

Authentication Opinion Agreement, Release, and Indemnity

(_____, 201__)

Requestor(s)

Name: _____
Address: _____

Tel: _____
Email Address: _____

Candidate Work:

Title (if known) “ _____ ”
Dimensions of canvas (in inches): ____ x ____
Date (if dated): _____ or ca. _____
Signature Location (if signed): _____ (LR, LL, LC)
Medium: _____ (canvas, wood, paper)

Requestor(s) owns (or have been asked by the owner of) a certain work of art described above which Requestor believes may be an authentic work of Alexander H. Wyant, N.A., Am. (1836-1892) ("Wyant" and the "Artist"). Requestor seeks an opinion concerning the authenticity of the Work (the "Candidate Work"). In making this request, Requestor understands and agrees or states as follows:

1. (A) Requestor has provided good (digital or print) photographic images of the work, or, (B) Requestor has shown the actual work to Anthony E. Battelle ("Mr. Battelle") to examine directly. (Please circle: A or B) Requestor understands that it is more difficult to authenticate a Candidate Work from a photographic image than from the work itself. Requestor understands that Mr. Battelle may conclude that the Work is not, or may not be, an authentic work and accepts the risk that Mr. Battelle's opinion may be a negative or qualified or conditional one. Requestor acknowledges that neither Mr. Battelle nor the Site has been given any compensation for authentication services in regard to the Candidate Work.
2. Requestor understands that, in all instances, Mr. Battelle alone will provide the opinion whether a Candidate Work is authentic. Requestor is aware that Mr. Battelle is not an art historian, has no formal education or training in art history or other field of art study, holds no degree in any art field, and has published no thesis or other scholarly work on Wyant or any other artist, other than what is contained on this Site. Requestor is informed that Mr. Battelle's expertise is the result of approximately thirty five years of active but informal study of the Artist and his works.
3. Requestor is informed that works by the Artist often are difficult to authenticate if made before ca. 1865 or during the last few years of his lifetime. An opinion concerning the authentication of such early or late works will almost always be conditioned by such uncertainty and be accorded an authentication opinion level "AE (early)" or "AL (late)." Requestor also understands and accepts that Mr. Battelle may elect not to provide an opinion of authenticity, particularly if it must be based solely upon a photographic image, or he may provide a conditional, qualified, or indefinite opinion.
4. Requestor understands that Mr. Battelle's opinions are never guarantees of authenticity or non-authenticity, no matter whether or to what degree an opinion may be favorable or unfavorable. Requestor is informed that each opinion is based on the Site's best information and judgment at the time it is rendered. New information or a better image of a Candidate Work may cause an

opinion to be altered. Requestor is aware that, despite the exercise of reasonable care and expertise, it is possible to err in the provision of an opinion of authentication for a Candidate Work.

5. Neither Requestor nor the owner of a Candidate Work will make any claim against the Site or Mr. Battelle in connection with any opinion of authenticity provided, except for gross negligence. Requestor and the owner of a Candidate Work hereby release the Site and Mr. Battelle from any and all liability for accidental or unintentional error in providing an opinion of authenticity.

6. Requestor agrees not to publish any opinion of authentication provided by the Site for a Candidate Work in any auction catalogue or other commercial art publication unless Requestor obtains permission in writing from the Site beforehand, which permission may be given (or withdrawn) on a global basis in the case of dealers, museums, and auction houses.

7. In connection with a public (auction) or private (dealer) sale of a Candidate Work, Requestor may refer a prospective buyer to the Site by using the Site's Reference Number for the Candidate Work. For example: "This work may be found at The Wyant Website, <http://alexanderwyant.edu/>, at Ref. ____." Before doing so, however, Requestor must notify the Site and request an opinion as to the authenticity of the Candidate Work intended for sale. Requestor understands that non-authentic copies of the Artist's works circulate frequently in commercial markets and can easily be mistaken for authentic works displayed on the Site.

8. If any Candidate Work is sold by Requestor, an opinion of authenticity of the work provided by the Site or Mr. Battelle shall not extend to such purchaser, and such purchaser shall not rely upon the Site's opinion in determining whether to purchase a Candidate Work or the amount to be paid for the Work, particularly if the opinion has not been reaffirmed prior to purchase. After becoming an owner of a Candidate Work, however, a purchaser may request an opinion of authentication of its purchased work.

9. Requestor(s) agree that the Site is authorized to publish an image together with standard data of any Candidate Work in accordance with the policies set forth in Terms of Use of the Site. Currently, only Works authenticated to an A2 or A2P level or higher, and AE and AL levels, are published on the Site.

Date: _____

Requestor

Date: _____

Requestor