

A Photo is Worth 1,000 Words, but How much Money?

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A few years ago, some of my buddies and I went to the NCAA basketball tournament at the BMO Harris Bradley Center in Milwaukee. We got to see some great hoops and had an awesome time. To memorialize the weekend, one of my buddies took a picture of me with a bronze statue of *Happy Days*' Fonzie, portrayed by Henry Winkler.

We posted the photo on the Internet to share with some of our other friends. Needless to say, the picture did not go viral. Apparently Fonzie's popularity has dropped off in the last 30 years.

While my picture didn't set the Internet ablaze, some people do post pictures that spread like wildfire. One of the most popular methods of posting pictures online is Instagram, a photo-sharing mobile app owned by Facebook.

Millions of photographs are posted on Instagram each year – photos of newborn babies, birthday parties, holiday gatherings and any other occasion you can imagine. The pictures are available for friends and families to share to remember these good times together.

However, starting next year, Instagram photos may be shared with more than just family and friends.

On January 16, 2013, Instagram's new privacy policy and terms of use go into effect. The new terms of use reads as follows: "Some or all of the Service may be supported by advertising revenue. To help us deliver interesting paid or sponsored content or promotions, you agree that a business or other entity may pay us to display your username, likeness, photos (along with any associated metadata), and/or actions you take, in connection with paid or sponsored content or promotions, without any compensation to you."

This new language is concerning for many users, as it suggests that Instagram may get paid to share a customer's username, likeness, photos and other data for sponsored content or promotions. Kurt Opsahl, a senior staff attorney at the Electronic Frontier Foundation, told technology Internet giant CNET, that Instagram's new terms of use equates to "asking people to agree to unspecified future commercial use of their photos" which "makes it challenging for someone to give informed consent to that deal."

The new terms of use also says, "You acknowledge that we may not always identify paid services, sponsored content, or commercial communications as such." This means Instagram does not have to identify ads or sponsored content in its feed. According to CNET, this policy may conflict with Federal Trade Commission guidelines that require such disclosures.

In response to the uproar, Instagram released a statement to CBS News that read: "As we've said in the past, we are continuing to evaluate when, how, and in what form advertising inside Instagram plays a role in creating value for users and brands alike."

I'm comfortable with the new policy because I'm pretty sure no one is willing to pay for a picture of me and Fonzie.