



Copyright in the Classroom

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Nothing in this presentation is intended as or should be construed as legal advice.

Today's Outline

- What is copyright?
- What does copyright protect? How long does it last?
- Copyright scenarios for teaching
 - #1 – Book chapter
 - #2 – Images
 - #3 – Showing a film in class
 - #4 – Showing a YouTube video



What is copyright?

Copyright protects:

| | |
|--|---|
| Literary works Books, poems, journal articles, websites | Dramatic works Plays, films |
| Musical works Songs, instrumental compositions | Art works Drawings, paintings, sculptures, maps |
| Sound recordings Speeches, lectures, animal sounds, nature sounds, music, audiobook | Performances Musical/theatrical performances (dancing, singing, acting), presentations |
| Communication Signals Pay-per-view, radio programs, satellite, broadcasts | |

What is copyright?



Rights include

- copy
- perform in public
- publish
- translate
- adapt to another format
- record a literary, dramatic or musical work
- broadcast
- exhibit an artwork
- authorize others to do these things

Happens immediately and automatically

Term Life plus 70



Things not protected by copyright

- Materials that are not copyrightable
 - Thoughts/ideas
 - Facts/data
 - Single words/short phrases
- Materials in the public domain
 - Remember: **Life plus 70**

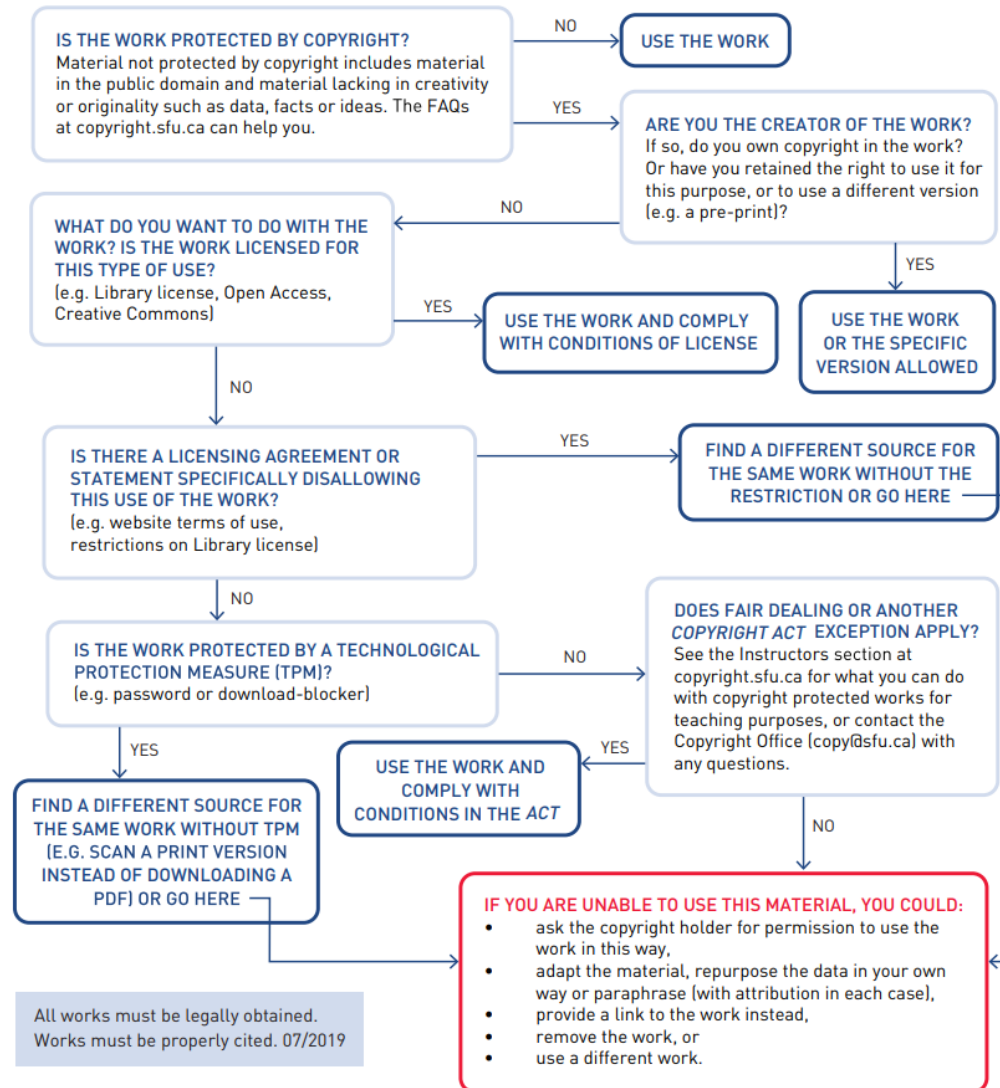


Workshop handouts

- Go to copyright.sfu.ca
- Click on Instructors
- Click on Resources
- We will be using “Copyright and Teaching Infographic” and “Copyright Decision Tree”

COPYRIGHT DECISION TREE

SFU employees have the responsibility to abide by Canada's *Copyright Act* and by the University's own copyright policies. This decision tree will help you determine whether you can use a copyright protected work in the way you would like to.



All works must be legally obtained.
Works must be properly cited. 07/2019

COPYRIGHT AND TEACHING

USING A SHORT EXCERPT?

Follow these fair dealing guidelines.

TEXTUAL MATERIALS

You can copy up to 10% of the work OR:

- 1 chapter from a book
Note: you may not copy an entire poem or short story from a collection
- 1 article from a journal issue
- 1 article or page from a newspaper issue
- 1 entry from a reference work (e.g. encyclopedia, dictionary).

AUDIO AND VIDEO

You can copy up to 10% of the work OR 1 track from an album, as long as you are not breaking a technological protection measure (TPM*).

IMAGES

You can copy 1 image from a compilation (e.g. coffee table book, atlas) OR up to 10% of a stand-alone image (e.g. painting, poster, wall map). You cannot copy an entire stand-alone image.

INTERNET MATERIALS

You can copy a short excerpt up to the fair dealing limits according to the type of media.

WANT TO USE MORE?

Use one of these exceptions from the Copyright Act.

You can reproduce the entire work for display in the classroom or for use in exams if a copy in the required format is not readily commercially available.

You can play the entire work (e.g. DVD, CD) in the classroom.

You can reproduce the entire image for display in the classroom or for use in exams if a copy in the required format is not readily commercially available.

You can reproduce an entire work from the Internet as long as you are not breaking a TPM* and there is no "clearly visible notice" prohibiting copying.

SFU employees are responsible for abiding by Canada's Copyright Act and the University's copyright policies.

Under fair dealing you may copy or distribute a short excerpt of a copyright protected work for the purposes of research, private study, education, parody, satire, criticism, review or news reporting as a:

- class handout
- email message
- posting in Canvas
- part of a course pack sold through the SFU Bookstore.

Copying multiple short excerpts from the same copyright protected work, with the intention of reproducing amounts beyond the fair dealing limits, is prohibited.

Licences for online resources govern how they can be used. See Article Databases and A-Z Journals on the SFU Library website.

These guidelines apply to teaching at SFU only. All works copied must be legally obtained. Works must be properly cited.

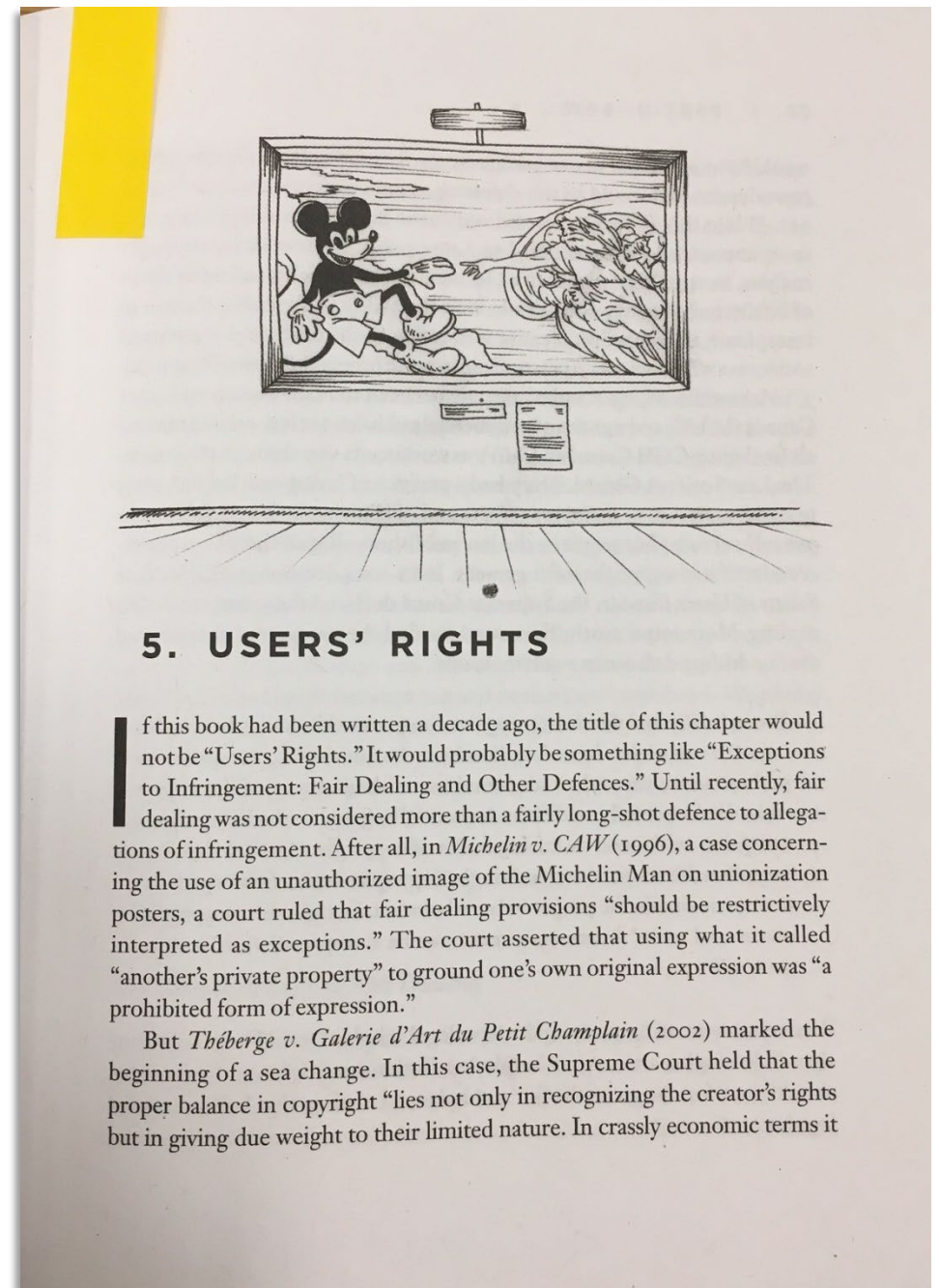
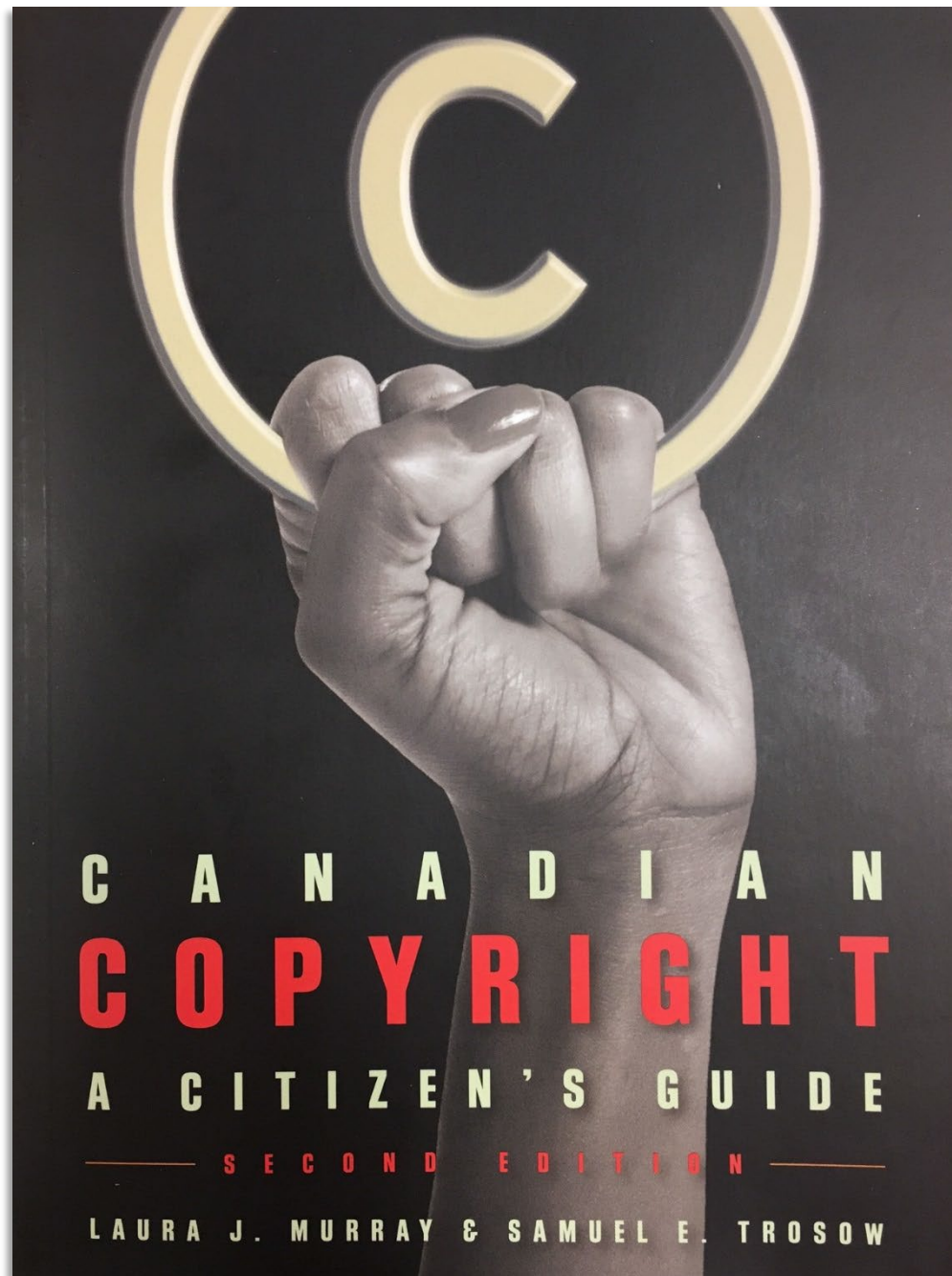
**Examples of technological protection measures (TPM) include passwords and regional encoding.*

05/2019

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copy@sfu.ca | copyright.sfu.ca



Scenario 1: a book chapter



5. USERS' RIGHTS

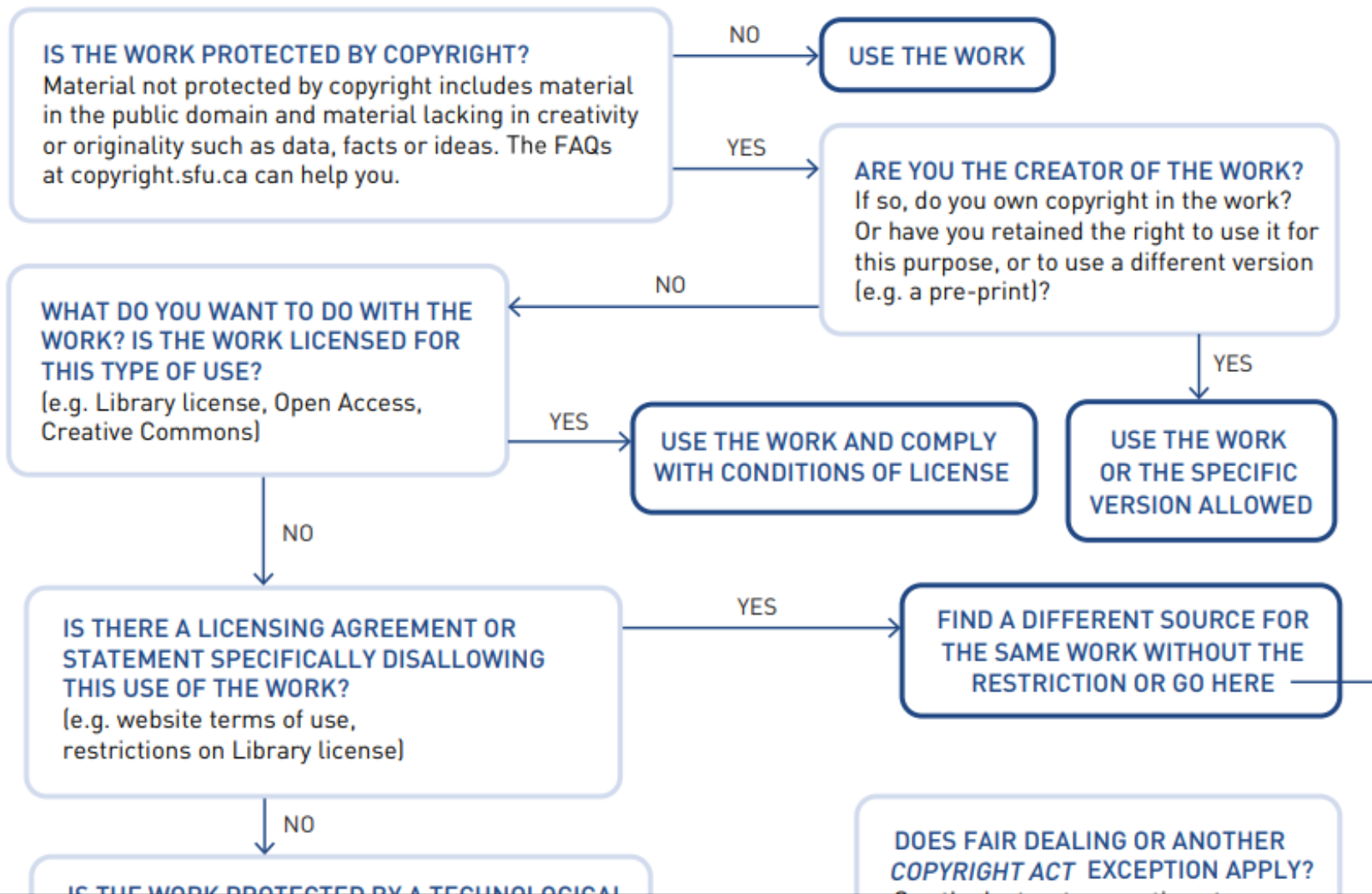
If this book had been written a decade ago, the title of this chapter would not be "Users' Rights." It would probably be something like "Exceptions to Infringement: Fair Dealing and Other Defences." Until recently, fair dealing was not considered more than a fairly long-shot defence to allegations of infringement. After all, in *Michelin v. CAW* (1996), a case concerning the use of an unauthorized image of the Michelin Man on unionization posters, a court ruled that fair dealing provisions "should be restrictively interpreted as exceptions." The court asserted that using what it called "another's private property" to ground one's own original expression was "a prohibited form of expression."

But *Théberge v. Galerie d'Art du Petit Champlain* (2002) marked the beginning of a sea change. In this case, the Supreme Court held that the proper balance in copyright "lies not only in recognizing the creator's rights but in giving due weight to their limited nature. In crassly economic terms it

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Start here →

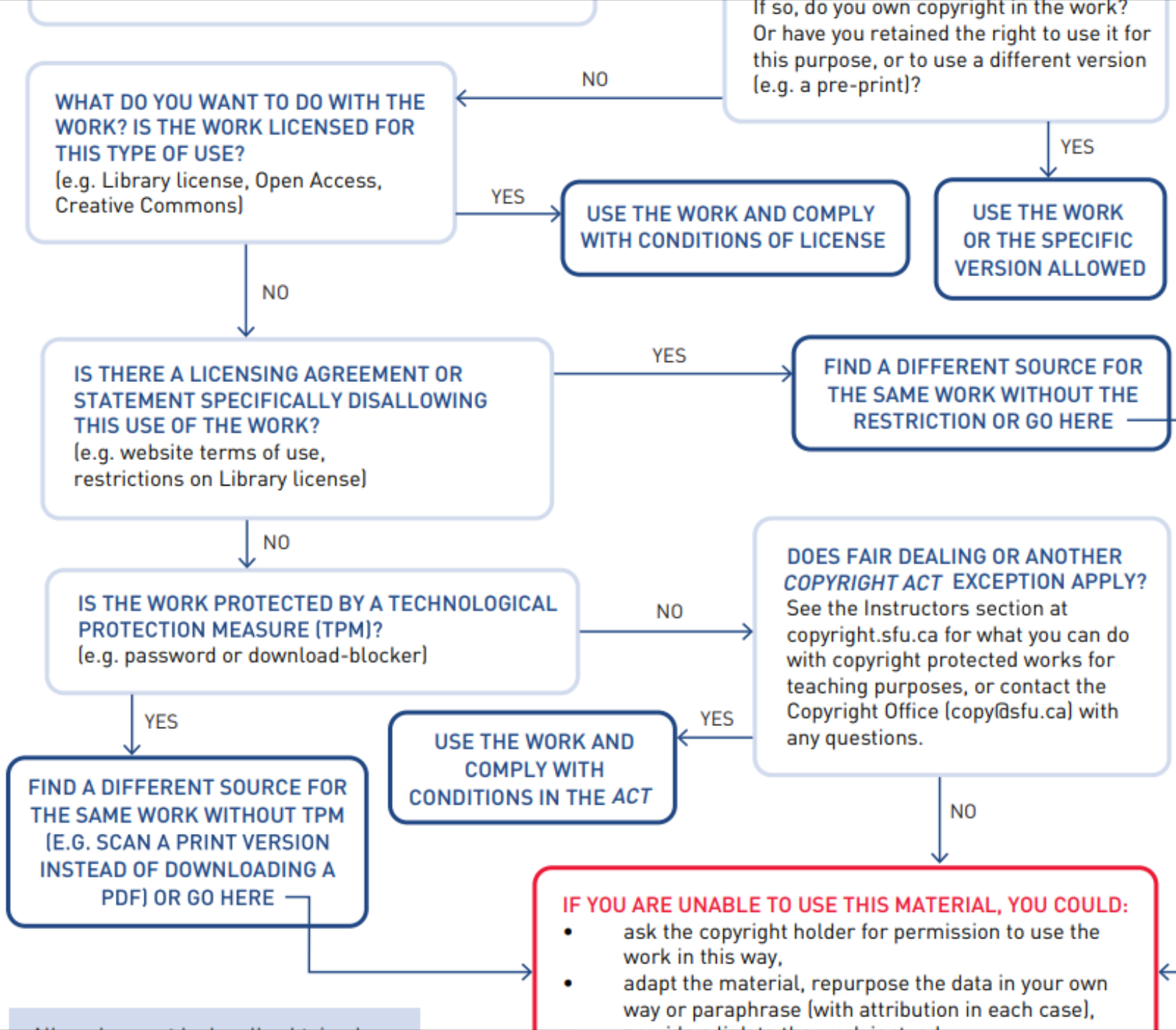


Canadian Copyright: A Citizen's Guide, Second edition
© 2013 Laura J. Murray and Samuel E. Trosow

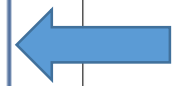
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The "big question"



COPYRIGHT AND TEACHING



USING A SHORT EXCERPT? Follow these fair dealing guidelines.

TEXTUAL MATERIALS

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IMAGES

You can copy 1 image from a compilation (e.g. coffee table book, atlas) OR up to 10% of a stand-alone image (e.g. painting, poster, wall map). You cannot copy an entire stand-alone image.

INTERNET MATERIALS

You can copy a short excerpt up to the fair dealing limits according to the type of media.

WANT TO USE MORE? Use one of these exceptions from

You can reproduce the entire work for display in the classroom or for use in exams if a copy in the required format is not readily

You can play the entire work (e.g. DVD, CD) in the classroom.

You can reproduce the entire image for display in the classroom or for use in exams if a copy in the required format is not

You can reproduce an entire work from the Internet as long as you are not breaking a TPM* and there is no "clearly visible notice"



Collected creative works vs scholarly works



The 10% / 1 chapter fair dealing guideline does *not* apply to **collected creative works**. You can only copy up to 10% of an *individual* story/poem/play.

The 10% / 1 chapter fair dealing guideline does apply to **collected scholarly works** such as anthologies and edited collections of academic articles. You can copy an entire work from such a collection.



Posting fair dealing excerpts in Canvas

This item has been copied under the Fair Dealing provisions of the Copyright Act as enumerated in SFU Appendix R30.04A - Application of Fair Dealing under Policy R30.04. You may not distribute, e-mail or otherwise communicate these materials to any other person.

(This wording is available on copyright.sfu.ca > Instructors > Resources, under “Copyright tools and forms”)



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IF YOU DON'T SEE YOUR USE ON THIS CHART CONTACT THE SFU COPYRIGHT OFFICE FOR ASSISTANCE.

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Options for more than 1 chapter/10%

Course packs (SFU Bookstore)

- Paper or digital
- Student-pay, cost-recovery model
(student pays license and production cost, no profit)

SFU Copyright Clearance Fund

- For 1-2 readings that exceed fair dealing
- License cost paid by central SFU fund
- The Library makes the content available through Library Reserves

Licensing agreements

Open Access (OA):

- Up-front permission to copy, share, and use the work in certain ways
- Usually marked with a Creative Commons (CC) license
- In the Library catalogue, look for the orange open lock



Library subscriptions:

- Usually allow copying and use for teaching purposes
- Check the license details in the Library catalogue

Access It

Access at: [Cambridge University Press Journals](#)

Available from 1974/01/01.

Public notes:
View full text.

SHOW LICENSE ▼



Technological protection measures (TPMs)

TPMs that limit access:

- Passwords
- Subscriptions
- Time limits

TPMs that limit copying:

- Read-only
- Download blocking
- Watermarks



What to do when the textbook is late?



<https://www.pexels.com/photo/close-up-of-photo-of-books-327882/>

Digital copies of relevant material could be made available to students.

Student needs to have already purchased the textbook.

Digital copies should be delivered directly to student and not posted in LMS.

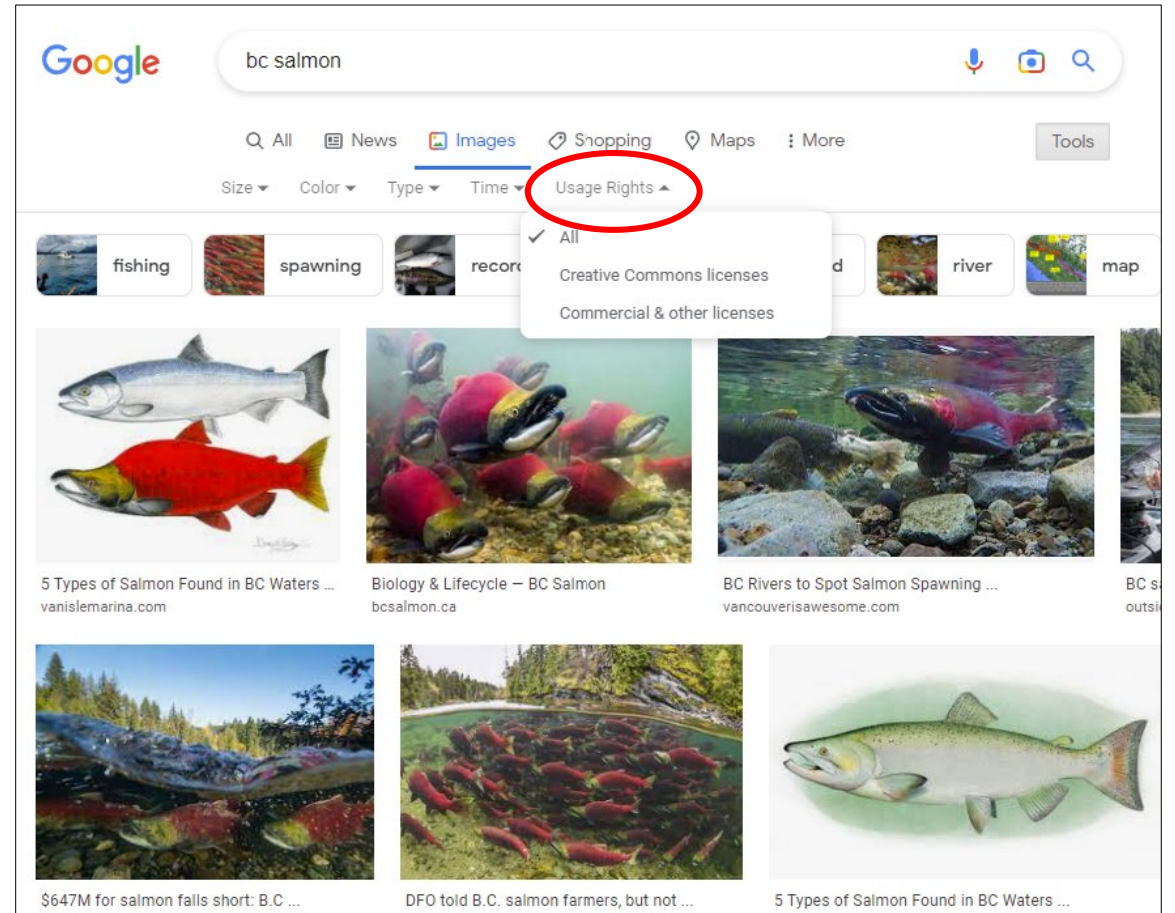
Student needs to be informed that the digital copies should be destroyed once the textbook arrives.



Scenario 2: images

Using Google Image search

- Use the Usage Rights filter to select only images with Creative Commons licenses
- Always go to the image's original website and double check the license or terms of use!



Creative Commons licenses



CC BY (Attribution)



CC BY-SA (Attribution – Share Alike)



CC BY-NC (Attribution – Non-Commercial)



CC BY-ND (Attribution – No Derivatives)




CC BY-NC-SA (Attribution – Non-Commercial – Share Alike)



CC BY-NC-ND (Attribution – Non-Commercial – No Derivatives)

Other image resources

- Finding and using online images 
(<https://www.lib.sfu.ca/help/research-assistance/format-type/online-images>)
- Website terms of use, e.g. Canadian federal government websites
- Openverse (Creative Commons search)
(<https://wordpress.org/openverse/>)
- PowerPoint image libraries

Finding and Using Online Images: Databases

The SFU Library subscribes to a number of online databases that include images. These resources are not available through public search engines.

[Art Images](#)

Includes a broad range of visual art with an emphasis on the history of Western Art.

[ARTStor](#)

Documents artistic traditions from many eras and cultures. Includes architecture, painting, sculpture, photography, decorative arts and design, as well as other forms of visual culture.

[Early Encounters in North America](#)

Prints, drawings, paintings, maps, bibliographies, letters and photographs documenting the relationships among peoples in North America from 1534-1850. The image search page is available via the "Images" link under "Find."

[North American Indian Thought and Culture](#)

Includes images dating from the 17th century to present day and provides biographies of indigenous North Americans. A link to images can be found under "Table of Contents." Browse different types of images (eg. architectural drawings) by clicking on the links at the top of the page.

[Oxford Art Online](#)





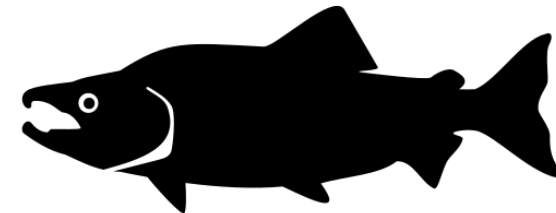
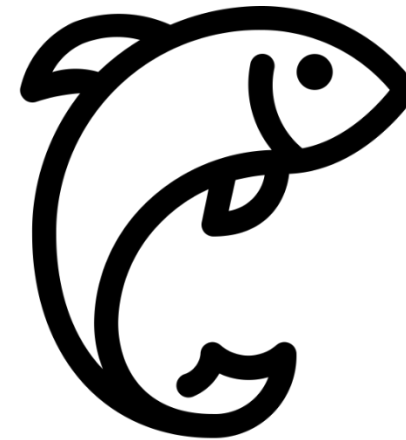
Trustworthy free image sites

Look for sites with clear terms of use explaining the copyright status or license applied to the images.

[Pixabay.com](https://pixabay.com) – photos, illustrations, vector graphics, videos (free from copyright **except “sponsored” images*)

[Unsplash.com](https://unsplash.com) – photos (free from copyright)

[TheNounProject.com](https://thenounproject.com) – icons (free from copyright or openly licensed)





TEXTUAL MATERIALS

AUDIO AND VIDEO

IMAGES

INTERNET MATERIALS

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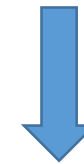
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Copying
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SFU Libr
These gu
at SFU o
be legal
properly
*Example
measures



Internet materials

You can reproduce an entire work from the Internet as long as you are not breaking a TPM and there is no “clearly visible notice” prohibiting copying.

*Linking/embedding is always okay **unless subscription terms prohibit (e.g. HBR)*

*Displaying web content live is always okay

*Content must be from legitimate websites!



Using images outside the classroom

- The Copyright and Teaching infographic is specifically for teaching
- Fair dealing may not apply in other situations
- Look for more open Creative Commons licenses (e.g., those that don't prohibit commercial use)
- Consider purchasing (licensing) images for more public use



Scenario 3: showing a film in class



Subscription streaming services



The Netflix service and any content viewed through the service are for your personal and non-commercial use only and may not be shared with individuals beyond your household.



Amazon grants you a license to access and view the Digital Content for personal, non-commercial, private use.



The Disney+ Service is provided to individuals for their personal, noncommercial use only.



Library streaming options

- Is the streaming film already in our collection? Check the catalogue.
- If it isn't, see <https://www.lib.sfu.ca/about/branches-depts/mrc/streaming-video-service> for details about requesting a streaming version.



Scenario 4: a YouTube video



[#documentary](#) [#NationalGeographic](#)

Japan's Secret Water garden - David Attenborough [National Geographic Documentary 2020 HD]

463,911 views · Premiered Jan 16, 2020

4.5K 113 SHARE SAVE ...

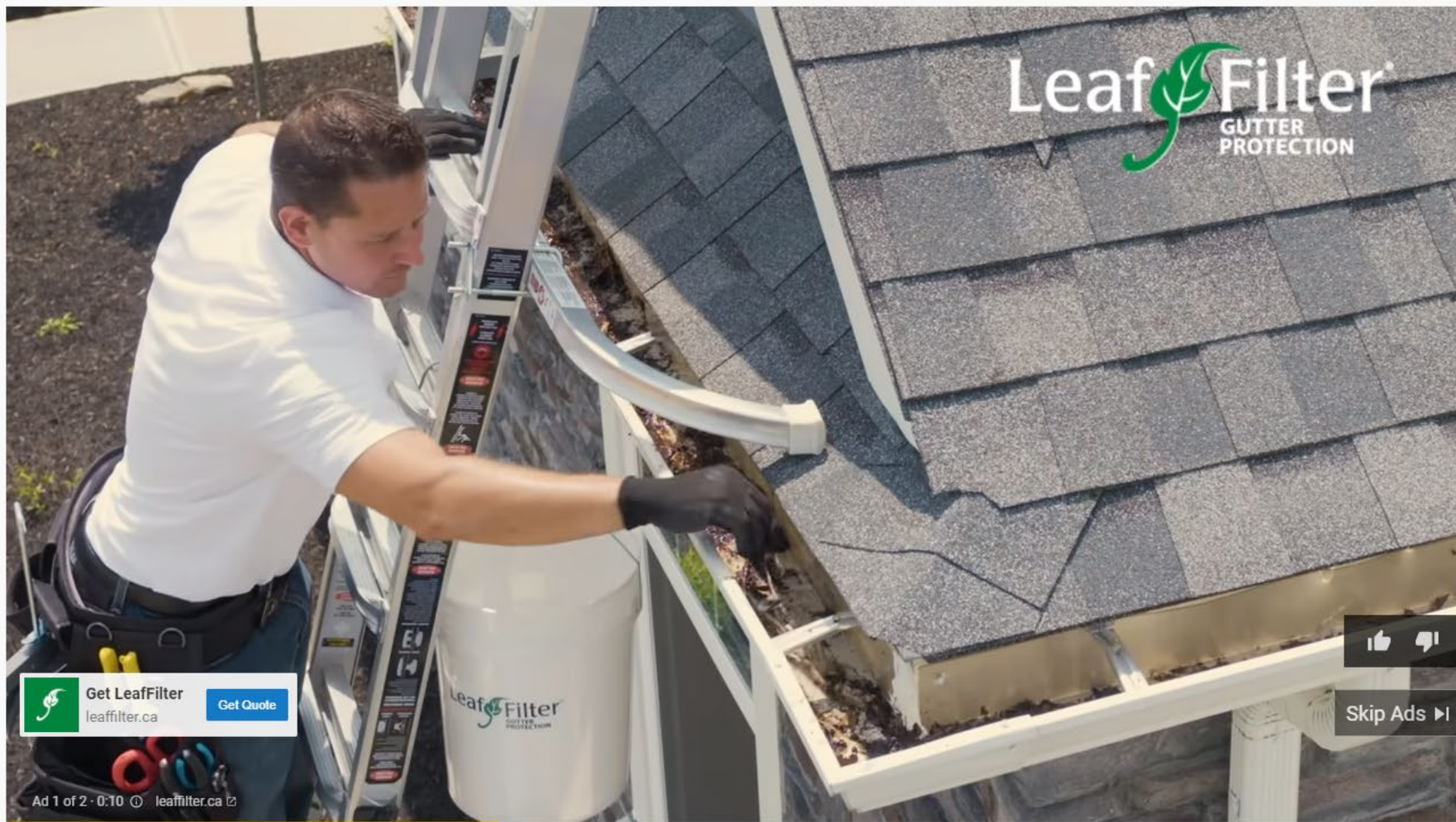


NatGeo HD

SUBSCRIBE

Japan's Secret Water garden - David Attenborough [National Geographic Documentary 2020 HD]
Imagine a realm where the seasons' rhythms rule - where centuries of agriculture and fishing have re-shaped the land, yet where people and nature remain in harmony. Sangoro Tanaka lives in just

SHOW MORE



#documentary #NationalGeographic

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What about *your* work?

Teaching: Instructors own copyright in their research and teaching materials (SFU Policy R30.03).

Publishing usually involves copyright transfer, but can be negotiable. You can choose to publish openly in order to encourage use of your work (see the SFU Library's page *Scholarly Publishing & Open Access*).



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#News

Pearson Sues Chegg, Alleging Copyright Infringement

The lawsuit could have far-reaching implications for the growing online study guide industry.

By [Emma Whitford](#) // September 15, 2021

<https://www.insidehighered.com/news/2021/09/15/pearson-sues-former-partner-chegg-copyright-infringement>



Questions?

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