



Using Pictures on the Web

Finally, Florida Realtors Law and Policy attorneys have also seen an increase in the use of pictures in these advertisements. These pictures belong to someone other than the person who places the listing online. It is unclear why many are surprised to learn that, in many cases, this behavior is a violation of copyright law. **Michael Thiel**, associate counsel of the **National Association of Realtors®** Legal Affairs, wrote recently, "The ability to cut and paste is all people need to violate copyright law." Federal law grants copyright protection to the creators of original works. Protection begins as soon as the work is created in a final form. You're not required to formally register your work to benefit from copyright protection. So, in addition to possible license law and Code of Ethics violations, this behavior also creates liability under federal law.

What's next?

It's only a matter of time before this behavior becomes so rampant that a broker or sales associate decides to file complaints and pursue legal action. Once that occurs, it's almost impossible to defend the behaviors described here. Violations can and do result in large monetary fines. The only possible protection is to stop the behavior. ☉

This article was written by the Florida Realtors® Law and Policy Attorneys.