

Photographer Suing Getty Images for \$1 Billion

by JUL 27, 2016 by MICHAEL ZHANG

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Renowned photographer [Carol M. Highsmith](#) is reportedly suing Getty Images for \$1 billion, claiming that the stock photo company committed copyright infringement through the “gross misuse” of 18,755 of her photographs documenting America.

[PDNPulse first reported](#) that the 70-year-old Highsmith filed her lawsuit on July 25, 2016, in the Federal Court of New York, claiming that Getty has been charging licensing fees for the use of her photographs without her consent.



A cropped self-portrait by Highsmith, shot in the 1980s.

Highsmith has spent many years photographing in every state of the United States, creating an enormous visual record of the early 21st century. What likely complicates this dispute is the fact that Highsmith has donated her lifetime archive of photos [to the Library of Congress](#), which the library [calls](#) “one of the greatest acts of generosity in the history of the Library.”

The photographer’s photos [are listed](#) on the library’s website as being in the public domain with “no known restrictions on publication.”

However, Highsmith says she never abandoned her photo copyrights, and says she found out about Getty Images charging for her photos when she was sent a letter from Getty that demanded she pay for her own photo that was being displayed on her own website.



Highsmith was sent a demand letter from Getty over this photo of hers.

In addition to accusing Highsmith of copyright infringement involving her own photo, Getty reportedly also sent similar demand letters to other people using Highsmith’s public domain photos.

“The defendants [Getty Images] have apparently misappropriated Ms. Highsmith’s generous gift to the American people,” the lawsuit reads. “[They] are not only unlawfully charging licensing fees...but are falsely and fraudulently holding themselves out as the exclusive copyright owner.”

While the statutory damage liability for Getty in this case is \$468,875,000, [PDNPulse](#) reports that Highsmith is seeking \$1 billion based on the precedent of photographer [Daniel Morel’s lawsuit against Getty](#), in which he was awarded \$1.2 million for the widespread infringement of one photo.

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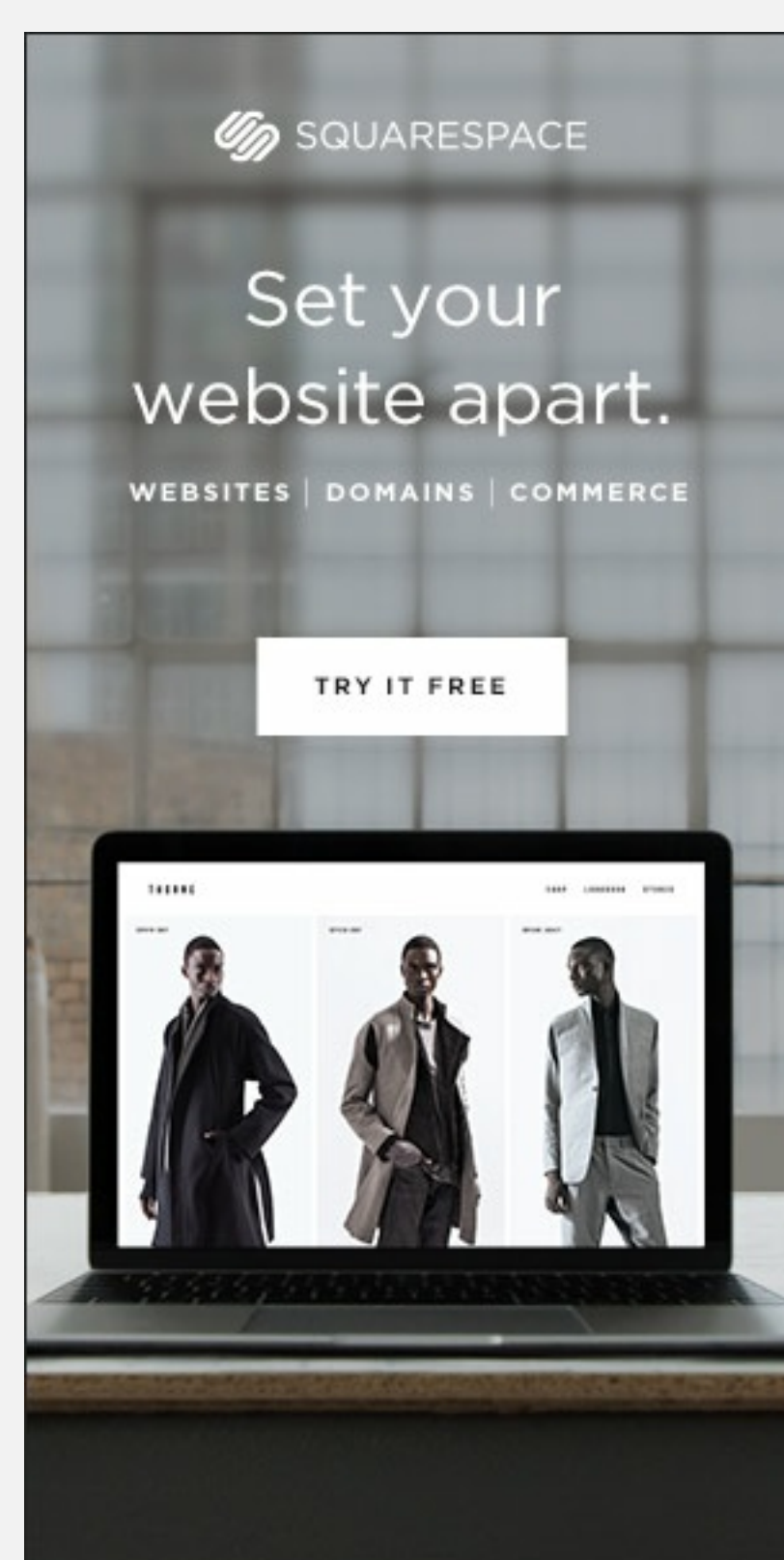
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