

**From:** Marc Austin-Zande [marc@austin-zande.net](mailto:marc@austin-zande.net)   
**Subject:** Copyright infringement  
**Date:** 13 June 2014 8:18 pm  
**To:** [info@thecreativealliance.org](mailto:info@thecreativealliance.org)  
**Cc:** [Jenny.McKay@sunshinecoast.qld.gov.au](mailto:Jenny.McKay@sunshinecoast.qld.gov.au)  
**Bcc:** [Kristen Austin-Zande](mailto:Kristen Austin-Zande) [kjaz@optusnet.com.au](mailto:kjaz@optusnet.com.au)

Hello Creative Alliance - Sunshine Coast

My name is Marc Austin-Zande and my partner Kristen Austin-Zande and I operate austin-zande imagery. It has been brought to our attention that you have used one of our photographs to promote an event you are hosting. Not only has this image been used for a commercial purpose without our permission, it has also been modified, including severe cropping to remove our watermark.

The image in question is currently being used as the banner image for your event, "Arts Express - AMPED Creative Showcase" which you are promoting on the Facebook page: <https://www.facebook.com/events/727840640605375/> - I have attached a screenshot of the page in question to this email, as well as a further shot of the same page showing original image with watermark, as posted earlier on your Facebook page. It has also just been pointed out to me that a further modified image has been displayed on your website.

I understand the image was supplied to you by our client with the purpose of promoting her contemporary dance work, being performed at Land Lane later this month. I have seen no such real promotion to date and it now appears you have taken this image as your own.

As a group purporting to support local creatives, I would have imagined you'd be well versed in copyright law. This, however, is a prime example of what not to do with someone else's work. If you are unsure, may I suggest you contact the Australian Copyright Council - <http://www.copyright.org.au/> - for further information. I also understand you are running a workshop that will deal with royalties and licensing, albeit for music. This situation is no different.

In the mean time, may I suggest that you either immediately remove the image(s) or, if you wish to use it, reply to this email as a matter of urgency, stating that you wish to use this image and include the period you wish to use it for. We will invoice you and supply a clean, high resolution file for your use. Had we been approached in the first instance, we would have been more than happy to assist with images for your event. We are a local and small photographic business, specialising in live performance. We would have enjoyed the opportunity to work with the Creative Alliance but I can assure you this is not the introduction we would have preferred.

Yours faithfully

Marc

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Marc Austin-Zande  
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The screenshot shows a Facebook event page for "Arts Express - AMPED Creative Showcase". The event is scheduled for Thursday, June 26th at 2:00pm - 9:00pm at Nambour Civic Centre, 52-64 Currie Street, Nambour, Queensland 4560. The page shows 40 people going, 20 maybe, and 446 invited. The event is hosted by The Creative Alliance - Sunshine Coast. The main image features a man and a woman in a blue-tinted setting, with the man holding a camera. The text "ARTS EXPRESS" is prominently displayed in white and red, with "THURSDAY 26TH JUNE @ NAMBOUR CIVIC CENTRE" below it. A "Save this date!!!!" button is visible at the bottom left.