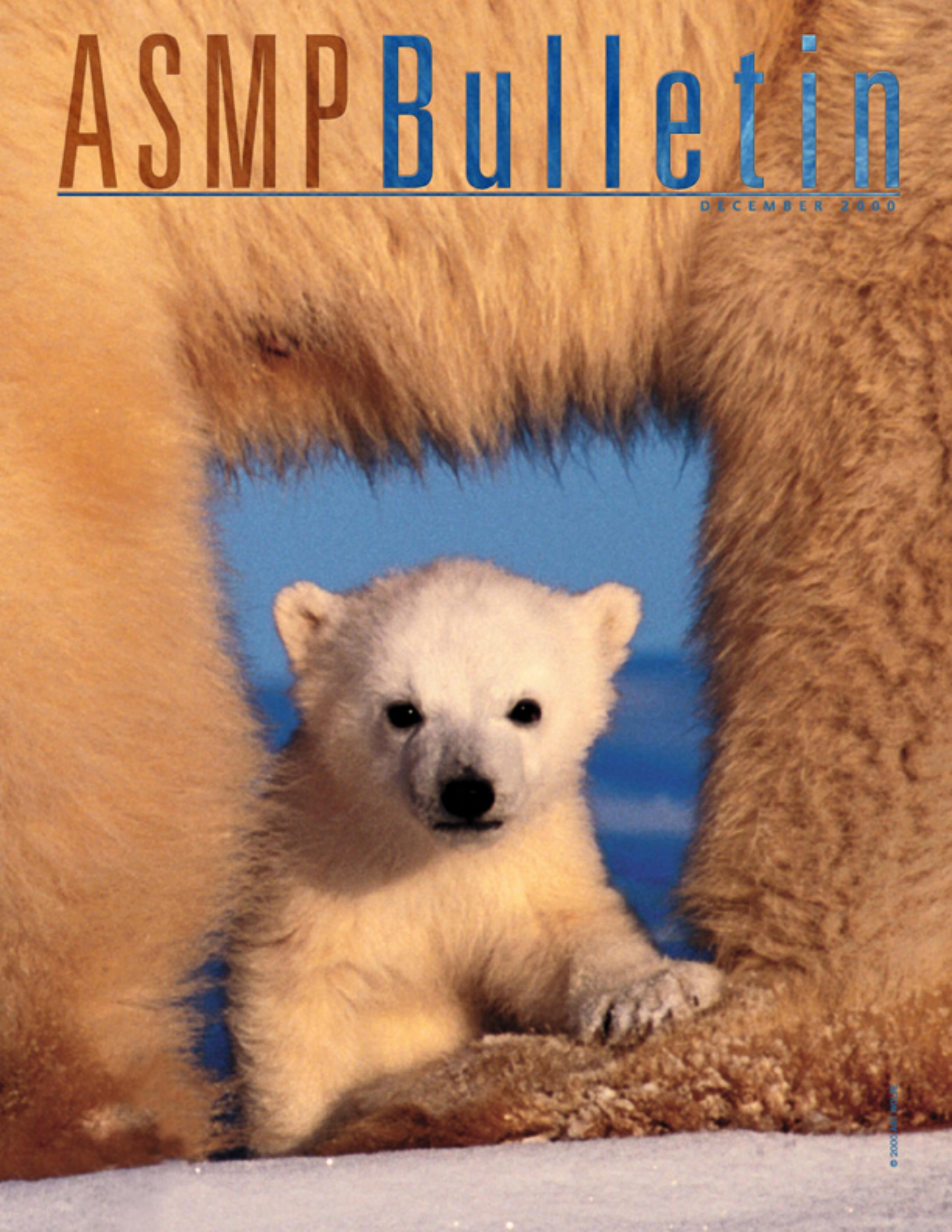


# ASMP Bulletin

DECEMBER 2000



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Volume 19, Number 10

# ASMP Bulletin

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PRODUCTION EDITOR Cilla Skinner

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## THE PURPOSE OF ASMP

To protect and promote the interest of photographers whose work is for publication

To promote high professional standards and ethics

To cultivate friendship and mutual understanding between photographers

5

FIRST WORDS  
A NEW YEAR

8

BUSINESS STRATEGIES  
STOCK PHOTOGRAPHY

10

ASMP NEWS  
ASMP AT PHOTOPLUS EAST

12

BUSINESS STRATEGIES  
GETTING WORK

13

IN PRINT  
NEW BOOKS

17

MARKETING STRATEGIES  
PERSONAL MEETINGS

18

PROMOTING YOURSELF  
HOW TO TOOT! TOOT!

20

BUSINESS ADVICE  
ATTITUDE COUNTS

22

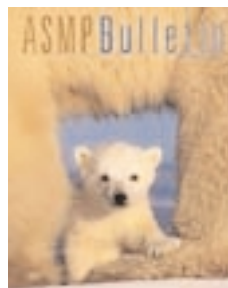
ASMP MISCELLANEOUS  
NEWS, WHAT'S HOT

24

ASMP MISCELLANEOUS  
BRADSHAW SCHOLARSHIP, CLASSIFIEDS

26

ASMP MISCELLANEOUS  
LEGAL ACTION FUND



### OUR COVER

Art Wolfe photographed this polar bear cub in Churchill, Manitoba. See page 13.

# A NEW YEAR

*And a new ASMP in interesting times* BY EUGENE MOPSIK

**M**ay you live in interesting times. I'm not sure if this is a Chinese proverb or a curse; in any case it describes my last twelve months with ASMP. An invigorated board of directors and staff has embarked on a new direction for ASMP with emphasis on issues and programs that have a direct effect on a photographer's ability to earn a living and compete in the marketplace. High priority has been placed on Web-based communication and e-commerce along with collective licensing and legal advocacy. We have pledged to focus our energies — to do less but do it better.

Changes in the marketplace and communication technology coupled with social change are leading to change in the structure and function of ASMP. A few years ago, a great deal of time and energy was spent looking at the internal structure and purpose of

ASMP and how the national office related to the chapter structure. There were many differing views and ultimately the board was unable to come to any consensus for change. What we were unable to do is now being done for us.

ASMP is changing! The Internet and e-mail now link the community of photographers. Staff, the board of directors, and the president can now communicate directly with the membership in a matter of minutes rather than days and weeks. ASMP is in the information business and we have powerful and effective tools to help us do the job. As president, I have instituted a series of e-mail updates to the ASMP leadership — chapter presidents, board members and committee heads, and staff has the ability to target

specific segments of the membership with e-mail advisories. Our reliance on these tools will increase and their effectiveness is tied to the degree that our membership is connected. Our success as an association is contingent on our success at communication. We need our membership on-line and involved.

Within ASMP the function of chapters is changing. The chapters are no longer needed to communicate directly with the membership except on very local issues. I think that we are finding out that in the digital age our problems are all very similar. Chapters continue to provide the "kitchen table" around which we like to sit and exchange information and socialize. We still need the face to face meeting, but my sense is that the strategic value of the local chapter is diminished. The membership can be informed and mobilized in a matter of minutes with the push of a button. ASMP is moving toward a virtual world with a strong central organization providing information and creating opportunities for the benefit of the membership.

## ELECTIONS ARE LOOMING

Soon we will be in the middle of ASMP elections. Please take the time to read each candidate's ballot statement and check the members-only forum at [www.asmp.org]. You owe it to yourself and the Society to participate in this process. Please make an informed vote! If you have specific questions, don't hesitate to contact an individual candidate by e-mail or telephone.

I would like to take this opportunity to wish everyone a happy, healthy, and successful New Year. I look forward in the coming months to participating in the evolution of ASMP and contributing to its continued success. ∞



**Eugene Mopsik**  
ASMP president  
and chairman of the board

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"I would like to take this opportunity to wish everyone a happy, healthy, and successful New Year."

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# STOCK PHOTOGRAPHY

*Alternative solutions offer hope in a confusing time* BY JOHN GREIM

**F**rom a photographer's perspective, the stock industry has been in a general decline. But, the recent flurry of alternative start-ups seems to offer hope. That, in a nutshell, is the conclusion of a round-table discussion by a panel of stock industry authorities presented to more than 250 people who attended the ASMP-sponsored seminar, *Alternative Approaches to Stock Photography*, at PhotoPlus Expo East held at the Javits Center, New York, November 2 - 4.

Virtually all these alternatives are Web-based, offer 50 percent of sales or higher, and most are based on non-exclusive contracts. Also, the panel advised photogra-

phers to carefully examine the business model and the costs of participation when deciding which agency to join. And, finally, don't put all your eggs in one basket, because you no longer need to.

The panel discussion was tightly moderated by former New York chapter co-president Clayton Price who has been involved with stock since 1965, and has been represented at various times by Black Star, The Image Bank, FPG and for the past 10 years by The Stock Market.

Price opened the discussion by noting that the stock industry has undergone rapid and dramatic changes in recent years. The consolidation of many agencies into the big two, Corbis and Getty, along with the questionable contracts and unfavorable (to the photographer) business practices, have left many wondering what options, if any, are left. And if an alternative does emerge as highly successful, what is to prevent it from being bought?

In spite of these troubled waters, the consensus was that there was reason to hope, and several photographer-friend-

ly alternatives have recently been spotted on the horizon. During the course of the discussions a number of themes arose and they are summarized below.

## DIVERSIFY

Avoid "photographer exclusive" contracts like the plague as they make you completely dependent on the success of a single source. "Image exclusive" arrangements are less restrictive but also need to be evaluated closely to insure that in exchange for that exclusivity, the image will be effectively placed in front of enough buyers to insure that the cost of production and a reasonable profit are likely.

It was noted that the vast majority of sales do not involve the need for exclusive rights and yet many still command fees that are quite high. For this reason it was suggested that it is in the photographer's best interest to spread their images among a variety of carefully chosen outlets.

## THE WEB

While the need for paper catalogs will remain high, the trend toward digital search and delivery is clear and will grow as bandwidth and Web savvy buyers increase. The advantages of speed, diversity of selection, reduced liability, automation and convenience of the Web all but insure that in time the major share of stock sales will be handled in this manner.

In addition, it was suggested the Web significantly levels the playing field. In theory at least smaller agents and individual

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photographers can place large number of images in front of the same pool of potential clients as the big guys do, and at a fraction of the cost that it would take to achieve this by traditional methods. Of course, there still needs to be a significant amount of energy and investment aimed at getting people to visit and use your site.

## SERVICE AND SPECIALIZATION

Two of the keys to competing successfully in the current environment seem to revolve around the degree of consistent customer service and the uniqueness of the images on file.

Like photographers, buyers seem to be reporting their experience in dealing with the bigs has become impersonal. At this point most sales, including those searched for on-line, still involve a phone call. A friendly, familiar voice, along with an intimate understanding of the file, is important to the buyer. With millions of images on file and hundreds of sales people this sort of service is difficult for the conglomerates to achieve.

It's encouraging to hear that the smaller, niche agencies offer hope to stock photographers who have been hit by a deluge of inequitable contracts, unfair terms and conditions, and whose agencies have been bought up in the acquisition binge of recent times. There's still uncertainty out there, but at least there is some hope too. ∞

### THE PANEL INCLUDED:

- **Arie Kopelman**, long time publisher of the *Direct Stock* catalog. Kopelman is currently developing an on-line version of *Direct Stock* that can act as a complementary extension of the paper catalog or be a stand-alone option.
- **Alan Carey**, partner of The Image Works, a highly successful and respected niche agency specializing in editorial and documentary subjects.
- **Kristen Giordano**, director and guiding light in the recent reincarnation and continued development of Mira.
- **Jim Pickerell**, owner of The Stock Connection agency as well as stock industry commentator via his *Selling Stock* newsletter.
- **Cameron Davidson**, a noted editorial photographer who is currently preparing to launch a Web site with total e-commerce capability that will feature his aerial photography.

## ADVERTISEMENT

# ASMP AT PHOTOPLUS EAST

BY PETER SKINNER

## BEN ROSS: VETERAN AVIATION PHOTOGRAPHER RECEIVES ASMP LIFETIME ACHIEVEMENT AWARD



Above: Ben Ross with his wife Mimi, right, and her daughter Jocelyn Mascow.  
 Top right: Brothers Sid and Ben Ross were a great writer/photographer team.  
 Bottom right: Ben with ASMP president Gene Mopsik.

ALL PHOTOS © 2000 MICHAEL CARDACINO

New York photographer Ben Ross, who made some of aviation's great historical photographs, was presented with ASMP's Lifetime Achievement Award by ASMP president Eugene Mopsik at PhotoPlus Expo East, New York on November 2. The presentation was made at a members-only reception held at the Javits Center and attended by about 170 people. Among the attendees were Ross's wife Mimi and her daughter Jocelyn Mascow; his sister Rosa Shimin and older brother Sid, with whom he worked for many years when they formed a photographer/writer freelance team. Other family members in attendance were Sid's wife Minna and their son George Rosenblatt. (Rosenblatt is also Ben's surname, but he used the name Ross for business reasons.)

Ross, who was born in Manhattan, New York, in 1916, joined ASMP in 1947, just a few years after the Society was formed. He began his career as a messenger, darkroom assistant, and eventually photographer at Floyd Bennett Field in Brooklyn prior to

World War II. Sid, who was the office manager for the airport photographer, Rudy Arnold, paved the way for young Ben to also get a job with Arnold. From that time Ross's career was closely tied with aviation but his work has covered a multitude of fields from the horrors of war and its aftermath, civil unrest, medical science, and political leaders, to the glamour of Hollywood.

When war broke out Ross became a member of the Eighth Air Force Combat Camera Unit, flying combat missions over Europe. Later in the war, when the newly formed Strategic Air Force in Europe organized a photo unit, Ross was one of only three photographers chosen to join the group.

After the war, Ben and Sid, who had become a writer, formed a freelance team which specialized in aerial and air-to-air photography for aircraft manufacturers, air industry publications, and general magazines. One of his unique photographs from that time was the only air-to-air shot of the Convair Flying Auto, an imaginative but impractical mode of transport which never

reached the mass assembly line. Ross photographed the Flying Auto over San Diego in 1948.

From 1948, Ben and Sid made frequent trips to Hollywood, doing hundreds of stories for *Parade* magazine. During that period, they photographed and wrote about celebrities such as Audrey Hepburn, Tony Curtis, Harpo Marx, Kirk Douglas and Susan Hayward. Among his images of that time that have really endured are those of Marilyn Monroe, made over three different sessions in 1951, '52 and '53. Today, much of his work is collectible art and his prints sell for an average \$1,000, highlighting the importance of photographers' retaining their copyrights. His work hangs in the permanent collections of numerous prestigious galleries and museums

Ben Ross, now in his mid-80s and living in Brooklyn, New York, looks back on a career which spanned the halcyon years of major magazines with gratitude. He once commented: "I was very happy as a photographer and I'm still happy about it. I often thought how lucky I was to be doing what I was doing."

ASMP president, Gene Mopsik, said that pioneering photographers such as Ben Ross were the life blood of professional photography and of ASMP. "Contemporary photographers owe a great deal to people like Ben Ross not only for their incredible photography and for setting high standards in editorial and photo-journalism but also for fighting for photographers' rights and encouraging better business practices. Thanks to that generation of photographers, we fully appreciate the value of copyrights and why it is so important for creators to retain their copyrights," he said. ∞

## PHOTOPLUS WAS IMPRESSIVE - BY GENE MOPSIK

**A**SMP was well represented at Photo Plus Expo East by a number of volunteers and staff. The show was larger and more impressive than ever; along with the usual hardware, there was a growing emphasis on digital technology and new outlets for photographers to showcase their work. The ASMP booth received good traffic and was in proximity to the Serbin Communications and the CCC/Mira booths. Staff in attendance included Dick Weisgrau, Elena Goertz, Amy Whitmoyer, Peter and Cilla Skinner, and Chris Chandler. Volunteers included Nancy Brown, Jay Maisel, Arnold Newman, Michael Cardacino, Robert Wiley, Stan Rowin, Dave Harp, John Greim, Penny Gentieu, and me. A number of members stopped by the booth to say "hello" and give their views on current affairs.

Penny Gentieu arrived early on Thursday and handed out a position paper titled *Photography by the Pound* written by Bobbi Wendt. Ms. Wendt's article is a critical analysis of the stock industry and the implications for photographers. (This article is at [<http://www.asmpny.org/bobbiwendt.html>]).

And Jay Maisel spent two sessions selling signed posters with all proceeds, more than \$1,000, being donated to the America Cancer Society. Jay has done this in previous years and is to be commended for the charitable gesture.

On Thursday afternoon, ASMP hosted a seminar titled *Alternative Approaches to Stock Photography* moderated by New York chapter member Clayton Price. The session was attended by approximately 250 people and was well received. I would like to thank Clayton and all of the panelists for their participation. (See *John Greim's report on page 8.*)

On Thursday evening, there was a cocktail party and awards ceremony hosted by **Fujifilm Professional, Kodak Professional, and Serbin Communications**. Mr. Arthur Griffin, a life member in Winchester, Mass., was acknowledged for his unsolicited donation of \$10,000 to the ASMP Foundation (See November *Bulletin*.) Mr. Ben Ross received the ASMP Lifetime Achievement Award, which is covered in this Bulletin. Ben is a working photographer who by his creativity, professionalism, and savvy business practices set an example for all of us to admire and emulate. We owe him a debt of gratitude.

Photo Plus afforded an opportunity to continue the liaison effort initiated by ASMP over the summer with our meeting in Los Angeles. Michael Grecco of EP organized this meeting and it was very gratifying to have in attendance representatives of NPPA, IPA, Graphic Artists Guild, APA, PPA, EP, PACA, and ASMP. The representatives met in a true spirit of cooperation and discussed the issues surrounding a group lobbying effort. The Coalition of Visual Artists was born - the new name for our alliance. The group has decided to make this meeting a regular part of the Photo Plus event.

All in all, Photo Plus was a great opportunity for ASMP members to become better informed, exchange information, and talk casually with other members. We hope to expand our presence in future years. ∞

# GETTING WORK

*Portfolios and capturing the attention of picture buyers* BY ALAN CAREY

In an age when as soon as an image is created it can be viewed around the world, photographers must constantly re-examine their creative roles and business relationships. As easy as it is to distribute images, it is becoming harder to get the attention of picture buyers because of the proliferation of image-makers. One of the basic jobs of any photographer is making contact with potential clients to get work. Just how do you get the attention of an editor who might give you an assignment? Optimistic sages of new technology predict that the universal access provided by the Internet will create a level playing field, making it easy for enterprising individuals to compete. Going along with this premise, many photographers have built Web sites of their work. Some of them are quite nice. But are they more than mere vanity pieces? To make them effective business tools you have to get people to look at your site.

Most editors these days have access to the Web and can easily see your work there. They may then ask you to send them a real portfolio so they can see the detailed quality of your work in larger numbers. From personal experience, I would rather spend 10 minutes looking at someone's Web page than going through a portfolio CD-ROM. I know if I am interested in someone's work after viewing 20 images. The quality and impact of the images will make me want to see more or say no thanks right away. If you do a Web page, make sure it is not over-designed. It should load quickly and navigation around the site should be obvious. Make sure you keep it up to date and list your credits. Every editor wants to know who has used you previously. Success feeds on itself.

But, is having a good Web site all you have to do? If you build it, will they come? No. You still have to let people know the site exists. Editors don't go browsing the Web looking for new, unknown photographers. There is no time for it and there are too

many sites online.

The traditional marketing method is to print postcards of your work. Buy a mailing list and do repeated mailings. Three to four mailings per year to a targeted customer base will eventually get some attention. If you have a Web site, use the cards to direct editors to it. Do follow-up phone calls. Make appointments to visit editors in their office and show your work. Above all, make sure you have a well-rounded portfolio of top quality photos. Keep in mind that editors are very busy. They see lots of images from many photographers that want the same thing you do — work. It is well worth the investment to find a reputable professional portfolio consultant who can help shape your presentation for specific clients.

Do not, do not, do not send an unsolicited portfolio to an editor or agency. It could sit on someone's desk for months without anyone looking at it. Many magazines have designated portfolio drop-off days. Find out the submission policies for everyone you are

interested in. Make sure your work is appropriate for them. You don't want to fill a portfolio with animal photos if you are trying to sell yourself to a sports magazine. I have seen all of this and worse.

Many photographers are successful at marketing their own photography, with and without the Web. Having a reputation for unique specialty has helped most of them survive. Much of their success can probably be credited to their willingness to hustle and market themselves. There are, unfortunately, many talented photographers who never get recognized, nor make the income their work should generate, because no one knows about them.

Take the time to make sure your work is special. If you haven't had the assignments that will give you the type of portfolio you need, make the images on your own. Show that you are willing to work hard and go the extra step to get things done. Never compromise in quality.

Never make excuses for missed opportunities. We've heard them all.

Every year lots of new talent comes along. But the jobs go to those that hustle to make themselves known and those that hustle to make interesting images. In a very competitive world, being good is not good enough. Understanding how to get work is an equally big part of success. ∞

*Alan Carey is a partner in The Image Works stock agency. This article first appeared in the August 2000 issue of News Photographer, the journal of NPPA and is reprinted with permission.*

"You don't want to fill a portfolio with animal photos if you are trying to sell yourself to a sports magazine."

# IN PRINT

## *New books reflect diversity of ASMP members' work*

Please send information on new books in print to the Editor, ASMP Bulletin, P.O. Box 652, Anacortes, WA 98221. It is not necessary to send a copy of the book.

Over the years, members of ASMP have produced hundreds, maybe thousands, of books on a variety of topics ranging from travel and portraiture to photojournalism and , technical and business. And it seems that in the last few months the presses have been busy turning out some very fine books featuring the words and images of several leading members. Some of these, as in the case of Art Wolfe's *The Living Wild*,

are in keeping with the work we usually associate with the individual photographers. Others, for example Lynn Goldsmith's *Flower*, are completely different from what might be expected. In all cases, the books reinforce the amazing diversity of fields in which ASMP members work, confirming the adage that, since 1944, ASMP members probably have photographed everything under the sun.

### OUR COVER

It also seemed appropriate to feature a picture from one of these books on the cover of this issue of the *Bulletin* and selected was Art Wolfe's endearing image of a polar bear cub eyeing the photographer while framed by the security of its mother's powerful body.

Wolfe went to Churchill, Manitoba, and was fortunate to find several sows with new cubs in near-perfect late afternoon light. He took a meter reading off the snow and then, using manual controls, over exposed by two stops, the method he has found most successful for photographing white animals in the snow. Wolfe used a Canon EOS-3, Canon EF 500mm lens, Canon Extender EF 1.4x; f/11 at 1/250 sec., Fujichrome Provia film.

This, the latest offering from Art Wolfe, is truly an incredible collection of imagery from one of the world's leading practitioners in field of wildlife and nature. At the most recent counting he had 42 books in print and another nine were in preparation. By early 2001, *The Living Wild* will be in its third printing, in four languages — English, German, French and Spanish — and some 60,000 copies will have been published. Through his own company, Wildlands Press, Wolfe self-published the book, in a successful effort to keep costs down and bring to market a high quality book at a realistic, attractive price. Wildlands Press has developed excellent relationships with foreign publishers and more books with similar international circulation are being planned.

In creating the photographs that grace the pages of this stunning book, Wolfe completed a three-year odyssey to more than 40 countries and captured on film over 140 species. Many of these species are endangered; some, like the California condor which, in 1987, was believed to be extinct in the wild but was successfully reintroduced and brought back from the brink, and the Florida panther of which only about 50 survive in the wild, are so rare that few people ever see them in their natural habitat.

When he embarked on a journey which would culminate with the book, Wolfe had decided that the environment in which his wild subjects lived would be an equally important element of the pictures. He emphasized that currently few of the world's protected regions are large enough to sustain viable populations of the largest animals.

Wolfe's wide-angle wildlife photography — which he used as much as access, common sense, and minimal impact on the animal allowed - is dramatic and powerful. In many cases, Wolfe was within two or less meters of the subject - but not always. There are limits to which a photographer can safely approach a lioness or a female polar bear with cubs. And sensitivity to the animal's peace of mind is paramount to the responsible wildlife photographer.

In every sense, *The Living Wild* is a celebration of the most spectacular of the world's animals and Art Wolfe went to the ends of the earth to make these images. He shot more than 7,000 rolls of film and made over 250,000 images. By itself, *The Living Wild* won't save animal species but it will certainly support the efforts of concerned people and organizations through one of the most remarkable compilations of wildlife images ever created.

#### The Living Wild

Photography and text: Art Wolfe  
 Essays: Jane Goodall, Dr. Richard Dawkins,  
 John Sawhill, George B. Schaller,  
 William Conway.  
 Editor: Michelle A. Gilders  
 Wildlands Press, Seattle, Wash.  
 (www.WildlandsPress.com)  
 Ph: 888-973-0011  
 230 color photographs; 156 maps; cloth - \$55  
 ISBN: 0-9675918-0-5  
 www.artwolfe.com

**Jay Maisel's New York**

Photography and text by Jay Maisel

Firefly Books

180 pages; color; hardcover, \$40.

ISBN: 1-55209-496-0

www.jaymaisel.com

**M**aisel, born in Brooklyn, is a New Yorker through and through, something he makes no bones about in his introduction titled *My Word*. "New York is a tough city - too hot in summer, too cold in winter, crowded, noisy, expensive, and dangerous. I've never wanted to live anywhere else. Its beauty lies in its vitality and diversity. The pace and energy are staggering to me and I'm a native. I treasure a walk in my neighborhood; the view from my home is spectacular. I live in a city which has not only a downtown, but a midtown and an

uptown - all different and full of visual delights. I've taken my camera worldwide, but New York is my first love." And that final statement shines through in Maisel's images of his beloved New York, whether Manhattan skylines at dusk, people lounging out of apartment windows, New Yorkers celebrating the parades for which the city is internationally famous, or his portraits of icons such as the Statue of Liberty and personal friends.

Long known his ability to see design and color in everyday scenes that most people completely ignore or overlook, Maisel presents an amazing mosaic of a city seen through the discerning eyes of one of its most respected photographers. A typical example is a picture of a man sitting in a chair propped against a bright yellow brick

wall. Maisel's caption explains: "When I shot this, the guy in the chair walked over to me, looked at the wall, and asked, 'What are you shooting?'"

Think of a classic New York scene, and the chances are it's in this book: from overviews to abstract detail; from people at play and work to those simply too hot or tired to care (case in point, a shirtless cabbie sitting in his cab looking completely exhausted and trying to escape the summer heat).

Maisel has produced other books before, among them the widely praised *Jerusalem*, *San Francisco*, *The Greatest Jewish City in the World*, *Light on America* and *America*. His latest work is dedicated to a group of people, among them those he refers to as "the true powers behind the throne," his wife, L.A., and his seven-year-old daughter Amanda who recently "suggested that maybe I should get a second job."

Jay Maisel, who for many years served on ASMP's board of directors and is one of the Society's staunchest supporters, is a recipient of ASMP's Lifetime Achievement Award and was also named photographer of the year by ASMP. He has won numerous accolades and awards for his photography and the Art Director's Club inducted him into its Hall of Fame.

**Flower**

Photography and

introduction by Lynn Goldsmith

Foreword Donald Sultan

Rizzoli International Publications

112 pages; color; hard

ISBN: 0-8478-2258-3

www.lynngoldsmith.com

**A**fter more than 25 years photographing celebrities, New York photographer Lynn Goldsmith turns to a new subject: the flower. Though flowers have been celebrated throughout history, these pho-

**Fathers and Sons**

Photographs by Jim Graham

Essays by Todd Richissin

Running Press

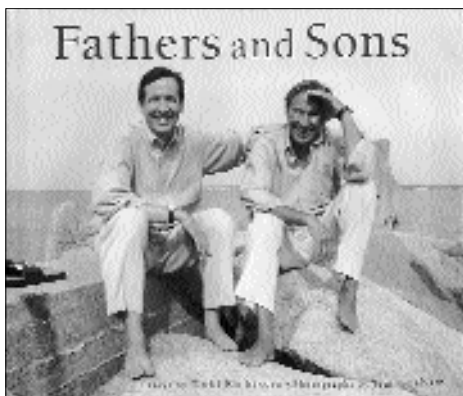
144 pages; black and white; hard; \$27.50

ISBN: 0-7624-0697-6

www.runningpress.com

**W**hen the authors of this book embarked on the project - which started in February 1998 and finished two years later - they knew it would

be necessary to ask the fathers and sons to speak honestly about their relationships, to present them as they are, not as they wished them to be. And throughout the book's pages it becomes very obvious that they did just that. The photographs are revealing, the words even more so. Not unlike a Clint Eastwood spaghetti western, the father-son relationship can be good, bad, and sometimes downright ugly. And within *Fathers and Sons* are 30 groups of fathers and sons from all walks of life, speaking candidly about one of the most powerful and dynamic human connections. The subjects range from comedians Bob and Chris Elliott; journalists Mike and Chris Wallace, and winemaker Robert Mondavi and sons, Michael and Tim, whose successful vineyards brought the family together but also threatened to tear it apart. Jim Graham and Todd Richissin have hit on a successful formula: 20,000 books sold in two months; an additional 7,500 were reprinted for Christmas and a third printing is on the way for Fathers' Day. Running Press has also created a mini book on the subject. Graham, a people photography specialist, is at his best and Richissin's essays are incisive and honest.



tographs are startlingly unique. In page after page of sumptuous color photographs, Goldsmith reveals an entirely new and compelling way of experiencing this classic subject. As she explains, "I didn't want to be looking at the flower, I wanted to be in it." Shot in natural light, with a macro lens from unexpected angles, Goldsmith's photographs are a tribute to the minimalist and abstraction expressionist schools.

Flowers as a subject is a complete change for Goldsmith who is internationally known for her photographs of celebrities from Bob Dylan to Dennis Rodman to Bill Gates. Her work has appeared on the covers of LIFE, Newsweek, Time, Rolling Stone, Sports Illustrated, Elle, and Vogue. Her work has been exhibited in many fine art galleries and she has previously published seven books, including Rizzoli's New York Times bestseller, *New Kids*.

Each of the flowers photographed is identified in an illustrated index, and a foreword by celebrated artist and sculptor Donald Sultan offers insight into Goldsmith's work.

### THE WESTERN HORIZON

Photographs by Macduff Everton  
Commentaries and sketches by  
Mary Heebner  
Introduction by Edmund Morris  
Abrams; 144 pages; color; \$49.50  
ISBN: 0-8109-4562-2  
www.macduffeverton.com

Only a handful of photographers have succeeded in capturing the majestic landscapes of the American West. Now, Macduff Everton takes his place among them, with magnificent panoramic photographs that deserve to be viewed alongside those of Ansel Adams and Eliot Porter. Everton's lush, romantic pictures - each a cinematic tour-de-force of light and color - present breathtaking views of the Grand Canyon, Monument Valley, Yosemite, Crater

Lake, Mount St. Helens, the Missouri Breaks, Big Sur, the Painted Desert, and other fabled vistas of the American West. With lyrical commentaries and sketches by artist and writer Mary Heebner, and introduction by best-selling author Edmund Norris, this glorious book is Everton's masterwork. Several exhibits, in New York, Washington, DC, and Santa Barbara, Calif., are being held in conjunction with the book's release. Go to the above Web site for details.

### All Over the Map

Travel photographs and the stories behind them  
Photographs and text by Will  
and Deni McIntyre  
Loose Ends Press  
132 pages; color; hard  
ISBN: 0-9679506-0-0  
www.macfoto.com

Will and Deni McIntyre travel the globe as a freelance photography team and have shot in more than 50 countries for corporations, national magazines, and ad agencies. Now their destination images are showcased in their latest book, complete with the stories of how the images were made. "The question we hear most often when people look at our work is 'How did you get that?'" says Deni. "Normally, our photographs are used to illustrate someone else's ideas or experiences. We created this book to share the experiences that went into the images themselves." The McIntyres' first international assignment was a magazine story on the wine baron Phillippe de Rothschild who gave them great access to virtually everything on his estate - the vineyards, winery, even the baron in his bedroom. That bedroom shot is in the book, along with 70 more images and the stories - some surprising, some hilarious, all entertaining - behind their creation. Anyone who has traveled will probably laugh at their

misadventures. And aspiring travel photographers will get a multitude of tips ranging from logistical to the technical.

### Marblehead

Photographs by Ulrike Welsch  
Foreword by Bette Hunt  
Commonwealth Editions  
128 pages; color; hard; \$22.95  
ISBN: 1-889833-16-9  
www.commonwealtheditions.com

This book sparkles with images by an international photographer who immigrated to the United States from Germany in 1964 and has lived in Marblehead, Mass., since 1966. The first female photojournalist on the staffs of the *Boston Herald Traveler* and the *Boston Globe*, she is the author of five books, and her latest is a comprehensive portrayal of a village of narrow, crooked streets and thrilling ocean vistas. "I have spent countless days walking and cycling through the narrow streets of this charming and salty old town," Welsch writes in the afterword, "always hoping for interesting light, while watching and waiting as everyday life unfolds." The color images in *Marblehead* were compiled over many years and the book stands as a definitive record of a timeless community at one special time in its history.

### UNDER THE SUN

A Sonoran Desert Odyssey  
Adriel Heisey  
Rio Nuevo Publishers  
128 pages; color; hard; \$40  
ISBN: 0-9700750-0-6  
www.rionuevo.com

The Sonoran Desert, which straddles the Arizona-Mexico border, is like no other place on earth. Writer/photographer and ultralight pilot Adriel Heisey has created an abundance of astonishing aerial images that reveal a rugged landscape that is at once sublime and surreal, forbidding yet fragile,

intimate and infinitely varied. Heisey's aerial photography captures more than wide, desert vistas; there are details and abstracts, delicate hues of vegetation and earth, natural features and man-made constructions. The pictures are breathtaking as are his words. Heisey, a commercial pilot, built an airplane specifically designed for use in his photography and in the book he describes how he put the craft to full use, including an exciting account of his flight to Finger Rock. The October issue of *National Geographic* featured a 20-page excerpt from *Under the Sun*.

**2001 Photographer's Market**

Edited by Donna Poehner  
 Writer's Digest Books  
 F & W Publications  
 640 pages; \$24.99  
 ISBN: 0-89879-978-3  
 1-800-289-0963  
 www.writersdigest.com

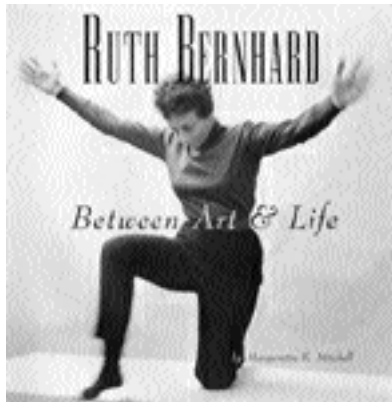
This bible of selling images - "to 2,000 places" - is an industry standard and the 2001 edition continues the tradition. The latest *Photographer's Market* includes 480 new markets; 235 stock photo agencies; 640 magazines and newspapers; and hun-

dreds of galleries, advertising and design firms, book publishers, outdoor and wildlife markets, travel and sports markets, workshops and more. The book goes beyond thousands of potential places to sell photographs; it also features interviews with photographers, covers the business of photography, and explores trends in professional photography. Among the *insider reports* is a profile on the work and philosophy of ASMP member **Karen Schulman** of Colorado who runs workshops in exotic locations. Any photographer will find this book an invaluable reference.

**Ruth Bernhard**

Between Art & Life  
 by Margareta Mitchell  
 Chronicle Books  
 168 pages; black and white; hard; \$29.95  
 ISBN: 0-8118-2191-9

Hailed by Ansel Adams as "the greatest photographer of the nude," Ruth Bernhard has lived a life that spans almost a century of passionate, ceaseless exploration of the magic of light to create form. Gretta Mitchell, an ASMP director, is the author of numerous books, including *Ruth Bernhard: The Eternal Body*, and *Recollections: Ten Women of Photography* and is a dedicated teacher and photographer whose work is widely exhibited. The collaboration between these two talented women is a fitting tribute to Ruth Bernhard whose zest for life and art is reflected in virtually everything she does - whether in words or pictures. This is the first biography on the remarkable Bernhard - born in Germany and who came to the United States at age 21 - whose images have influenced thousands. "Each time I make a photograph I celebrate the life I love and the beauty I know and the happiness I have experienced. All my photographs are made like that - responding to my intuition," she writes. As Mitchell points out, Ruth Bernhard's enthusiasm has been a catalyst in many photographers' lives, and she urges people to trust their intuition. "Ruth inspires all whom she meets to see more and do more than they think possible by trusting in their intuition as she has trusted in hers," says Mitchell. Throughout the book are examples of Bernhard's great photography; snapshots of her life - in her words and others' and in pictures, postcards, and letters including correspondence between her and Edward Weston. This is a thoroughly comprehensive look at a remarkable woman's life and her unconventional approach to it.



**FIND A PHOTOGRAPHER, MAJOR METRO AREAS, AND MORE**

This is a reminder that members can include up to three major metro areas or regions to their listings so they can be located in areas other than their home city through an on-line search at [www.asmp.org].

This is a service to help locate members who live near a major city but are unlikely to be found by a search in that city. For example, a member living in Irvine, Texas, could include Dallas as a major metro listing and thus be located in a search for Dallas photographers.

Members must stipulate their major metro areas or regions for listing in the ASMP database; it is not done automatically. You can send this information via e-mail to [update@asmp.org](mailto:update@asmp.org) or by mail, fax, or phone.

Please check your membership information in *Find a Photographer* on the ASMP Web site and update the information if it is not current. The updated information should be sent to [update@asmp.org](mailto:update@asmp.org) and not to Webmaster.

# PERSONAL MEETINGS

*Making that first sales call* BY ELYSE WEISSBERG

**A**re portfolio appointments a thing of the past? That is a topic I wanted to discuss when I recently had a luncheon meeting with two art buyers. Their comments surprised me. They both agreed that, even though their time is limited, they did enjoy meeting photographers when viewing portfolios and I detected excitement in their voices when they made this observation. Just when we are convinced that our high-tech world insulates us from human contact, along come these two art buyers saying that they enjoy meeting photographers and are happy to view portfolios. Hope is out there! It will not always be easy, however, to reach an art buyer on the phone. Voice mail can be frustrating. But instead of starting with a phone call, another option you can use is mail. This is especially helpful if your name is not familiar to the people you are going after. A good approach may be to start with a small group of people. This will help to keep the project manageable.

## THE PROCESS

Select ten art buyers you want to meet, or to whom you want to send your book. Use your computer to produce ten well designed promotion cards and mail them to your target list. During the second week, and using another image, print ten more cards. That way, one week you are in production, the next week you are mailing cards. Repeat this. Try to mail something to this list of special people every other week.

After six cards are sent, representing three months of effort, call to set up an appointment or a drop off. Anyone receiving a promo card every other week for three months will remember your name. This will make it more comfortable for you to make the sales call and easier for them to recognize your name.

If you do get the art buyer's voice mail, say that you hand picked them for your targeted mailing. Emphasize that you like the work produced by their agency and you would like to work with them. Honesty and sharing enthusiasm always works for me.

## APPOINTMENT ETIQUETTE

When you go on the appointment, hand over your whole book, not image by image. I am always surprised to hear how many photographers feel the need to pass images across the art buyer's desk one at a time. Don't control how they look at your images.

Also, while it is nice to have stories about how one or two of the images were produced, keep in mind that it's overwhelming for an art buyer or client to hear a story about every image in the book. Relax, and let them enjoy viewing your portfolio.

Never ask about layouts on their desk. If they want you to shoot a particular job, they will bring it up. Also, be careful about commenting on personal photographs on the wall or desk. Such pictures are personal and any comments could be construed as a violation of privacy. These people are not your friends and you are there to secure future assignments and comments on other topics distracts focus from the sales call.

I am not advocating that you be a robot. Talking about who you are as a shooter is

very important. And commenting on something in their office that you have in common with them can be an ice breaker. But your appointment is precious time and the reason that you are there is to let them know that you want assignments. I suggest that you stay focused on that.

When the appointment is finished, I always ask if the work I showed fits the direction of the accounts in their agency. The question usually solicits an answer about one or two specific accounts. I'll hear something like "the portraits you showed would be good for American Express." I then take that opportunity to ask if it would be a good idea to contact the art director on that account. Sometimes the art buyer will tell me to do that; at other times I am told that they will call in my book if something comes up on that account that would suit our style.

My last question is always about follow up. I ask if I should contact them when I have new work to show, or if I should just keep them on my mailing list. In my experience, art buyers are upfront with the way they like to conduct their business.

Many photographers tell me that they do not feel comfortable going on appointments. I hope that knowing that the art buyers are interested in seeing you and your work will encourage you to set up appointments. ∞

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*Elyse Weissberg is a photographers' representative and creative consultant based in New York. She can be reached at 212-227-7272 or visit her Web site at [www.elyserep.com].*

# HOW TO TOOT! TOOT!

*The power of the press release* BY JEFF FISHER

For supposedly being creative individuals, it is surprising how many designers (and photographers) do not think creatively when it comes to marketing and promoting their own work. Getting your name out to potential clients does not always mean lugging a heavy portfolio around to numerous art directors, making cold phone calls or producing a slick and expensive direct mail piece. These traditional methods of introducing yourself to your target audience can be time-consuming, produce limited results, given the relatively small audience, and be very frustrating to a designer trying to work at the same time.

A much more effective way of promoting yourself may be through public relations. When you translate your efforts into what the traditional media of magazines and newspapers considers “news,” you create the possibility of free publicity — and we all know that “free” is a very good thing. While coming from a family of public relations professionals may have contributed to my non-traditional way of marketing my own design business, there is no reason why it can not be done by any other designer.

## WHAT IS NEWSWORTHY?

About eight years ago, I decided to no longer spend my marketing budget on print advertising or direct mail pieces. These advertising dollars are now directed to entry fees for design competitions all over the world. Over the past five years, this strategy has resulted in winning a substantial number of awards, as well as in examples of my work having been included in various books on identity, graphic design and marketing. Each of these situations naturally leads to what has become my most effective self-promotion tool: the press release.

As often as twice a month, I send out press releases to the business editors or writers of the major daily newspaper in my area. This includes business newspapers and magazines, local community weeklies and design publications. If the news involves a client in another city, I also send the information to the media of that market.

Winning a design award or being profiled in a book are, perhaps, at the top of the list of subjects considered newsworthy by such publications; however, there are other situations arising in the course of a designer’s day-to-day business that create publicity opportunities. Being retained by a new client is one of them. You may have seen newspaper notices from advertising firms announcing they have been retained as the agency of record for a particular

client. Why should a designer or design firm be any different? To that end, I usually send out a press release whenever there are three or four new clients to announce.

The completion of a project is another perfect opportunity. Press releases containing information on a few completed projects — and accompanied by camera-ready black & white prints of the finished products — have been particularly well received by the smaller local papers in my area. It’s always nice to have a graphic element to include with the news item.

The advantages here are obvious. This incredibly low-cost marketing method gives you the opportunity to “toot your own horn” and get your name seen by thousands of potential prospects. More important than the quantity of such exposures is their quality — these local papers that can put your name in front of the people most likely to hire you. Finally, it thrills the clients to see their companies’ names and logos in print.

## PREPARING A SUCCESSFUL PRESS RELEASE

- **Format.** For some, the most difficult part of using this manner of marketing is the actual writing of the press release. There are solutions to this hurdle. Many libraries have marketing and press release books with examples of press release formats for you to follow. On the other hand, you can hire a PR professional or a writer to establish the initial template specifically for you and your business — one which you would then use to simply plug in the pertinent information. You can also attempt to trade your design services with a PR person or company needing that type of work. These options eliminate most of the excuses for not using this method of self-promotion.

- **Content.** In preparing each release, the most important thing to remember is to include all of the necessary information in the first paragraph. Most editors or writers receiving your announcement don’t have the time to read any more than that paragraph. The rest of your release should just be background supporting your first statement. You should close the release with your precise contact information, should the editor or writer wish to reach you.

- **Contact.** Be sure you are sending the press release to the person who should be receiving such information. It should be sent to the person editing the most relevant column, such as small business or business marketing. You will have a better chance of having the information published if the person who actually makes the editorial decisions receives the press release personally. The names of such individuals are readily available in each newspaper or maga-

zine. However, if you are unsure to whom it should be sent, a phone call to the publication should produce the desired result.

- **Strategy.** You may also want to have some kind of a gimmick to attract additional attention to your press release. It may be an attention-grabbing envelope design or paper color. In my case, the heading on the press release page is “Toot! Toot!” This ties into my company’s name, Jeff Fisher LogoMotives, as well as its logo, which is a stylized train locomotive. It also references to the fact that I am “tooting my horn.” But don’t get too carried away with trying to attract attention. For the most part, business editors are fairly conservative and serious creatures.

- **Delivery.** In this age of technology, it may be tempting to send of your press release via fax or e-mail; however, most editors and writers appreciate receiving the information the old-fashioned way - by snail mail. In fact, they usually receive fewer press releases by regular mail; your information may get a little more attention than that sent by other means. I will usually send my press release out via mail and broadcast it to my e-mail address list of clients, vendors, publications, peers and friends as well. The idea is to get your name out there. You have no way of knowing who is going to come into contact with someone needing a graphic designer.

- **Time and money.** My press releases are most often sent out to a mailing list of about 20 publications. I will often have three or four sets of pre-addressed envelopes on hand to save time. Writing the release, printing, envelope stuffing and stamping does not take more than about 40 minutes. The postage for the mailing is less than \$7 - an inexpensive investment considering the potential results.

## REAPING THE REWARDS

Don’t be surprised if your first few releases have limited results. For the most part, it is a process of cultivating a relationship with publication editors. It might even be worth your while to arrange to introduce yourself personally to specific editors at some point in time. After receiving several press releases from your company, the editors and writers begin to realize that you are a “real” business with serious intentions, and that you are likely to see your information in print.

A good case in point is the success of my efforts. Nearly every one of my press releases has been printed in at least a few of the publications on my list. This has created tremendous exposure for my business, generating name familiarity, interest and new clients. Repeated releases to one of the local daily business papers resulted in them doing a feature story about my business, with my photo on the front page directing readers to the story inside. Another feature story was written last year for the largest daily newspaper in my home state of Oregon. It also included my photo and four examples of logo designs. Twenty new clients were the direct result of that story, including businesses in Wisconsin, Colorado, Alaska and

California. And there are other stories in the works.

In addition, my efforts have attracted the attention of two different authors currently writing books on the topics of marketing and self-promotion. Both are including my business as a case study, and one is listing my company as one of only two recommended identity design firms in the nation.

Any designer or design firm can benefit from using press releases in promoting and marketing themselves. For many, it involves getting over the self-imposed label of being a “freelancer” and acknowledging that they are, in fact, a “business.” As businesses, all designers should be making use of creative marketing techniques used by others in the corporate world, not to mention making use of their own creativity to take those concepts one step further in the quest for personal success. ∞

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*Jeff Fisher LogoMotives is the one-person firm of graphic designer Jeff Fisher. His work has received nearly 300 regional, national and international graphic design awards for logo and corporate identity efforts. The efforts of the firm are featured in over 40 publications on the design of logos, the business of graphic design, and small business marketing. Jeff Fisher LogoMotives can be found at [www.jfisherlogomotives.com]. This article originally appeared at [VisualArtsTrends.com].*

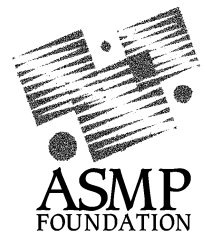
## MAKE A DIFFERENCE...

There is probably nothing more important than a level playing field when it comes to running a business - an environment where competing photographers are vying for assignments based on their talent and ability to create the perfect photograph.

Armed with the right tools, the ASMP Foundation can make a difference. By educating photographers in the most professional ways to conduct business, by teaching them the true value of the images they create and by teaching them how to think like a successful business person, the ASMP Foundation can help to level this playing field. But we can’t do it without your help!

Make a tax deductible donation to the ASMP Foundation of \$15 or more and show everyone what is important to you by wearing the first in a series of one-of-a-kind lapel pins. You know you care, you know you’re in this business for the long haul - show it by writing a check and proudly wearing this pin. Then they’ll know.

ASMP FOUNDATION — 150 North Second Street,  
Philadelphia, PA 19106



# ATTITUDE COUNTS

*Guidelines for assistants* BY PAMELA KRUZIC

The following is a compilation of responses that the author received after posting an inquiry on the ASMP members-only forum at [www.asmp.org] combined with her own experience as an assistant. Information providers: David Budd, Alan Farkas, George Fulton, Ira Mark Gostin, Tom Hussey, Jeffrey Jacobs, Deborah Gray Mitchell, Harrison Northcutt, Michael Sharp. Edited by: Ira Mark Gostin and Michael Sharp. Special thanks to Jerriane Lowther and Roy Buckner.

## INTRODUCTION

Working with an experienced, professional commercial photographer can be both exhilarating and exasperating. If I had to pick one thing that it takes to succeed as an assistant it would be an unequivocal dedication to the successful completion of the project. You will receive none of the credit, except possibly from the photographer who recognizes and praises your contribution. The rewarding experience involves the intrinsic satisfaction associated with taking part in the creative process and helping to overcome and resolve the numerous problems. At the end of the day, you may be dirty, tired, wired, scraped, pinched, and punchy. On the other hand, some projects may be so low key and enjoyable that getting paid seems a little peculiar. One day it is setting up for forklifts and backhoes, the next it is wedding cakes and ribbons, or celebrities and CEOs. It is this type of variety that keeps making each day a new and exciting adventure.

There is one aspect to be aware of when working with a photographer for the first time. Initially, your every move will be watched. It may seem that he/she is finding fault with everything you do and the way you do it. Don't defend or argue. This usually originates from the fact that the photographer is watching to see that his very expensive equipment is being handled properly, and also trying to help you do your job better. Once they are comfortable with your capability this will subside.

Another aspect to be aware of and remember is that the photographer is under a great deal of stress. He/she carries the responsibility for the project's success. The more professional photographers are less likely to let pressures affect the treatment of their team, but it can happen. Not that anyone should accept verbal abuse, but if you are spoken to sharply or abruptly at times it may be from pressures that you are not aware of. Just move on. Hurt feelings, grudges, and anger just get in the way of your concentration.

An assistant may be able to avert some problems by simply noting and interpreting small details in the photographer's

actions. For example: If the photographer walks across the room to set down his/her drink instead of next to the shooting area, then obviously don't set your drink in the shooting area. On the other hand, just because the photographer gives a lens cap a toss into the camera case, this is not permission for the assistant to do the same. Just use common sense and pay attention.

Remember, an assistant is a part of a team, a tool that the photographer uses to achieve his vision. You are not there to talk about yourself. That was done when the photographer hired you. No chattiness with clients, art directors, etc. Common courtesy and pleasantries are fine, but remember your purpose is to be there for the photographer and do everything within your power to help him/her attain the artistic goal and to not interfere with a smooth shoot.

## ATTITUDE/ATTRIBUTES

Above all else, an assistant must have a positive attitude including a sincere desire to be there, a willingness to learn, enthusiasm towards the project.

Be a listener, flexible, efficient, punctual, able to follow instructions, aware of what is going on, motivated and show initiative. You must be able to swallow your pride - it is not a question of "if you will catch it," just when. Whether it is your fault or not, you might as well get over it and move forward.

Anticipate what is going on, what will be needed next, what will next go wrong and prevent it. Remember good manners and be politically correct. Also important is compatibility. Try to be amiable, sometimes it works, sometimes not.

## COMMUNICATION

Try to get an understanding of what is expected of you. Each photographer has different requirements and expectations. Talk to him or her, build a relationship. Know when to speak and when to be silent. Chattiness is deadly. Most likely you will miss something important if your lips are flapping. Be aware that sometimes you will be listening between the lines, to subtleties.

Don't assume. If you're not sure, ask. Better to ask and feel stupid than to not ask and be stupid, and possibly destructive. Be discreet: if you need to let the photographer know that something isn't right, don't announce it to the whole set. There is a time and a place for everything; figure out when/where that is. A good photographer is alert to his/her team and will usually be able to recognize that you need to tell him/her something.

## PREPAREDNESS/TOOLS

Wear the proper clothing for the job, and ask beforehand. Also, ask about the nature of the job. Some of the tools you should have in your kit are a sharpie pen, watch, fanny pack, small pad for notes/instructions, a survival tool, Band-Aids, aspirin, and for emergencies: some cash (\$20-\$40) and a quick snack/water.

A more advanced kit might include: a small flashlight, various tapes (black photo, white, double-sided), a plug-in electrical circuit tester, work gloves, dual timers/clock for timing Polaroids, and various hand tools.

The A.S.H.: This is an *Adjustable Sense of Humor* that can be set to fit each photographer's personality. Don't forget to bring it.

## SAFETY

Think. Don't run around impulsively. Move carefully and decisively. Protect equipment from theft and damage. Use down time to repair, organize, re-stock, check cords, and clean-up set. Protect against trip hazards, such as cords, stands, or wires. There are certain ways to set up stands and hang cords. Your carelessness could be quite expensive to the photographer.

## SKILLS/TECHNICAL

Be alert to what is happening or is not happening with the equipment. Be attentive to: sync cords, recycle times, strobes firing, gels, reflectors, stands, props. Watch that slaves don't get blocked. Notice where gear comes from and put it back in same place, same way. Keep equipment clean and organized. Put things back in cases instead of around set so they are less likely to get lost.

The following advanced skills are things to consider only if the photographer has requested your added participation. Never touch the camera unless instructed to do so.

35mm - check that shutter speed is not too fast for sync,

Medium/large format - pull dark slide, check that sync cord is connected. Make sure f-stop and shutter speed are correct for film being used. Be able to load various formats of film.

Cameras differ and a photographer can review any peculiarities of his/her equipment. If you have to be taught, don't expect to be paid full rate. Count shots and be ready for roll changes. Put roll numbers on the film and keep with the Polaroids in one place. Keep track of: exposures and pertinent technical data,

model releases, materials used as required by photographer. Make sure all cameras are unloaded at end of shoot (double check that they are rewound before opening back).

Never shoot while photographer is shooting, unless requested to do so.

## BUSINESS

Keep track of all receipts and reimbursable expenses to include with invoice: mileage, tips, and similar and make sure they are legible.

Have your invoice ready to present at end of shoot. Include: Client name, shoot date, your address, phone number, and Social Security number. (Some photographers will request invoice mailed or faxed within a specific time frame. Omission of this information will delay your payment.)

Practice confidentiality about client and photographer. Gossip is for busybodies, not a professional assistant.

Ask for photographer's business card. It helps to have contact information (for a variety of reasons) and can give you ideas when you begin to look at designing your own stationery.

## FINALLY

This is vital: Always remember that you were hired by the photographer to assist. You were not hired to: Promote yourself; tell the client how you would do a shot; or discuss money matters around the client or the art director. ∞

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*Pamela Kruzic is a freelance assistant based in Knoxville, Tennessee and is an ASMP affiliate.*

## ADVERTISEMENT

# NewsLines

Please send contributions to Editor, ASMP Bulletin, P.O. Box 652, Anacortes, WA 98221.

## SUPREME COURT WILL HEAR CASE ON ELECTRONIC RIGHTS

The US Supreme Court has agreed to hear the appeal of the decision of the Second Circuit Court of Appeals in the case of Jonathan Tasini et al. v. New York Times et al. This was a landmark decision made on September 24, 1999 when the Appeals Court ruled that it is copyright infringement for a publisher to put a freelancer's work in digital databases on-line or in CD-ROM, otherwise resell it without explicit permission.

If the Supreme Court upholds the ruling, publishers will be vulnerable to liability for past and current copyright infringement. Defendant-publishers in the case include Newsday, Time Incorporated, Lexis-Nexis, The New York Times, and University Micro Films, Inc., among others.

The US Supreme Court's "granting certiorari," means that it will be accepting legal briefs, including one from ASMP as amicus curiae, and oral argument to decide the case. As of now, the final word is still the decision of the Second Circuit, which held that publishers had to receive permission from authors before they could put newspapers and magazines into digital databases, whether on-line or on CD-ROM.

Tasini's lawyer, Patsy Felch, told ASMP general counsel, Victor Perlman that the Supreme Court ruled that it would accept Tasini v. The New York Times. "Although we preferred that they merely leave the Second Circuit's opinion alone, this means that we will get a nation-wide ruling on authors' and publishers' rights vis a vis articles, photographs and other freelance materials in periodicals,"

said Felch. "I believe that the court has accepted the case to short circuit piecemeal circuit re-interpretations of the law, and I am confident that they will see and interpret Section 201(c) of the Copyright Act as the Second Circuit did."

Felch, a partner in the Chicago office of Banner & Witcoff, has represented several ASMP members, including Penny Gentieu of New York in her legal case with Tony Stone Images, and recently wrote ASMP's amicus curiae brief in the appeal in the case of Jerry Greenberg v. National Geographic.

## TRADE ASSOCIATION LETTER-WRITING CAMPAIGN AGAINST CONDÉ NAST CONTRACT

The Graphic Artists Guild has joined ASMP and other organizations in initiating a letter-writing campaign protesting the unfavorable conditions imposed by Condé Nast Publications through its Freelance Artist Agreement. GAG has previously warned its members and other creators about this retroactive contract which requires a grant of all rights throughout the universe, including the right to re-license works to third parties. GAG warns that licensing has become a reality with the launch of the new Condé Nast Archive. The Condé Nast Archive goes beyond unpaid reuse of your images by Condé Nast itself. The Archive will re-license the images to which Condé Nast holds rights to other potential clients - without any portion of the licensing fees going to the artists and photographers who made them. ASMP members can get involved. Go to Special Announcements on

[www.asmp.org] for more information about the letter-writing campaign, sample letters that can be used, and see other actions planned by the ASMP and the other organizations.

## MP©A BEGINS TO LOOK MORE ATTRACTIVE TO STOCK SHOOTERS: JAY MAISEL, NEILL WHITLOCK AND NANCY BROWN SIGN ON

If the past few months are any indication, ASMP's licensing program, the Media Photographers' Copyright Agency, MP©A, is becoming very attractive to established stock photographers, many of whom are disgruntled with rights-grabbing tactics of major agencies.

Recently, nearly 150 new photographers, including respected names such as Jay Maisel of New York and Neill Whitlock, Dallas, have signed on with MP©A, adding their images to the growing on-line collection being marketed through the Media Image Resource Alliance (MIRA). MIRA is owned and operated by Copyright Clearance Center, Inc. The influx of new members brings the total of MP©A members to 710.

The rejuvenated interest in MP©A is clear indication that many more photographers are looking for alternative outlets to market their work in the wake of the massive consolidation within the stock photography industry. Many are refusing to sign the contracts being offered by large agency conglomerates such as Getty Images and Corbis and while the MP©A alternative is still in relative infancy, it is showing encouraging signs of maturing into an industry player, especially as more leading stock producers

add their images to the file.

One such photographer is Nancy Brown of New York, who announced that she is going to submit hundreds of stock shots from her extensive collection of lifestyle and people images to the MP©A file. Brown said she saw MP©A as a very good alternative for photographers who were reluctant to sign the contracts being offered by some of the major agencies.

Brown's joining MP©A is good news for the ASMP program. Many of ASMP's leading members had been prevented from adding their work to the MP©A/MIRA collection because of existing contracts with their agencies. Now that new contracts, and many of them with unacceptable terms, were being thrust at photographers by new agency owners photographers were seeking alternatives. MP©A/MIRA is emerging as a favorite.

MP©A chairman, Matt Herron, said that in addition to the dissatisfaction many photographers have had with the major agencies, especially their rights-grabbing contracts and business methods, MP©A/MIRA has made significant improvements in the submission and editing procedures at the request of photographers. Those improvements had encouraged more participation and submissions. Other attractive MP©A/MIRA features are the photographer-friendly MP©A contract, which has long been recognized as the best in the industry, and the 70-30 percent revenue/commission arrangement for photographers.

Herron conceded that gathering content had been a major obstacle but pointed out that new and

simplified submission procedures are gradually overcoming this. Also, an experienced editor had been appointed to help photographers refine their submissions and tighten the existing collection.

"We know we have a long way to go but MIRA is making sales and has embarked on a major print advertising program. The ASMP Stock Photography Catalog, being published by Serbin Communications, will also hit the market early in 2001 and many photographers featured in the catalog are using MIRA as their sales outlet. We feel all these signs are very positive and encouraging," said Herron.

### EXACTLY SHUTS DOWN

An announcement from Exactly, the company that developed a business software program for photographers and was providing it free of charge, states "that Exactly is closing shop."

The announcement says that the company was caught in the dot-com undertow, and "despite your terrific support and enthusiasm, and an exciting business plan, we just haven't been able to attract the financial support necessary to continue." According to the statement, the company, which was also trying to start a stock photography service, to be called ExactPhoto, was unable to attract investors. According to the announcement, investors were reluctant to get involved because "they (investors) are afraid of Getty and Corbis. They are perceived as having effectively sewn up the market for rights-protected stock photography, making it impossible for anyone else to build a real business in the space."

Exactly said its proposed contract for stock photographers has been placed in the public domain and can be downloaded at [[www.exactphoto.com/contract.html](http://www.exactphoto.com/contract.html)]. The company also said it is committed to getting Version 2.0 of *Exactly! for Photographers* to users of the earlier version and would honor a promise that "should anything happen to Exactly, we would place the code into the public domain."

### WANTED: CELEB SHOOTERS

An agency run by ASMP member Alan Berliner, and which is only interested in entertainment celebrity images, is looking for new shooters, particularly in the New York market. The agency is also looking for street shooters anywhere "celebrity" goes to play. Berliner said they have been in the agency business for five years "with a lot of success for ourselves and would like to widen the representation to other photographers who shoot good celebrity candids. The material should look like the images that run in *People* and *US Weekly*, which is where much of our domestic sales are made. We have 22 agents in that many countries so the photographers we represent get excellent opportunities for international sales too."

The syndication manager is Sonja Gill who can be reached by e-mail at [[sales@berlinerstudio.com](mailto:sales@berlinerstudio.com)].

# What's Hot

## Call for nominations

The nomination period for the national board of directors will be open from December 1, 2000, to December 31, 2000.

Any general member may declare his or her candidacy for a directorship. The election will be held from February 15, 2001, to March 15, 2001. Winners will begin their term in May of 2001. Five (5) directors will be elected for a three (3) year term.

A director's term is three (3) years. Each candidate must be willing to attend a minimum of two (2) board meetings per year, which usually involves a Friday, Saturday, and Sunday. Other duties are assigned by the board to individual directors.

If you wish to declare your candidacy, please complete the following and fax or mail to:

ASMP National  
150 North Second Street,  
Philadelphia, PA 19106  
Fax: 215-451-0880

I declare my candidacy for a seat on the national board of directors. I am a general member of ASMP and understand that the commitments of a director of ASMP include having to attend a minimum of two board meetings a year, as mentioned above.

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Print Name

---

Signature

---

Date

## ASMP MEMBERS AND SUPPORTERS RAISE \$21,500 FOR REAGAN BRADSHAW MEMORIAL SCHOLARSHIP



From left, Clem Spalding, Lynn Jones (program coordinator, Austin Community College), Matt Herron (ASMP director) Rafael Quintanilla (Austin Community College board of trustees), Elizabeth Bradshaw, Dr. Richard Fonte (president, Austin Community College) and Steve Nelson (chair elect of the Austin Community College Foundation).

© 2000 MARK LANGFORD

The Reagan Bradshaw Endowed Scholarship at Austin Community College in Austin, Texas has been launched with a presentation of \$21,500 in memory of the late ASMP president. The fund, which will produce approximately \$1,000 per year for needy photography students at the college, has been established in memory of Reagan Bradshaw, ASMP president from 1995-97, who died in an ultralight flying accident in October, 1998.

The fund drive was initiated by Bradshaw's ASMP chapter, Austin/San Antonio, and was supported by other chapters and the national organization with a goal of \$20,000. More than \$2,000 of the amount raised was from silent auction of software products donated by Adobe for ASMP members to bid on.

The check for \$21,500 was presented to the community college by San Antonio photographer Clem Spalding, who is a past chapter president and was one of the driving forces behind the fund, Bradshaw's widow, Elizabeth Bradshaw, and ASMP director Matt Herron of San Francisco, also a past ASMP president and a close friend of the Bradshaw family.

Spalding, who along with other ASMP chapter presidents initiated the memorial fund, said that it was a fitting tribute to a photographer who is remembered for his service to photography and his legacy of leadership and helping others.

"In many ways, the repercussions of this tragedy will echo for a long time. We all lost somebody and something very special. I think it is entirely fitting that we commemorate Reagan with this scholarship. The idea that his name will be permanently associated with helping photography students pursue their potential is perfectly appropriate," said Spalding. ∞

## Classifieds

Let There Be Light! New & used Fuji GX680, Dynalite, Lightware, Avenger, Pocket Wizard, Chimera and RedWing. Member, ASMP/NPPA. Call Pat Murphy-Racey 865-688-1980/www.gx680.com

**R. RICHARD HOBBS** - NYC area based  
Prod Coord/Loc Sctg-Mgt/Castg Svcs.  
800.314.5703  
www.rrhobbs.com/production.htm

### 8x10 EQUIPMENT FOR SALE:

1. Polaroid Land 8x10 Film Processor with holder. 2. 8x10 lenses: Schneider-Kreuznach: Symmar-S 5.6/240 Compur 3 (Multi-coated) and Schneider-Kreuznach: G Claron 9/305 Copal-NO1. Best offers take this Mint Condition Equipment. Member, ASMP/APA. Call Whitney Lane (914) 762-5335. E-mail: photography@whitneylane.com.

### ROBERT M. CAVALLO ATTORNEY AT LAW

400 Park Avenue  
New York, N.Y. 10022

Tel: 212 753-2224  
Fax: 212 753-7113

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MEMBER ASMP  
ORLANDO AREA  
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# LegalActionFund • ALASKA CHAPTER - \$1,000, NIKON GIVES F100 CAMERA

The Alaska chapter has responded to a recent call for contributions to the Legal Action Fund with a donation of \$1,000. And Nikon Inc. has given ASMP an F100 camera and lens to help the cause.

The Alaska chapter's treasurer, Jerrienne Lowther, who always sends in an additional \$100 for the fund with her annual dues renewal, summed up the spirit of her chapter's contribution by saying, "We're about the smallest chapter and this is a major amount for us, but we believe this is worth doing. We're the littlest, so we decided to 'get there firstest with the mostest' and see if we could inspire some others to outdo us in a big way."

"I personally send along an extra \$100 for the legal fund every year when I renew my dues. I own my copyrighted images only because ASMP took on the copyright fight and won it in 1989. It's hard to argue with the Supreme Court. I won't forget that victory anytime soon," she said.

Nikon has generously contributed a Nikon F100 camera with a 28-80 f3.5/f5.6 D lens and details of how it will be made available will be announced in a future *Bulletin* and on the Internet, so stay tuned. It's a great "goody" for a good cause.

The New York chapter also helped the fund with book and cap sales at the ASMP booth at PhotoPlus Expo East which generated \$475. As reported in previous issues of the *Bulletin*, ASMP is involved in an unprecedented amount of legal activity which has depleted the Society's Legal Action Fund.

In a bid to replenish the coffers, a fund-raising drive is being supported by prominent members and other ASMP supporters who are providing a variety of items for an on-going series of drawings and silent auctions. Members are encouraged to support the fund, and be in the running for a variety of prizes (see the October *Bulletin* for examples of what's in the offing). Simply fill out a coupon and send it in with a contribution — any amount helps. Thank you.

**Recent contributions have come from the following members.**

**\$1,000:** Pamela Rankin-Smith; **\$300:** Stephen Simpson; **\$200:** Bill Gallery, David Madison; **\$150:** Dan Forer, Daniel Francis; **\$120:** Carol A. Sund; **\$100:** Eric Millette, Brian Smale, Lee Phillips, Laura Dwight, George Lepp, J. Brough Schamp, Patrick Wilen; **\$75:** Reis Birdwhistell; **\$50:** Russell Munson, Jim Flynn, Bruce Buck, David H. Wells, Ann Duncan, Jonathan Hillyer, Sam Holland, Barbara White, Thomas Wiewandt, Ron Solomon; **\$30:** Paul Horsted, Stanley Rowin; **\$25:** Karen Krause, Antonio Arruza, Aneal Vohra, Ray Fisher, Leonora Goldberg, Billy Grimes, Christie Hazen, Richard T. Bryant, Dan Donovan, Mark Harmel, Melabee Miller, Eric Wessman, Stephen Gladysz; **\$20:** Sylvia Weisbrot, Joe DeCasseres, David Ellis, Gilbert Tanner, Heidi Thorne; **\$15:** John C. Goodwin; **\$10:** Jonathan Delano, Elizabeth Jones, Kenneth Petersen, Joseph Rychetnik, Erika Stone; **\$5:** David M. Altman.

## Postal Service Statement

### HOW TO SUPPORT THE LEGAL ACTION FUND

YES, I would like to contribute to the ASMP Legal Action Fund and help my Society's legal advocacy efforts. Please find enclosed my contribution of \$\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

To phone in a credit card contribution, please call: 1-215-451-ASMP ext 1200. Please mail your check or money order to:

ASMP, Legal Action Fund,  
150 N. Second Street, Philadelphia, PA 19106.

Thank you for your support.

12/00

# NewMembers'Zone

The following have applied for membership in ASMP. Any comments, either positive or negative, relating to these applicants should be sent to the Membership Coordinator at ASMP Headquarters. After 20 days, applicants with no unfavorable comments shall be accepted.

## ALASKA

Lisa J. Seifert, GM  
*D. Daniels, C. Mishler*

## AUSTIN/SAN ANTONIO

Vincent McDonald, ST  
*San Antonio College*

## BALTIMORE

Nick McIntosh, AS  
*R. Anderson, J. Herrmann*

Melanie Pearson, ST  
*H. Korn, R. Anderson*

Rachel Scharon, AF  
*R. Anderson, H. Korn*

Seth Scharon, AS  
*R. Anderson, H. Korn*

## CAPITAL REGION

Sean Aaron Shanahan, AF  
*E. Berger, S. Barrett*

## COLORADO

Stephen Collector, GM  
*T. Del Amo, D. Johnson*

Rachel Curtis, ST  
*Art Institute of Colorado*

Kent E. Meireis, GM  
*T. Del Amo, J. Hallmark*

## DALLAS

James Walden, GM  
*J. Mills, J. Merrweather*

## FLORIDA - SOUTH

Ana Arriola, ST  
*Art Inst. of Ft. Lauderdale*

George Cotto, ST  
*Art Inst. of Ft. Lauderdale*

Corrine D. Koch, ST  
*Art Inst. of Ft. Lauderdale*

Dolorianne Morris, ST  
*Art Inst. of Ft. Lauderdale*

Pedro Rueda, ST  
*Art Inst. of Ft. Lauderdale*

John Sturdy, SU  
*L. Gatz, T. Robison*

Sharon Swift, ST  
*Art Inst. of Ft. Lauderdale*

## FOREIGN

Gay Campbell, PS  
*P. Lien, S. Nibau*

Denis Montalbetti, GM  
*P. Lien, S. Nibau*

Jorge Parra, IM  
*J. Greim, M. Herron*

## HAWAII

Melena Whiteside, AS  
*G. Debre, B. Greenberg*

## HOUSTON

Richard Carson, GM  
*T. Manske, K. Kolanowski*

Paul Swen, GM  
*M. Hart, R. Kneten*

Jane Whitcomb, PS  
*T. Manske, K. Kolanowski*

Jimmie Whitcomb, GM  
*S. Willson, T. Manske*

## KANSAS CITY/MIDAMERICA

Ted Schlaebitz, GM  
*D. Templeton, C. Davis*

## LOS ANGELES

Doug Gardner, AS  
*R. Smoak, E. Horan*

Rachel Jackson, ST

*Brooks Inst. of Photography*

## MICHIGAN

Chuck Heiney, GM  
*S. Richardson, G. Gryzenio*

## MINNEAPOLIS/ST. PAUL

Sandy Boss Febbo, SU  
*B. Kluckhohn, R. Komis*

Siddiqi H. Ray, GM  
*J. Ross, S. Ozone*

Dave Turner, PS

*T. Armour, M. Hendrickson*

David Welder, GM  
*S. Niedorf, R. Komis*

## NORTHERN CALIFORNIA

Anne Knudsen, GM  
*P. Lien, S. Nibau*

Chia-Ching Wen, AS  
*S. Whittaker, R. Kimball*

## NEW ENGLAND

Margot Cheel, AS  
*J. Gilooly, N. Horton*

Frank Monkiewicz, GM  
*L. Bushnell, M. Bogacz*

Bill O'Connell, GM  
*G. Simian, J. Still*

## NEW JERSEY

Arthur G. Margeotes, GM  
*E. Denuto, B. Blanchard*

Jacqui Silla, GM  
*E. Denuto, B. Blanchard*

Rebecca Stearns, RAF  
*B. Blanchard, L. Fisher*

Pamela Rolande Hasegawa, GM  
*E. Denuto, B. Blanchard*

## NEW MEXICO

Don Marr, GM  
*C. Herz, P. Kohlman*

## NEW ORLEANS

Jerry L. Litton, AF  
*D. Ferguson, R. Day*

## NEW YORK

Richard Jung, GM  
*P. Lien, S. Nibau*

Bruno Moyen, IM  
*P. Gentieu, M. Cardacino*

Ned Rosen, RGM  
*L. Goldberg, A. Gescheidt*

## NORTH CAROLINA

Richard Barnett, AS  
*N. McGrath, B. Sacha*

Tim Barnwell, GM  
*T. McBride, J. Riley*

Susan Shaughnessy, SU  
*M. Gamba, N. Ney*

Mathew Zucker, GM  
*C. Price, R. Nannini*

## OHIO VALLEY

Sarah Anderson, ST  
*Ivy Tech.*

Mica Andersson, ST  
*Antonelli College*

Michelle Brug, ST  
*Northern Kentucky University*

Henry Bryant, ST  
*Antonelli College*

Corrina L. F. Cook, ST  
*Art Academy of Cincinnati*

Jennifer J. Davis, ST  
*Northern Kentucky University*

Joe Dixon, GM  
*G. Anderson, T. Joyce*

Charann M. Dombrowski, ST  
*Antonelli College*

John Freeland, AS  
*T. Martens, J. Barnett*

Carole S. Frey, ST  
*Antonelli College*

Kristin L. Gilger, ST  
*Antonelli College*

Laura Greig, ST  
*Antonelli College*

Jenny Lynn Gronostaj, ST  
*Antonelli College*

Amy L. Hawkins, ST  
*Antonelli College*

Solana Henson, ST  
*Antonelli College*

Rebecca Hillenbrand, ST  
*Northern Kentucky University*

Michael James, ST  
*Antonelli College*

Shawn Johnson, ST  
*Antonelli College*

Nick A. Mann, ST  
*Antonelli College*

Amy L. Painter, ST  
*Antonelli College*

David K. Pavese, GM  
*T. Martens, T. Clevenger*

Scott Raper, ST  
*Northern Kentucky University*

Carmen Rinehart, AF  
*G. Anderson, T. Joyce*

Shannon C. Smith, ST  
*Northern Kentucky University*

Mark Steele, GM  
*G. Anderson, T. Dubanowich*

Linda Tabler, AF  
*J. Harrison, D. Steinbrunner*

Nicole Talbert, ST  
*Northern Kentucky University*

Katie Terrill, AF  
*C. Cone, T. Joyce*

Christie Thompson, ST  
*Antonelli College*

Tony Walsh, GM  
*C. Cone, J. Harrison*

Timothy L. Walter, ST  
*Ohio Inst. of Photography & Tech.*

Melisande Weidner, ST  
*Antonelli College*

Tracy Wheeler, ST  
*Antonelli College*

Karen Ziegler, ST  
*Northern Kentucky University*

## OREGON

Steve Cherry, GM  
*J. Hart, M. Dahlstrom*

## PHILADELPHIA

Gary Mattie, GM  
*E. Mopsik, R. Grandomencio*

## SEATTLE/NORTHWEST

Andy Dalrymple, AF  
*D. Busher, R. Pisano*

Dean Davis, GM  
*D. Hamilton, D. Busher*

Kristin Ianniciello, AF  
*P. Borges, N. Fobes*

## UTAH/MOUNTAIN WEST

Lin Alder, AS  
*T. Till, J. Kay*

Brock P. Mangrum, ST  
*Salt Lake Comm. College*

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