



R E S U R G E R E

BRINGING INSPIRATIONAL RESOURCES
FROM A LEGION OF GENEROUS CONTRIBUTORS
TO SUPPORT THE ARTS AND THE COMMUNITY

T E R M S O F U S E

THE RESURGERE STOCK LICENSE

You, as a user of any Resurgere resources, accept any and all liability that may arise from such use.

By downloading, storing, or using any stock or resources from Resurgere you are agreeing to accept the following stipulations and rules of this license. By not following these stipulations in your usage, you will be acting outside the scope of the license and will therefore be using copyrighted resources without any permission or legal shelter.

Stipulation One

FREE FOR NONCOMMERCIAL USE

You are granted the privilege to use Resurgere stock photos, textures, stock renders, brushes, and other resources in your noncommercial projects. On a noncommercial project you may use the stock free of any charge. We do this to primarily support artist and academic usage.

A “noncommercial” project is not just a project in which no profit is made--it is a project in which no money changes hands. Advertisements and other such projects which are ‘indirectly commercial’ in nature do not count as noncommercial, so you will need to obtain permission before you can use our stock in such indirectly commercial projects.

Noncommercial use is not limited to DA; you may use Resurgere stock items in your noncommercial projects outside of DA as long as you follow all the stipulations [such as Credit and Notification].

*Stipulation Two***COMMERCIAL USE IS PROHIBITED**

You are explicitly prohibited from putting Resurgere resources to commercial use without prior permission from the copyright holder of the resources you want to use. This copyright holder will hereafter be called the “Producer” of the resource. Using a Resurgere stock item or items in a commercial project without expressed permission from the Producer[s] who contributed the resources is copyright infringement!

If you would like to use Resurgere resources in a commercial project, you may negotiate with the Producer of those resources directly to obtain their permission and a commercial use license. Resurgere itself, as the group managment, will not give you such permission. As the group can only administer the stock under these terms of use and has no claim on the copyright we can't issue a commercial use license, therefore the only person empowered to give you permission is the Prodcer. Contact the Producer directly via DA note or other methods.

A Producer holds control of the copyright of any stock he/she made for Resurgere, and so a Producer may decline your request for commercial use of his/her stock. Keep this in mind—it is wise to ask a Producer about commercial use before you apply their resource to your project to insure you will not be declined and have to edit your project to remove the resources. For example: if you wish to use the stock in a DA Print, ask the Producer about it before you use their resources in your image to avoid disappointment.

The details of a commercial use license are decided by you and by the Producer and are not dictated by Resurgere. These details include the scope of use allowed and any fees required. As part of any agreement a Producer is free to request a fee in the form of a royalty, a product demo, explicit credit, or any fee that the Producer wishes. A Producer may also decline to take any fee, and may issue you a license without charge--this is normally the case.

If you know who the Producer of any stock item you wish to use is, please note their DA account or e-mail them directly to ask about a commercial use license. If you need to identify the Producer of any stock item(s), check the branding on each item. The newest image branding generations contains a "this item produced by" tag near the top and a link to the Producer. The past generations of branding has a "contributed by" tag near the bottom with a link to the Producer... If the stock has none of that information, then <send a note to the Resurgere account with the file names of any resource item(s) and Resurgere will direct you to the proper Producer... If a Producer does not answer your note or emails within a reasonable amount of time, contact Resurgere and we will connect you to the Producer if possible.

Several examples of uses considered to be commercial projects follow, but besides these there are many other uses considered to be commercial projects, so if you have any confusion about whether or not your project could be considered a commercial project please contact Resurgere and inquire. Better safe than sorry. And now the examples: DA Prints and other such art prints, advertisements for commercial entities, web design for commercial entities, book covers and art in books, c.d. covers and art in c.d.s, and also in art as part of a portfolio all qualify as commercial projects.

For any of these uses and for any other commercial use you will need to obtain the Producer's permission beforehand. We take this seriously and do punish violators when we catch them.

Stipulation Three

NOTIFICATION

When you use a Resurgere stock item on DA we ask that you do us the courtesy of notifying Resurgere and/or the Producer[s] of the stock item[s] you used, or notify both. A Producer is more likely to comment on your work than Resurgere is, as the group mostly reviews work to ensure it is following these terms of use, so if you would like feedback it is in your interest to notify the Producer. When notifying Resurgere we prefer you leave a comment on the deviation you used inside our gallery, this is so other people will be able to see the link to your work and enjoy it. Please do not send a note, such notification currently make a large load of extra work and fills up our inbox; comment instead please.

When you use a Resurgere stock item outside DA you are required to notify Resurgere of such use. By email, DA note, or by other means. Include all applicable links.

Stipulation Four

CREDIT

When you use a Resurgere stock item on DA, DA's policy requires you to credit the sources of stock you use in any artwork that you submit on their site. Therefore, using Resurgere stock in your art at DA and not crediting the account or the Producer of the stock item you used is technically a DA policy violation [as we understand DA's policy on the issue]...

Resurgere now also asks that you credit this account as well as the Producer[s] of the stock you used. The Producer[s] is the person[s] that made the stock and who shared it with you, thus credit is really due to them. But it is nice to credit Resurgere as well so that your viewers will know where to find the resources you used.

When you use a Resurgere stock item outside DA you are required to credit Resurgere in a clear and visible manner. You are also required to link back to Resurgere. If you want to use the Resurgere logo as part of the credit, note us first.

Stipulation Five

REDISTRIBUTING IS PROHIBITED

You are explicitly prohibited from redistributing Resurgere stock images in any way designed for reuse. You must not offer any Resurgere images for sale or sub-license without the clear permission of Resurgere and it's Producers.

This also means you may not release brush sets, 3d textures, manipulation stock images, or any other resources meant for reuse which are based on Resurgere stock without special permission. For that permission note the Producer[s] concerned.

Putting our resources into your own resources is a serious problem as it often puts end users at risk of violating our terms of use through ignorance of the true source of the resource. That is why we enforce this rule strongly.

*Stipulation Six***WHAT IS AND IS NOT STOCK**

Any Resurgere resources meant as stock items and meant for your use will be clearly marked as such and will be in the Resource section of DA, or sometimes in the Resurgere scrapbook.

Resurgere IDs, package cover images, and branding tags do not count as stock resources--those are Resurgere “marketing” tools, and you should not use them as stock. Use of the Resurgere logo is also prohibited, as it is a marketing tool we have had since Resurgere opened and we are very sensitive about it’s use.

*Stipulation Seven***NO FALSE CLAIMS**

Only the Resurgere Producer that made a resource item may claim to have created it.

You are explicitly prohibited from displaying an unedited or lightly edited Resurgere stock image and falsely claiming it as your own photograph or scan etc. Additionally, if asked directly by anyone where you obtained an item or items of Resurgere stock you are required to truthfully inform them that it is a Resurgere stock item.

IN CLOSING

Resurgere reserves the right to change these terms and conditions at any time without notice. Changes will be published here, in this journal, so check back often or monitor it through your devwatch.

Resurgere Producers also reserve the right to revoke this License on the stock items they personally produced. They can do this as they will, for whatever reason they see fit. It is, after all, their work.

Thank you for reading and respecting our rules.

