

SERVICE DOG PHOTO PROJECT: PHOTO USAGE AGREEMENT AND RELEASE

This Agreement is made as of the 17th day of February, 2024, by and between _____ ("YOU" and "YOUR") and **WAYNE BREZINKA** ("BREZINKA"). This Agreement sets forth the terms regarding your assignment of approved photograph(s) of YOU and YOUR service dog including your name as specified in your submission, dog's name, and YOUR city (the "Photo(s)") to BREZINKA for the use in an online gallery ("the Promotion"), and the display, publication, promotion and marketing of Brezinka artwork via such Promotion. YOU understand YOU will receive no compensation for YOUR Photo(s) in the Promotion. BREZINKA will not retain file copies, digital copies or original versions of the Photos(s) whether approved for use in the Promotion or rejected for use in the Promotion and BREZINKA will not be required to return any Photo(s) to YOU. BREZINKA will make all final judgments on the visual treatment of the Photo(s) in the Promotion. YOU will ensure that YOU and YOUR service dog are the only ones featured in the Photo(s) and such Photo(s) specifically exclude any logo(s), trademark(s), tradename(s) and/or copyrighted material(s) or artwork on any clothing, signage, street scenes or otherwise. YOU represent and warrant that display and publication of the Photo(s) will not violate the law or the rights of any third parties. Delivery of the Photo(s) to BREZINKA constitutes YOUR assurance that YOU are not a minor. YOU agree to indemnify BREZINKA against any and all claims, damages and legal fees which BREZINKA incurs as a result of any claim which, if established, would also constitute a breach of any representations and warranties contained in this Agreement. This Agreement represents the complete understanding between the parties. This Agreement supersedes any and all other agreements between the parties. This Agreement will be governed by the laws of the State of Tennessee, and any disagreement arising out of it must be heard before a tribunal in Tennessee. No part of this written Agreement may be modified except by another written document signed by both of us.