighted with flash would be successful. This may all be impossible. Even if the diver were only 5 feet below the effect would be there.

If there is anything to be shown do not hesitate to rent a plane for an aerial of the reef.

I'm going to see a park service man here who is well-informed about this park and will pass on any ideas that come from him.

I'll try to answer your questions. We cannot restrict use of your files, but would expect that you not produce a story on the reefs for another magazine. (right auon)

The proposed author for the article is Mr. Charles Brookfield. We will see that you two get together as soon as his assignment is firm.

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* Amended by C.O. per authority of t call on October 17, 1990 with Jerry	elephone Greenberg.	EXAMINED by	FORM VA
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PREVIOUS REGISTRATION Has registration for this work, or for	r an earlier version of th		
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U/W panorama on pages 118, 119 &	120 origina	lly appeared on pages 58	-59
in January, 1962 edition Vol. 1	21, No.1 iss	ue of National Geographi	c Magazingtore completing
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IMPORTANT INFORMATION

13 ASSIGNMENTS IN 30 YEARS (1960-1990) & ADDITIONAL INFORMATION

PENNEKAMP PARK ASSIGNMENT:

JUNE 1960They keep photos used "plus a few selects" The © on photos used in 1962 article were later assigned to JG. They ended up taking over 5 selects!A&B	<u>0</u> .
JUNE 1962SUBMISSION OF MATERIAL FOR 1ST EDITION OF FISH BOOK.ASSIGNMENTJune 25, 1962. Any dupes made of these JG file items?G	
AUG OCT. 1962 ASSIGNMENT C <u>VOSS CORAL REEF ASSIGNMENT</u> : No photos were published but they kept 4 chromes August 8, 1962, October 12, 1962 C	
JUNE 1963SHARK ASSIGNMENT: They keep photos used. "Unused or unpublished photos will be returned" The © on photos used in F 1968 were later assigned to JG. Selects were taken from material be publication for other than magazine usage. June 20, 1963;June 29IMPORTANT which are contrary to submission terms June 25, 1962.	<u>efore</u> 5, 1963
JUNE 1964SEA LAB ASSIGNMENTJune 26, 1964, done with the understand that "unused or unpublished photos will be returned" as previous assignment. with Gilka on shark assignment. Selects were later pu without permission. See March 13, 1969	•
SEPT. 1965 ASSIGNMENT A&C&D VIRGIN ISLAND NATIONAL PARK ASSIGNMENT: Sept. 23, 1965	
JAN. 1966 ASSIGNMENT C GREEN TURTLE ASSIGNMENT: January 20, 1966. Photos never run as a piece. Unauthor selects pulled by Bob Patton March 18,1966.	

APRIL 1966 A&C&D **<u>VIRGIN ISLAND MATERIAL PULLED</u>** from Sept. 23, 1965 assignment and used in national parks story "Am also keeping five pictures for our permanent file" see B. Hodgson april 27, 1966.

MARCH 1967ASSIGNMENT FOR BOOK "WORLD BENEATH THE SEA:""We will
retain all of the photographs we publish and we will return to you all..."ASSIGNMENTMarch 13, 1967.

APRIL 1968 ASSIGNMENT FOR HYDRO LAB by JG April 22, 1968. ASSIGNMENT

ASSIGNMENT REFUSED! APRIL 28, 1968

JUNE 1969 BUCK ISLAND ASSIGNMENT: JUNE 30, 1969.

ASSIGNMENTAcceptance of Buck Island assignment but...JG has "only those
photographs that are used in the article © that I photographed".... See
July 12, 1969 also see Aug. 2 1971 letters.

RE: ADDITIONAL PAYMENT FOR RE-USE OF PHOTOGRAPHS. "...we have established a policy here about payment for re-use of photographs. You should be protected if any of your pictures are used a 2nd or 3rd time in National Geographic publications". Bob Gilka to JG

VERY IMPORTANT! AUGUST 13, 1969 FROM BOB GILKA

AUG. 1970 B MINERAL WEALTH FROM THE SEA ASSIGNMENT. AUG. 15, 1970 ASSIGNMENT

<u>UNAUTHORIZED SELECTS</u> that were used in 'Treasures of the Sea." January 3, 1973 from Virgin Island material or Buck Island assignment. January, 1973.

"**<u>REPRODUCTION QUALITY DUPES</u>** of the pictures" see letter Sept. 28, 1973

E **<u>UNAUTHORIZED USE</u>** of JG personal chrome for special membership promotion piece. Sept. 25, 1975 also see Oct. 15, 1975 NGS letter.

<u>REUSE OF NATIONAL GEOGRAPHIC</u>. Jerry Greenberg shark photo with additional payment of \$200.00 nov. 25, 1980.

JUNE 1984FLORIDA MARINE WILDERNESS ASSIGNMENT
Magazine. One time use only return all chromes (published or not). I will
retain copyright and pull my own VA form June 7, 1984. Gilka
acceptance: June 8, 1984.

REQUEST FOR ASSIGNMENT OF COPYRIGHT on the three major photo essays that appeared in magazine in 1962, 1968 & 1971. Nov. 15, 1985.

ASSIGNMENTS OF @ GIVEN. DEC. 18, 1985.

JUNE 1989 B&F **PENNEKAMP PARK ASSIGNMENT**: 30 years later. I refused to accept this assignment unless it was on the basis of the same terms as the Traveler Assignment of June 8, 1984. i.e.: one time use only, all material to be returned and I pull my own copyright. there was a meeting of the minds on this and I signed the assignment contract (June 14, 1989). Note: "all rights" and "reference selects".

VA copyright on JG photographs that appeared in the July, 1990 issue of National Geographic article on Pennekamp Park. Also VA copyright on National Geographic "selects"

VA copyright on JG photographs that appeared in Winter 1985 issue of traveler.

- E **LETTER OF COMPLAINT** to National Geographic Magazine/Traveler RE: copyright infringement.
- THERE WAS A COPYRIGHT INFRINGEMENT of a Jerry Greenberg photograph in a special membership promotion piece. (Sept. 25, 1975) & (Oct. 15, 1975) JG original copyright of 1969 & 1972 were infringed upon.
- IMPORTANTTHERE IS VERY GOOD EVIDENCE THAT THE PHOTO LIBRARY @
NATIONAL GEOGRAPHIC MAY HAVE IN ITS FILES A NUMBER OF
UNAUTHORIZED DUPLICATE TRANSPARENCIES. There were many
inconsistencies of what was agreed with JG and assigning editor
(mainly Bob Gilka) and the realities of unauthorized pulls (selects and
otherwise) of JG chromes.

IMPORTANTWITH THE EXCEPTIONS OF THE ORIGINAL (JAN. 1962) ASSIGNMENT
AND THE LAST TWO ASSIGNMENTS FROM THE NATIONAL
GEOGRAPHIC (TRAVELER, WINTER 1985/1996 AND NATIONAL
CHEOGRAPHIC MAGAZINE JULY, 1990) The only chromes that
should be in the photo library are items that were shot on assignment
and used in the specific corresponding article or book.

OCT. 26, 1995

IMPORTANT

Most Recent © Infringement by NGS, Still NOT RESOLVED!

Mr. Jerry Greenberg 6840 S.W. 92nd Street Miami, FL 33156

Dear Mr. Greenberg:

As audiovisual coordinator in charge of clearing photos for use in the National Geographic Society audiovisual division's programs and products, it is my responsibility to inform you of an oversight with regard to the use of one of your images. The photograph in question (of a sea fan, Jan, RFP67F36), was selected for use in the enclosed color brochure promoting the 1996 Jason Project, which the national geographic society participates in each year. This picture was originally published in the July 1990 story on Florida's coral reefs (p.130). Unfortunately, the slide OF your photograph was sent to the engraver and the brochure published before I was asked to research appropriate payment for its use. since your contract states that all rights to the published as well as unpublished photos from your assignment reverted to you, we have albeit unintentionally - violated your copyright. In addition, we cropped and reversed your photo, the credit line does not refer to you as the copyright holder, and regrettably a "U" was substituted for and "E" in your last name at some stage in production.

Mr. Greenberg, we realize the importance of copyright, and that we have committed a serious violation. At this point, we can only ask for your understanding that this violation was not intentional, which is why we wanted to contact you as soon as possible after realizing the oversight. The only remedy for this violation at this time can be monetary. To that end I should inform you that we are distributing 5,000 copies of the brochure, and that your photo constitutes less than a quarter page within the brochure. Normally our payment for such use would be \$50.00. Under the circumstances, we would like to a acknowledge our error and demonstrate the sincerity of our apology by offering you compensation in the amount of \$500.00.

If you would be so kind as to phone me at (202) 775-7885, or write to me at the address below, we would like to settle the matter as soon as reasonably possible. Alternately, you can send me a fax t (202) 775-6126. the address is:

National Geographic Society 1145 17th Street NW Washington D.C. 20036-4688 ATTN.: ROCK WHEELER

I look forward to hearing from you.

Sincerely yours,

Rock C. Wheeler Audiovisual Coordinator

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IMPORTANT CORRESPONDENCE FROM NGS FOLDER # 2 (1962-1964)

NOTE TO Norman Davis

TARTING THE LEGEND.... "For use in the national Geographic Society's publications and for other purposes related to the society's objectives" used in correspondence and in back of checks.

RE:REVISED EDITION OF BOOK OF FISHES. See JG original AUGUST 28, 1962 terms of sale for this project to Art Terry (June 25, 1962). 7-G

OCT. 9-12TH 1962

3-C

RE: PAYMENT FOR 2 DAYS WORK ON GIL VOSS CORAL REEF ASSIGNMENT. \$200.00. Bob Patton to JG. "I will hold 4 transparencies on the basis of the above payment for possible use in the future."

MARCH 29, 1963 7-G

RE: PAYMENT FOR 1-COLOR TRANSPARENCY. What chrome was this? (JG)

FOR MARINE BIOFLUORESCENCE. Jerry Greenberg Note: I believe this APRIL 4. 1963 was a JG file chrome but may have been part of the Garrett "54 selects" (January 2, 1961). article appeared in August, 1963 National Geographic 2-B; 7-G Magazine.

RE: 8-COPIES OF UNDERWATER PHOTOGRAPHY APRIL 25, 1963 SIMPLIFIED sent to NGS Photographic Dept.

ASSIGNMENT OF SHARK STORY. Bob Gilka to JG Important! JUNE 20, 1963 "unused or unpublished photographs will be returned to you. After the VERY_ publications of our magazine story all rights " **IMPORTANT** 1-A

RE: THE STATUS OF JG FILE SHARK PHOTOS THAT ARE USED IN JUNE 25, 1963 ARTICLE TO BE RETURNED TO ME. dupes held, ok, JG to Bob Gilka. 7-G

IMPORTANT CORRESPONDENCE FROM NGS FOLDER # 2 (1962-1964)

AUGUST 8, 1963 7-G	RE: THE REPRODUCTION RIGHTS OF 6 COLOR TRANSPARENCIES TO BE USED IN NGS BOOK OF FISHES. "NGS publications and for other purposed related to the society's objectives" <u>IMPORTANT!</u> This is not in keeping with the original arrangement made with Art Terry "one time reproduction rights" (June 25, 1962).
AUGUST 30, 1963 VERY IMPORTANT 3-C	<u>RE: DESCRIPTION OF "WORK BOX" OF 7 SHARK ASSIGNMENT</u> <u>CHROMES</u> . <u>IMPORTANT</u> mention of Leonard Grant coming by to "review my sclects" for his book use. This was <u>not</u> in shark assignment made with Gilka. (June 20, 1963).
JANUARY 27, 1964 1-A	RE: ASSIGNMENT TO DO PHOTOGRAPHS FOR NEW Geographic book World Beneath the Sea. Bob Gilka to JG.
MARCH 26, 1964 1-A	<u>PAYMENT FOR 2-CHROMES (underwater research)</u> "For other purposes related to the society's objectives" (\$500.00). What chromes were they? (JG)
APRIL 1, 1964 7-G	<u>RE: PAYMENT FOR BULL SHARK PHOTO (RA-18).</u> Terms of their payment contrary to what was worked out with Art Terry (June 25, 1962) for use of my file photos for book of fishes. this bull shark photo appeared in 2nd edition of book of fishes.

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MAY 13, 1964	<u>RE: RETURN OF CHROMES FROM U/W RESEARCH TAKE.</u> "Wipes our books clean of this material." "Mr. Chamberlain was in today and selected 10 transparencies to talk to you about. they are in a separate package in this shipment"
MAY 30, 1964	<u>RE: REPORT TO GILKA ON SEALAB I LIFE MAGAZINE ASSIGNMENT.</u>
JUNE 14, 1964 <u>IMPORTANT!</u>	<u>RE: ACKNOWLEDGMENT AND APPROVAL</u> OF FOR "ANY OTHER PURPOSE RELATED TO" I OK'D THIS BUT DID NOT GIVE UP MY RIGHTS TO BE PAID FOR THE RE-USE OF MATERIAL THEY HELD.
JUNE 26, 1964	RE:EXPENSES FOR SEA LAB I ASSIGNMENT.
JULY 15, 1964 7-G	<u>RE: ADDITIONAL \$200 PAYMENT FOR SCHOOLING SPADEFISH PHOTO</u> reused on cover of wondrous world of fishes. <u>ALSO MENTION OF THEIR</u> <u>MAKING DUPES OF JG FILE PHOTOS</u> . Spade fish school shot is from original Pennekamp Park assignment.
DEC.16, 1964 3-C	<u>RE: SEA LAB I</u> Patton to JG. "Returning all rejects from SEALAB will <u>HOLD 59 TRANSPARENCIES FOR FUTURE USE.</u> "
DEC. 18, 1964	RE: LEONARD GRANT ACKNOWLEDGES RECEIPTS OF B&W book Adventures of a Reefcomber
MARCH 3, 1965 7-G	<u>RE: RETURNING JG FILE CHROMES</u> that were used in Wondrous World of Fishes Leonard Grant to JG.
APRIL 12, 1965 1-A	RE: SHARK ASSIGNMENT. JG advises Bob Gilka that he is going to T.O.T.O on his own to do shark photography.

MAY 4, 1965 RE: RETURN OF FAKE DIAMOND DIVING STORY.

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AUGUST 12, 1966 <u>RE: JG UNAUTHORIZED USE OF NGS</u> type and layout of John Pennekamp Park map. Edwin Snider to JG.

AUGUST 17, 1966 <u>RE: JG UNAUTHORIZED USE OF NGS TYPE</u> and layout JG answer to Edwin Snider.

AUGUST 24, 1966 <u>RE: JG UNAUTHORIZED USE OF NGS TYPE</u> and layout Mel Payne answer to JG.

FEBRUARY 19, 1967RE: DISCUSSION ABOUT JG DOING MORE SHARK photographs forVERY IMPORTANTassignment also mention that "Unused or unpublished photographs will
be returned to me" JG to Bryan Hodgson.

FEB. 21, 1967RE: OK ON ADDITIONAL SHARK PHOTO COVERAGE Bryan Hodgson1-Ato JG

FEB. 20, 1967 RE: ASSIGNMENT OF U/W COVERAGE OF ED LINK submarine in 1-A Freeport, Bahamas and ok on additional shark photo coverage. Bryan Hodgson to JG.

FEB. 24, 1967RE: JG ACCEPTANCE OF LINK U/W ASSIGNMENT FOR BOOK USE. 'AllVERY IMPORTANTItems not used in the book will be returned to me." JG to Bob Gilka.1-A

MARCH 21, 1967 <u>RE: CONSULTATION FEE</u> For shark story on JG trip to Washington D.C. \$248.52.

MARCH 13, 1967RE: BOB GILKA ASSIGNMENT TO JG ON DOING PHOTOS ON LINKIMPORTANTSUBMARINE. 'We will retain all the photographs we published we will1-Areturn to you all of the photos we do not publish.:

MARCH 28, 1967 <u>IMPORTANT</u> 7-G	RE: DAVE BRIDGE (SPECIAL PUBS) ACCEPTING JG PRICES FOR FILE ITEMS THAT WILL APPEAR IN NEW BOOK "THE WORLD BENEATH THE SEA." For "One-time inside editorial use in the first edition of World Beneath the Sea, all pictures not otherwise owned by National Geographic to be returned after use" "For shark material not used in the magazine, (shark assignment) \$150.00 for pull page color with a minimum"
MARCH 28, 1967	<u>RE: ADDITIONAL USE OF NGS/JG PHOTO (JUDY MEADE)</u> being used in special publications announcement. \$75.00. Donald Crump to JG. Re- use of JG photo from the original Pennekamp Park assignment.
MARCH 28, 1967 1-A	<u>RE: BOB GILKA ASSIGNMENT TO JG MARINE LAB IN BIMINI FOR BOOK</u> "WORLD BENEATH THE SEA."
MARCH 30, 1967 <u>IMPORTANT</u>	<u>RE: WILL MAKE SELECTS (FOR BOOK) AND SEND BALANCE WITH</u> <u>DUPES OF SELECTS TO YOU.</u> David Bridge to JG. Select for magazine article use is one thing. Selects for permanent collection is another (JG)
APRIL 11, 1967 7-G	<u>RE: KEEPING "14-35mm TRANSPARENCIES WHICH I PICKED FROM</u> <u>YOUR NOTEBOOK.</u> " Personal file material. ok on \$200.00 presentation fee for JG file material. "World Beneath the Sea." Dave Bridge to JG.
APRIL 17, 1967 1-A; 7-G	<u>RE: RETURNS OF ASSIGNMENT AND JG FILE SUBMITTED MATERIAL</u> <u>FOR OUR BOOK WORLD BENEATH THE SEA.</u> We are holding 35- 35mm color transparencies (13 from submitted material and 22 from assigned materialdupes of the 22 from assigned materialdupes of the 22 from assigned material are also enclosed) and 11 color cut film from assigned material [®] Dave Bridge to JG.
MAY 6, 1967 1-A; 7-G	<u>RE: SENDING 4-GLASSINE SHEETS OF U/W ACOUSTIC MATERIAL.</u> (Dr. Steinberg & U/W sound source.) Also enclosing 4x5 sheet holding 4- 35mm JG file panorama chromes. JG to Dave Bridge.
MAY 5, 1969 7-G	<u>RE: SHARK STORY. BRYAN HODGSON TO JG.</u> "You were rightthese don't fill the bill. I had a couple of b&w prints made for the artists reference, but have made no selects." enclosed 30-35mm transparencies. JG file material (Bull Shark) & other use as art work reference

MAY 11, 1969RE: SUBMISSION OF 5-35MM FROM JG FILE chromes showing diving.7-GFL. conservation offices destroying illegal lobster traps. For World Beneath
the Sea book JG to Dave Bridge.

MAY 11, 1967 <u>RE: RETURN OF MATERIAL</u>. "I will assemble the rejects from all of your 1-A; 7-G submission, assigned and otherwise, and return them to you. Dave Bridge to JG.

JULY 7, 1967 <u>RE: ITEMS USED IN WORLD BENEATH THE SEA.</u> 17 Photos <u>may</u> be used.

JULY 20, 1967RE: PAYMENT For one-time reproduction rights to 31 color photographsIMPORTANTused in World Beneath the Sea. appear on pages 2-3, 12, 22-23, 90, 98,1-A; 7-G102-103, 173, 182-183 and 191 (seephoto copies of all JG photos in
World Beneath the Sea.)

AUGUST 9, 1967 <u>RE: RETURNING 454-35MM</u> chromes and 26-35mm panorama chromes (JG file material) "holding 31 color transparencies for publication" Carol Oakes to JG.

NOVEMBER 7, 1967RE: THEIR CHECK NOT ACCEPTABLE DUE TO TERMS ON VOUCHER.IMPORTANTThis was payment for JG file photo (n-1) Hammerhead Shark. Check and
voucher returned to NGS.

OCT. 30, 1967RE: NEW VOUCHER SENT TO JG covering 1-time use of HammerheadIMPORTANTShark photo (n-1) \$400.00.7-G

7-G

NOV. 26, 1967RE: 3-JG FILE ITEMS MISSING and have "not been returned toIMPORTANTme." one was roll film RG-31 and other two 'backlighted shots of a white-7-Gtip shark and are mounted in conventional 35mm slide mounts JG toBryan Hodgson.

RE: MISSING 3-JG FILE CHROMES. JG to Bob Gilka.

NOV. 19, 1967 IMPORTANT 7-G

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DEC. 29, 1967 <u>IMPORTANT</u> 7-G	<u>RE: MISSING SHARK TRANSPARENCIES</u> "A mystery which was deeper than either of us suspected." "Several other pictures of yours which I am returning." "They were in the possession of <u>Bill Bond</u> , who used them as reference material for his painting in the sharks story."Bryan Hodgson to JG.
JANUARY 5, 1968 7-G	<u>RE: THANKS FOR RETURN</u> of JG missing file items and additional selects. also asking for return of 8-boxes of chromes of mounted sharks. JG to bBryan Hodgson.
JANUARY 16, 1968	<u>RE: THANKS FOR BUNDLE OF FEB. 1968</u> issues on National Geographic magazine shark story) "still trying to locate some shark items that were not returned and that were not used in the article." JG to Bryan Hodgson.
JANUARY 30, 1968 <u>IMPORTANT</u> 1-A	<u>RE: CONGRATULATIONS FOR SHARK COVER ON FEB</u> . 1968 issue of magazine. payment of \$300.00 which will be deducted from your minimum guarantee. New balance of \$725.00. Norman Davis take note!
JANUARY 31, 1968 7-G	<u>RE: RETURNING 9 MORE CHROMES</u> including "Bite Meter." "These had somehow gotten into another workbox." Bryan Hodgson to JG.
APRIL 22, 1968 <u>IMPORTANT</u>	<u>RE: NEW ASSIGNMENT FOR HYDRO LAB IN USVI.</u> FROM GILKA. "Any of your photographs which are published in the underwater book revision) or any other publication of the society will become the property of the society." Gilka to JG. This may have been a magazine assignment! (JG note)
APRIL 28, 1968 IMPORTANT	<u>RE: JG REFUSES ASSIGNMENT</u> from National Geographic on ground of ownership of photos published.
MAY 1, 1968	<u>RE: GILKA'S ANSWER TO JG</u> . "Don't agree on your stand on rights"

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O PENNEKAMP PARK ASSIGNMENT: THEY REEP PHOTOS USED PLUS A FEW SELECTS THE OON PHOTOS USED IN JAN. 1962 WERE LATER ASSIGNED TO JG.

- O VOSS CORAL REEF ASSIGNMENT: NO PHOTOS WERE PUBLISHED BUT THEY KEPT 4 CHROMES, AUGUST 8, 1962 OCTOBER 12, 1962
- O SUBMISSION OF MATERIAL FOR 1 ST EDITION OF FISH BOOK. JUNE 25, 1962. ANY DUPES MADE OF THESE JG FILE ITEMS?
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- O IMPORTANT! PURCHASE OF BULL SHARK CHROME APRIL 30, 1964 WITH TERMS WHICH ARE CONTRARY TO SUBMISSION TERMS JUNE 25, 1962
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O GREEN TURTLE ASSIGNMENT: JANUARY 20, 1966. PHOTOS NEVER RUN AS A PIECE. UNAUTHORIZED SELECTS PULLED BY BOB PATTON MARCH 18, 1966

- O VIRGIN ISLANDS MATERIAL PULLED FROM SEPT. 23, 1985 ASSIGNMENT AND USED IN NATIONAL PARKS STORY " AM ALSO KEEPING FIVE PICTURES FOR OUR PERMANENT FILE," SEE B. HODGSON APRIL 27, 1966
- O ASSIGNMENT FOR BOOK "WORLD BENEATH THE SEA". "WE WILL RETAIN ALL OF THE PHOTO GRAPHS WE PUBLISH" AND WE WILL RETURN TO YOU ALL....." MARCH 13, 1967
- O ASSIGNMENT FOR HYDRO LAB APRIL 22, 1968
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· LETTER OF COMPLAINT TO NATIONAL GEOGRAPHIC MAGAZINE / TRAVELER RE COPY RIGHT INFRINGEMENT THERE WAS A COPYRIGHT INFRINGEMENT OF A JERRY GREENBERG PHOTOGRAPH IN THE MARCH/APRIL 1994 ISSUE OF TRAVELER MAGAZINE (MARCH 5, 1994)

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THERE IS VERY GOOD EVIDENCE THAT THE PHOTO LIBRARY @ NATIONAL GEOGRAPHIC MAY HAVE IN UNAUTHORIZED ITS FILES A NUMBER OF DUPLICATE TRANSPARENCIES. + ORIGINAL THERE WERE MANY INCONSISTENCIES OF WHAT WAS WAS AGREED UP WITH JG & ASSIGNING EDITOR (MAINLY BOB GILKA) AND, THE REALITIES OF UNAUTHORIZED PULLS (SELECTS & OTHERWISE) OF JG CHROMES.

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IMPORTANT INFORMATION

13 ASSIGNMENTS IN 30 YEARS (1960-1990) & ADDITIONAL INFORMATION

PENNEKAMP PARK ASSIGNMENT:

JUNE 1960

They keep photos used "<u>plus a few selects</u>" The © on photos used in Jan. 1962 article were later assigned to JG. <u>They ended up taking over 50</u> <u>selects!</u>

ASSIGNMENT A&B

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<u>IMPORTANT</u> purchase of Bull Shark chrome April 30, 1964 with terms which are contrary to submission terms June 25, 1962.

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ASSIGNMENT

SEA LAB ASSIGNMENT June 26, 1964, done with the understanding that "unused or unpublished photos will be returned" as previous assignment. with Gilka on shark assignment. <u>Selects were later pulled</u> without permission. See March 13, 1969

SEPT. 1965	VIRGIN ISLAND NATIONAL PARK ASSIGNMENT: Sept. 23, 1965
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A&C&D	

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ASSIGNMENT FOR HYDRO LAB by JG April 22, 1968.

ASSIGNMENT REFUSED! APRIL 28, 1968

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ASSIGNMENT A Acceptance of Buck Island assignment but...JG has "only those photographs that are used in the article © that I photographed".... See July 12, 1969 also see Aug. 2 1971 letters.

> **RE:** ADDITIONAL PAYMENT FOR RE-USE OF PHOTOGRAPHS. "...we have established a policy here about payment for re-use of photographs. You should be protected if any of your pictures are used a 2nd or 3rd time in National Geographic publications". Bob Gilka to JG

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"**REPRODUCTION QUALITY DUPES** of the pictures" see letter Sept. 28, 1973

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<u>REUSE OF NATIONAL GEOGRAPHIC</u>. Jerry Greenberg shark photo with additional payment of \$200.00 nov. 25, 1980.

JUNE 1984**FLORIDA MARINE WILDERNESS ASSIGNMENT**
Magazine. One time use only return <u>all chromes (published or not).</u> I will
retain copyright and pull my own VA form June 7, 1984. Gilka
acceptance: June 8, 1984.

REQUEST FOR ASSIGNMENT OF COPYRIGHT on the three major photo essays that appeared in magazine in 1962, 1968 & 1971. Nov. 15, 1985.

ASSIGNMENTS OF © GIVEN. DEC. 18, 1985.

JUNE 1989 B&F **PENNEKAMP PARK ASSIGNMENT**: 30 years later. I refused to accept this assignment unless it was on the basis of the same terms as the Traveler Assignment of June 8, 1984. i.e.: one time use only, all material to be returned and I pull my own copyright. there was a meeting of the minds on this and I signed the assignment contract (June 14, 1989). Note: "all rights" and "reference selects".

VA copyright on JG photographs that appeared in the July, 1990 issue of National Geographic article on Pennekamp Park. Also VA copyright on National Geographic "selects"

VA copyright on JG photographs that appeared in Winter 1985 issue of traveler.

- E **LETTER OF COMPLAINT** to National Geographic Magazine/Traveler RE: copyright infringement.
- E THERE WAS A COPYRIGHT INFRINGEMENT of a Jerry Greenberg photograph in a special membership promotion piece. (Sept. 25, 1975) & (Oct. 15, 1975) JG original copyright of 1969 & 1972 were infringed upon.
- IMPORTANTTHERE IS VERY GOOD EVIDENCE THAT THE PHOTO LIBRARY @
NATIONAL GEOGRAPHIC MAY HAVE IN ITS FILES A NUMBER OF
UNAUTHORIZED DUPLICATE TRANSPARENCIES. There were many
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(mainly Bob Gilka) and the realities of unauthorized pulls (selects and
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should be in the photo library are items that were shot on assignment
and used in the specific corresponding article or book.

Most Recent © Infringement by NGS, Still NOT RESOLVED!

Mr. Jerry Greenberg 6840 S.W. 92nd Street Miami, FL 33156

Dear Mr. Greenberg:

As audiovisual coordinator in charge of clearing photos for use in the National Geographic Society audiovisual division's programs and products, it is my responsibility to inform you of an oversight with regard to the use of one of your images. The photograph in question (of a sea fan, Jan, RFP67F36), was selected for use in the enclosed color brochure promoting the 1996 Jason Project, which the national geographic society participates in each year. This picture was originally published in the July 1990 story on Florida's coral reefs (p.130). Unfortunately, the slide OF your photograph was sent to the engraver and the brochure published before I was asked to research appropriate payment for its use. since your contract states that all rights to the published as well as unpublished photos from your assignment reverted to you, we have albeit unintentionally - violated your copyright. In addition, we cropped and reversed your photo, the credit line does not refer to you as the copyright holder, and regrettably a ""U" was substituted for and "E" in your last name at some stage in production.

Mr. Greenberg, we realize the importance of copyright, and that we have committed a serious violation. At this point, we can only ask for your understanding that this violation was not intentional, which is why we wanted to contact you as soon as possible after realizing the oversight. The only remedy for this violation at this time can be monetary. To that end I should inform you that we are distributing 5,000 copies of the brochure, and that your photo constitutes less than a quarter page within the brochure. Normally our payment for such use would be \$50.00. Under the circumstances, we would like to a acknowledge our error and demonstrate the sincerity of our apology by offering you compensation in the amount of \$500.00.

If you would be so kind as to phone me at (202) 775-7885, or write to me at the address below, we would like to settle the matter as soon as reasonably possible. Alternately, you can send me a fax t (202) 775-6126. the address is:

National Geographic Society 1145 17th Street NW Washington D.C. 20036-4688 ATTN.: ROCK WHEELER

I look forward to hearing from you.

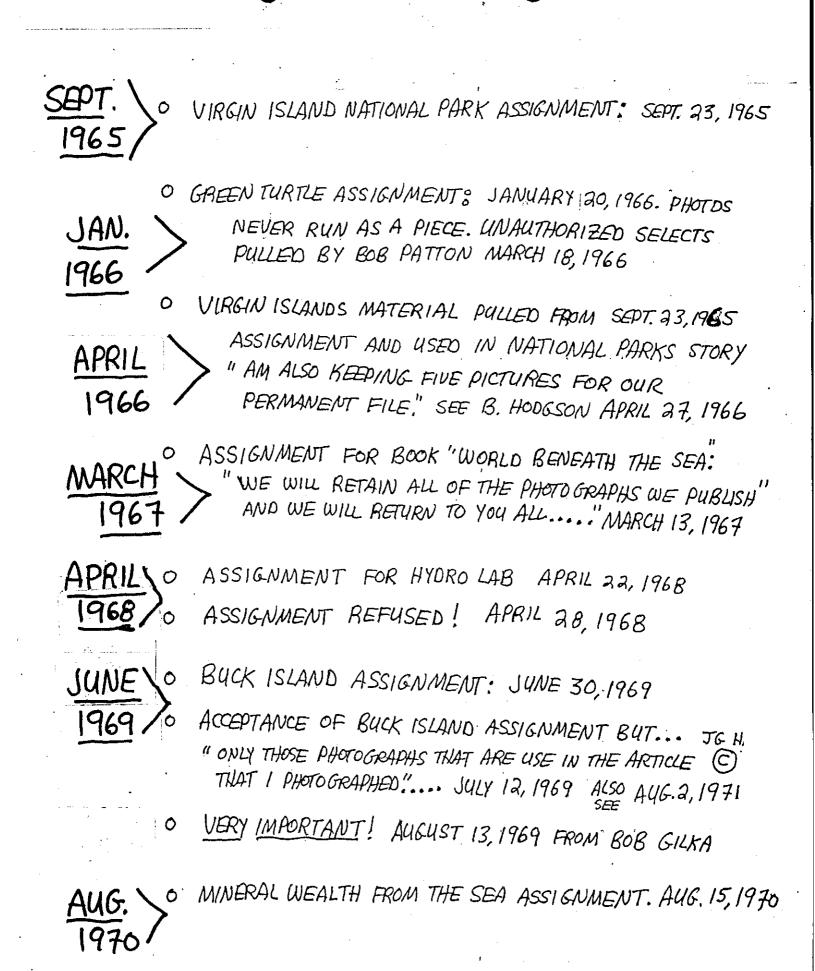
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