SFU Copyright Office

TAKE THE MYSTERY OUT OF COPYRIGHT

COPYRIGHT.SFU.CA
Copyright in the *Virtual* Classroom

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copy@sfu.ca  |  copyright.sfu.ca

*Nothing in this presentation is intended as or should be construed as legal advice.*
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 50”
Workshop handouts

- Go to copyright.sfu.ca
- Click on Instructors
- Click on Resources
- We will be using “Copyright Information Graphic” 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.

**IS THE WORK PROTECTED BY COPYRIGHT?**
Material not protected by copyright includes material in the public domain and material lacking in creativity or originality such as data, facts or ideas. The FAQs at copyright.sfu.ca can help you.

- NO: USE THE WORK
- YES: ARE YOU THE CREATOR OF THE WORK?
  - If so, do you own copyright in the work?
  - Or have you retained the right to use it for this purpose, or to use a different version (e.g. a pre-print)?

**WHAT DO YOU WANT TO DO WITH THE WORK? IS THE WORK LICENSED FOR THIS TYPE OF USE?**
(e.g. Library license, Open Access, Creative Commons)

- NO: USE THE WORK AND COMPLY WITH CONDITIONS OF LICENSE
- YES: USE THE WORK OR THE SPECIFIC VERSION ALLOWED

**IS THERE A LICENSING AGREEMENT OR STATEMENT SPECIFICALLY DISALLOWING THIS USE OF THE WORK?**
(e.g. website terms of use, restrictions on Library license)

- NO: FIND A DIFFERENT SOURCE FOR THE SAME WORK WITHOUT THE RESTRICTION OR GO HERE
- YES: DOES FAIR DEALING OR ANOTHER COPYRIGHT ACT EXCEPTION APPLY?
  - See the Instructors section at copyright.sfu.ca for what you can do with copyright protected works for teaching purposes, or contact the Copyright Office (copy@sfu.ca) with any questions.

**IS THE WORK PROTECTED BY A TECHNOLOGICAL PROTECTION MEASURE (TPM)?**
(e.g. password or download-blocker)

- NO: FIND A DIFFERENT SOURCE FOR THE SAME WORK WITHOUT TPM (E.G. SCAN A PRINT VERSION INSTEAD OF DOWNLOADING A PDF) OR GO HERE
- YES: USE THE WORK AND COMPLY WITH CONDITIONS IN THE ACT

**IF YOU ARE UNABLE TO USE THIS MATERIAL, YOU COULD:**
- ask the copyright holder for permission to use the work in this way,
- adapt the material, repurpose the data in your own way or paraphrase (with attribution in each case),
- provide a link to the work instead, remove the work, or
- use a different work.

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

copy@sfu.ca
copyright.sfu.ca
# Using Copyright Protected Materials for Teaching Purposes at SFU

## 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.

### Using a Short Excerpt?
Follow these fair dealing guidelines.

### Want to use more?
Use one of these exceptions from the Copyright Act.

### If you don’t see your use on this chart contact the SFU Copyright office for assistance.

**copy@sfu.ca | copyright.sfu.ca**

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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.

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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 (2001) 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
The 10% / 1 chapter fair dealing guideline does not apply to collected creative works such as collections of short stories, poems, or plays. In those cases, one “chapter” is actually one entire story, poem, or play. You can copy up to 10% of the individual story/poem/play.
SFU Bookstore services

Traditional course pack
• Paper
• Cost-recovery model (student pays license and production cost, no profit)

Digital license
• Scan the content and post in Canvas or email to students
• License cost paid by central SFU fund
• Temporary measure until pay online option available in Canvas
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.
Scenario 2: a YouTube video
Scenario 3: showing a film in class
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: images
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)
SEARCH FOR CONTENT TO REUSE

I would like to see...

SEARCH

All our content is under Creative Commons licenses. Learn more about CC licenses.

I want something I can
- [ ] Use for commercial purposes
- [ ] Modify or adapt
Legitimate free image sources

- Flickr.com (with Creative Commons filter)
- Pixabay.com
- Unsplash.com
- Thenounproject.org
Library-licensed image sources

SFU Library subscribes to a number of image databases for the university community’s use. Images in these collections can be freely used within SFU courses.

➢ https://www.lib.sfu.ca/help/research-assistance/format-type/online-images/databases
What about your work?

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

**Students** have fair dealing and similar rights, but generally cannot copy and share your materials outside of the class.
Questions?

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