

## BACKGROUND

Aimar dos Santos is a world-renowned football player. He has played for different international teams and was selected in his country's national team in four World Cups.

Like every football star, he has many followers on social media, and is very active online, posting pictures, videos and all kinds of stories on Instagram, Facebook and Snapchat.

In addition to using social media as a means of expression and a way to connect with fans and friends, Aimar also makes use of them to earn money by promoting products of his favourite brands and team sponsors.

While checking his Twitter feed, he came across a recent picture of a match against Real Madrid. He found the picture great: the angle, the light, the layout, and the way the photograph reflected the shot before the goal. At that moment, Aimar decided to upload the photo on his social media. The photo got millions of likes.

One day, Juan Cortez, a photography student who had captured the image while attending that game, recognised his picture on Aimar's profile.

Juan noted that, although the picture was taken from his personal Twitter, he was never given any credit, nor was his authorisation requested. Juan, as a photography student, knew that he owned the copyright to his photograph.

Aimar's actions caused economic damage to the student, who was planning on selling the photos to finish paying for his studies, and on using them as the core of his end-of-term exhibition.

ACTIONS  
TAKEN

With the advice of a friend who works as a lawyer, Juan drafted and sent a letter of demand to Aimar's representatives and to the player himself, requesting recognition of his rights over the photograph taken.

## OUTCOME

Aimar received the letter, and his representatives immediately reached an agreement with Juan, as he felt it was more than fair to pay him for his work. Until that moment, Aimar was unaware of the fact that using images from a Twitter account could represent an infringement of the rights of others.

LESSONS  
LEARNED

The content belongs to the person who makes the creative effort. If a picture is taken by a third party, even if you are the one on it, the third party is the one entitled to the copyright, and for this reason is the only one who can decide what to do with the picture, who can use it, how it can be used, etc.

Even if content is shared on social media, that does not mean that it can be used without the author's permission. You have to be able to differentiate this from content that is shared free of rights, and is therefore freely available for use.