



## WARNING - REGARDING THE USE OF OUR RESULTS

### Regarding the Use of Our Results

LT provides its customers with multispectral scans of their paintings on demand so that they can help experts and art historians with their research if they wish to do so. Customers can then put the scientific data we supply them with to this use, a private arrangement that can be reinforced by a confidentiality agreement. However it is true nonetheless that these results represent an original creative work for those who are its authors.

As such, the moral rights related to this data permit those who are its authors to be protected from abuse, in any form, by those for whom the results are normally intended.

Thus the moral rights give the authors the right of first disclosure under the conditions which they determine (art. L 121-2 of the Intellectual Property Code, hereafter: Code de la Propriété Intellectuelle or CPI) in the provision agreements for such services entered into by LT and its customers,

- **It also gives the authors of the scientific data thus formalized a right of paternity to these as well to the explanations which normally accompany the provision of such work** (art. L 113-1). The result is that they have a right to respect for the kinship that exists between themselves and their work which in this sense “belongs” to them.
- **The authors also have the right to respect for their work** (art. L.121-1 and L. 121-5 of the CPI), **which prohibits the customers from misrepresenting it**, meaning in this case in making them say what they have not said or interpreting the results in a way that goes beyond what they can mean objectively. This is the case for example of a work that was attributed to a painter when LT, which is not an “expert” per se, has no say in the matter. The result is that by affirming it publicly, the customer who did so in the press or even better by publishing a work designed to defend his thesis, would seriously undermine the moral rights in question. This is the reason why it is also imperative when one cites the work done by LT, or even when one publishes remarks by a member of LT in such a work, that one obtains prior authorization to publish such content if it is by nature susceptible of undermining the moral rights of the authors of the scientific study in question.
- **Moreover the authors have as such a right to withdrawal** (art. 121-4 of the CPI) which permits them, in exceptional cases and in a way so as not to prejudice the

legitimate interests of the customer, to reclaim the results in order to modify their impact.

**Concerning LT's use of the scientific data thereby protected by French copyright law for commercial purposes:**

**Right of reproduction:**

When LT signs an agreement with its customers for the spectral analysis of a painting and the transfer of the resulting digital data as well as the explanations regarding the analysis, it is using the data protected by French copyright law thus formatted and explained to their recipient for commercial purposes (like a right of reproduction).

**Confidentiality agreement:**

If a confidentiality agreement is signed by LT and its customer, it can have no consequence other than to ensure that these data are intended exclusively for the customer and that LT can not disclose them, directly or indirectly, to a third-party. It goes without saying that when customers themselves disclose the results of this analysis, they are solely responsible for their misrepresentation when "interpreting" them in their favour to defend their own theories. The moral rights of the authors of this scientific study then permit them to act in response to such a violation of their rights and to ensure that the work is respected (art. L.121-1 and L. 121-5 of the CPI mentioned above).

**Our philosophy:**

In general, LT would like to remind you of its philosophy regarding all art history research.

A method consists of using, for example, multispectral data in the context of the agreements into which we enter with our customers and then, should the need arise, discussing them openly, in a pluridisciplinary forum of experts and art historians. This is done on a stylistic and historical base so as to try to reach a consensus on three criteria: the indisputable positive elements, what could have been done by the painter's hand; the indispensable neutral elements, necessary but not a decisive factor; and last, the negative elements, those which make attribution difficult, if not impossible, that which without a doubt is not done by the painter's hand, unless there is a collegial explanation which is plausible and justified. When there is a doubt or we are waiting for new elements, we abstain.

The other consists of making an amalgam ; collecting information by bits and pieces, discussing it in secret, confidentially, and using it only to build a story based on a hypothesis which is always self-interested, if not interesting, so that it constitutes the truth.

By misrepresenting (in violation of our moral rights regarding the results and the formalization of our work) words and notes, in the source language and in translations, nuances for one and affirmations for another, objections for one and hasty judgments for

the other, shamelessly plagiarizing bibliographies of eminent specialists, using a laborious listing of leading authorities absent from the debate as referees, all of its in a presentation as ambiguous as it is flashy, one is led to believe that studies conducted in good faith without any possible conclusions warrant the repeated assumption, in a pro dome defence that leaves no room for any possible open and justified criticism.

Under the intellectual property rights that we hold to our work, and regardless of the confidentiality agreement that may link us to our customers, there are boundaries that must not be crossed regarding the use of our results and the remarks that are attributed to us.

Also let us remember as a foreword to this Website, that after so many years dedicated to contributing to the discovery of authentic masterpieces, it is only right to show a minimum of respect for the founders of **Lumiere-technology** by not claiming that they say anything and everything.

They are neither experts, nor art historians, but like radiologists in the medical world vs the Art World. They cannot tolerate seeing the results of their scientific work travestied to back up risky conclusions, holding them liable for matter that go beyond the mission they have been called upon to fulfill: digitize without bias, in a professional, innovative and ethical manner.

This having been written, welcome to our Website, to those who are curious, to the erudite and the humble!

Jean Penicaut & Pascal Cotte  
CEO, & CTO Lumiere-Technology.com