

Apple changes its iPhone photo contest page to say it will pay winners

For the past two days, Apple faced criticism from artists and creators over its new “Shot on iPhone Challenge,” which will use photos from 10 photographers in a series of marketing campaigns without any compensation. In our original story, I spoke to an artist about frustrations over a major company like Apple using artists’ work for their own marketing purposes without compensating the artists in question.

But around the time this story was originally published at 6:33PM ET, Apple for the contest. Apple informed us after publish that it had added the following language to the bottom:

Apple believes strongly that artists should be compensated for their work. Photographers who shoot the final 10 winning photos will receive a licensing fee for use of such photos on billboards and other Apple marketing channels.

Apple wouldn’t comment on whether or not it had intended to pay artists from the beginning nor (obviously) would it disclose how much those licensing fees would amount to.

Additionally, Apple of the official contest rules. A line that originally read “Prize has no cash value” has changed to “Winners will receive a licensing fee for use on billboards and other Apple marketing channels.”

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Artists "working for exposure" isn't a new problem facing the creator community, but it is one that people are trying to combat. Bringing attention to Apple's contest, and acknowledging it originally did not have a cash prize attached, is a way for artists to express their frustration with the company's approach.

The original story follows below.

The contest asks for iPhone XS, XR, and XS Max users to submit their best photos via Twitter, Instagram, email, or Weibo. The 10 best photos – selected by a panel of judges that includes Apple marketing chief Phil Schiller and former White House photographer Pete Souza – will be featured "on billboards in select cities, Apple retail stores and online," . The company has used its "Shot on iPhone" marketing in prior ad campaigns, but Apple has typically reached out to photographers, including amateurs, on its own and has never before solicited photos from the public under these specific contest terms.

The only prize Apple is offering is exposure – but even that has its issues. The 10 winners won't receive a cash prize of any kind, and Apple's state that, "Any photograph reproduced will include a photographer credit in a format to be decided by Apple in its sole discretion." Essentially, Apple can choose to credit winning photographers however they see fit;

in recent years, that means the photographer's first name and the initial of their last name.

The artist community has since called out Apple for its approach to the contest, with many referring to it as predatory. Timothy Reynolds, a 3D artist who often tweets about companies taking advantage of artists, was one of the most notable voices.

"By submitting your photo, you grant Apple a royalty-free, world-wide, irrevocable, non-exclusive license to use, modify, publish, display, distribute, create derivative works from and reproduce the photo (everywhere) Apple."

Tim Cook net worth \$625M

Apple market cap \$730B <https://t.co/Esyd1MBXf1>

– Timothy J. Reynolds (@turnisleftthome) January 23, 2019

His tweet, which called out Apple CEO Tim Cook for not paying photographers when the company has a market cap of \$730 billion, quickly caught fire. Reynolds told *The Verge* via email that what bothers him the most about Apple's approach is the company's attempt to "spin it as a 'challenge' (contest) to source free photos for their massive marketing campaign."

"Anything less than paying people for their usage is pure exploitation," Reynolds said, addressing artists' lack of compensation. "The rules [and] conditions are gross, and that's what I wanted to bring attention to – the fact that they're robbing you blind of your rights and ability to be properly compensated for the work by simply submitting."

Other artists have chimed in with similar concerns, acknowledging that although Apple may market the contest as a way to engage with its community, it still hurts artists in the long run. Contests that ask artists to submit their work for no financial gain don't just hurt the individual

photographer, Reynolds said. It creates a precedent that hurts the entire community. Facebook groups like Artists Don't Work For Free and entire memes surrounding "work for exposure" trends within the art community have sprung up to bring attention to the issue, but Reynolds said it won't completely go away until people stop participating in unfair competitions held by major corporations like Apple.

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"It's a vicious cycle and seems to only be getting worse these days," Reynolds said. "Again, until people stop allowing it [and] submitting to these things, it won't stop. People entering the contests definitely share some of the blame along with the companies pulling it."

It's not just Apple, either. Epic Games, the popular publisher behind *Fortnite*, has been accused of profiting off a dance submitted to a contest last year. The emote, known in-game as Orange Justice, was added to the massively successful battle royale hit after a *Fortnite* player, referred to in the community as Orange Shirt Kid, lost in the publisher's Boogie Down contest.

Epic Games included his choreographed dance in the game after outcry from the community and made it available with the season four battle pass. Although players didn't have to pay for the emote, they did have to pay for the pass, meaning that Epic Games profited off his dance. Now, his mother is suing Epic Games – along with a plethora of other creatives. In another instance, Epic Games did pay a father and son duo, as well as a professional artist who made a more polished mock up, for a skin design they inspired, which the publisher then molded into a final product it sold for money. It wasn't a contest – just a way to give back to the community.

It's an issue that Reynolds sees playing out with Apple – because there is a community of fans who are willing to offer

their work for no compensation. It's a prestige play, even if the prestige isn't all that great, either, according to Reynolds. "I think that most people don't care enough to read the rules and just so badly want to be noticed that they'll gladly forfeit all rights for the slim chance to be noticed," Reynolds said. "And therein lies the real issue; until people stop submitting to nonsense like that, things will never change."

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It's difficult to estimate just how much Apple should compensate its winners, because it's not quite clear just how much Apple intends to use the photos. Apple's terms and conditions for the service state that the photos can be used in "any and all Internet media, including [its] web sites and properties and on social networking sites (such as on Apple Newsroom, apple.com, Apple Twitter, Apple Instagram (@Apple), Apple Weibo, and Apple WeChat), on billboards, in Apple retail stores, and any Apple internal exhibitions."

The terms also state that Apple can remix the photo as much as it likes; the company has the ability to do so for up to one year under the contest terms. It's the type of marketing that Reynolds believes would cost the company around \$10,000 to start if this was contracted work. The fact that Apple is taking a \$10,000 job and asking people to do it for free in the name of a contest is what Reynolds is referring to as predatory behavior.

"I don't think I should have to explain to Apple that artists deserve to be paid for their work," Reynolds said. "They've always acted like huge advocates for the creative industry with their products and marketing campaigns, yet they are asking for free work from the very audience they pretend to care about. It's ironic at best and predatory at worst. They know exactly what they're doing here and someone needs to call it out. I just hope they're listening."

Apple was not immediately available for comment.

<https://www.theverge.com/2019/1/24/18196430/apple-shot-on-iphone-challenge-artist-photographer-criticism>