

HORIZON NEWS #55

IMAGES, THOUGHTS AND NEWS FROM HORIZON PHOTOGRAPHY WORKSHOPS

Plagiarism: the “wrongful appropriation” and “purloining and publication” of another author’s “language, thoughts, ideas, or expressions,” and the representation of them as one’s own original work....Plagiarism can constitute copyright infringement.

Wikipedia

Plagiarism or Inspiration?



After guiding two groups through the abandoned NVF factory in Delaware, two similar views of the same subject — the wall and open door you see here — were emailed to me from two different photographers (**Harald Hoiland’s** shot is reproduced here). I thought both images were great and, to be honest, I was disappointed in myself for not seeing what those photographers had seen. (They were, to the best of my knowledge, unaware of each other.)

On my next factory visit, their pictures became the inspiration for my own. In contrast to Hoiland’s picture, mine prominently features a person. The color, lighting and cropping are also different, as is

the camera position. But the similarities are obvious. These pictures raise an age-old question: when is one person’s image *inspired* by another and when is the image so *derivative* as to be considered plagiarism or, if you prefer, copyright infringement? This determination is a matter of personal judgment, and personal judgments often vary, so it’s no surprise that many heated disputes have arisen...and some notable litigation has ensued.

If you were a judge in a copyright infringement suit involving these two pictures, how would you decide? I could go either way, but I lean toward them being sufficiently different/non-infringing. (BTW, unless your images are registered with the U.S. Copyright Office, your practical ability to bring an infringement case is nil.)

Apart from the purely legal merits, as a creative person I feel guilty taking “derivative” images. Naturally, I don’t feel that way if I hadn’t seen the similar picture before I took mine. (A claim that you didn’t see the other image — that the similarity is purely coincidental — is not an effective defense to an infringement claim.)

Photographers continually face a dilemma. On one hand, we want other people’s pictures to stimulate our own creativity. On the other hand, seeing other people’s pictures can handcuff us when we look through the viewfinder and see something similar to what we’ve seen before.

Tech note: Sunlight coming through a hole in the roof made the girl too bright, so I placed her in the shade and lit her with flash (hidden behind the door) triggered by radio remote.

Next Factory Visits: Aug. 18 & Nov. 2
Steve Gottlieb



Advice From a Photo Contest Judge

Steve Gottlieb

Do you enter photo competitions? Are you thinking about entering? Perhaps you'd be interested in observations and advice from someone who has judged over two dozen contests. These are very personal thoughts... every judge has his or her own perspective.

Looking back over decades of judging, what most stands out in my mind is the dramatic improvement in image quality in the past several years. More people are taking more pictures — and better ones — than ever before. Even so-called “novices” frequently produce really terrific stuff. Since I love looking at wonderful pictures, greater quality makes judging more satisfying. And as the quality bar continually ratchets upward, I feel stimulated and challenged by what I see.

While the quality is impressive, I've identified some areas where I find room for improvement.

> I'm seeing relatively few people pictures, even fewer than I did years ago. That's a shame. People are endlessly fascinating subjects, and photographing them often leads to memorable personal interactions that enrich the photographic experience. As for those people pictures that are entered in contests, a large percentage suffer from being either too posed or too off-hand. I look for “attitude” that feels real, that generates an emotional response. A related thought: While all people are interesting as subjects, all faces are not created equal (just like landscapes, animals, etc.). Attention should be focused on faces that grab you.

> Nearly all amateur photographers rely on available light, which may not ideally define and/or dramatize the subject. Not many photographers use flash and/or reflectors to thoughtfully create and control the quality of light. Also, photographers could often benefit from changing, where possible, the subject's and/or the camera's position to alter how light impacts the subject.

> HDR is increasingly being used effectively to conquer difficult high contrast situations. That said, I find that HDR is often way overcooked, especially when it transforms nature or architecture into something other-worldly. (Then again, there are some images where other-worldly looks great.)

> In the same vein, the contrast/saturation/vibrance tools are often used in an effort to make the viewer's pupils dilate. Reality can't hold a candle to many images I see. Generally speaking, I prefer to have real things look real.

> With a few notable exceptions, film format trained our eye to see the photographic world contained in a box

with a 2 x 3 ratio. I'm fond of that format, but after a while my eyes get bored. About 10% of the pictures I judge are cropped square or panoramic, which is a welcome relief. But why doesn't anyone ever crop more creatively, using a circle, oval, triangle, pentagon or some other non-traditional shape?

> Most photographers have an aversion to altering the scene they're photographing by adding or subtracting something, even when some alteration would materially improve the image. Why? After all, I don't see any resistance to manipulating the scene *after* the image is taken.

> Few photographers look for humorous situations or try to create humorous pictures. Anyone who can make me laugh gets points. Taking funny pictures is great fun...even when the pictures don't succeed in being that funny.

The contests that I have judged always reward the *individual* image. The photographer's entire energy, therefore, is directed toward producing a “WOW.” That's fine, but if that's *always* the focus, then it discourages approaching photography as a storytelling medium. Few pictures I see look like they'd be at home as part of an essay for the old LIFE magazine. I'd like to see (and judge) contests in which entries are *sets of images* that have a photojournalistic, storytelling flavor. Also, since it's easy and inexpensive these days to create photo books using online printing companies, I'd like to see a competition in which photographers explore one single subject in a book. The most rewarding experiences of my photography career have been the books I've created — I want everyone should have their own “book experience.”

I see my role as judge to help sharpen people's vision, offer advice and award recognition. I hope that my opinions — or those of any other judge — never interfere with anyone's enjoyment of their photography. Always remember: the most important viewer to please should never be a judge. It should always be yourself.



Upcoming Workshops

July 27: Glamour & Beauty
Aug. 18: Abandoned Factory (1/2 day)
Sept. 14-15: Real People, Real Places
Oct 5 - 6: Flash Magic: Indoors & Outside
Oct. 5: Adobe Lightroom
Oct. 6: Photoshop Elements
Oct. 11: Camera Basics
Oct. 12-13: Creative Vision: 2 Day
Oct. 19-20: Washington DC: Icons w/ a Creative Eye
Oct. 25-27: Chesapeake City thru Nat'l Geo Eyes
Nov. 2: Abandoned Factory (1/2 day)



Photo by Glamour & Beauty Instructor Joe Edelman

“Abandoned Factory Photo Contest”

PRIZES

FIRST PRIZE: \$150 + \$150 Horizon Gift Certificate

SECOND PRIZE: \$100 + \$100 Gift Certificate

THIRD PRIZE: \$50 + \$50 Gift Certificate

12 Honorable Mentions: \$50 Gift Certificate

RULES

- Anyone who joins Steve Gottlieb for the NVF abandoned factory visit in Yorklyn, DE, is eligible.*
- Email up to **THREE** lowres images of the factory to Horizon by Nov. 12.
 - Winners will be notified in late November; they must then provide a 13 x 17 print of their winning image(s).

We will matte & frame prints for *permanent* exhibit at the factory.

A “Gallery Party” is planned in 2014 at the factory.

** Next factory visits are Aug. 18 & Nov. 2...or create a date exclusively for your club/meetup members.*

END FRAME

Odessa, Delaware, is a quaint, historic town not far from our Chesapeake City, MD headquarters. When a group of us meandered around a back alley of the town during a Memorial Day Creative Vision workshop, **Michelle Jennings** captured this layered and colorful situation. Great fun. Look carefully and you'll see that the middle person has her camera away from her eye (see the flesh tone in the lens). Not really significant here, but to help avoid “problems” like this, take plenty of shots — and the more people in the picture, the more shots you should take. After all, while your busy shooting you can't watch what everyone is doing.

