

## Copyright in the Virtual Classroom

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

## What is copyright?



### **Rights** include

- сору
- 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

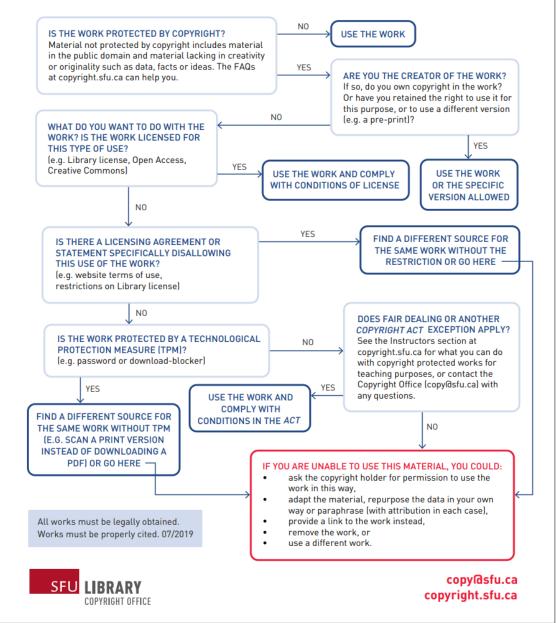
Term "Life plus 50"

## 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.



### **USING COPYRIGHT PROTECTED MATERIALS** FOR TEACHING PURPOSES AT SFU

	TEXTUAL MATERIALS	AUDIO AND VIDEO	IMAGES	INTERNET MATERIALS	copyright protected work for the purposes of research, private study, education, parody, satire, criticism,
USING A SHORT EXCERPT? Follow these fair dealing guidelines.	<ul> <li>You can copy up to 10% of the work OR:</li> <li>1 chapter from a book Note: you may not copy an entire poem or short story from a collection</li> <li>1 article from a journal issue</li> <li>1 article or page from a newspaper issue</li> <li>1 entry from a</li> </ul>	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*).	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.	You can copy a short excerpt up to the fair dealing limits according to the type of media.	<ul> <li>review or news reporting as a:</li> <li>class handout</li> <li>email message</li> <li>posting in Canvas</li> <li>part of a course pack sold through the SFU Bookstore.</li> <li>Copying multiple short excerpts from the same copyright protected work, with the intention of reproducing amounts beyond the fair dealing limits, is prohibited.</li> </ul>
	reference work (e.g. encyclopedia, dictionary).				Licences for online resources govern how they can be used. See Article Databases and A-Z Journals on the SFU Library website.
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 class- room 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.	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

#### IF YOU DON'T SEE YOUR USE ON THIS CHART CONTACT THE SFU COPYRIGHT OFFICE FOR ASSISTANCE. copyldsfu.ca | copyright.sfu.ca

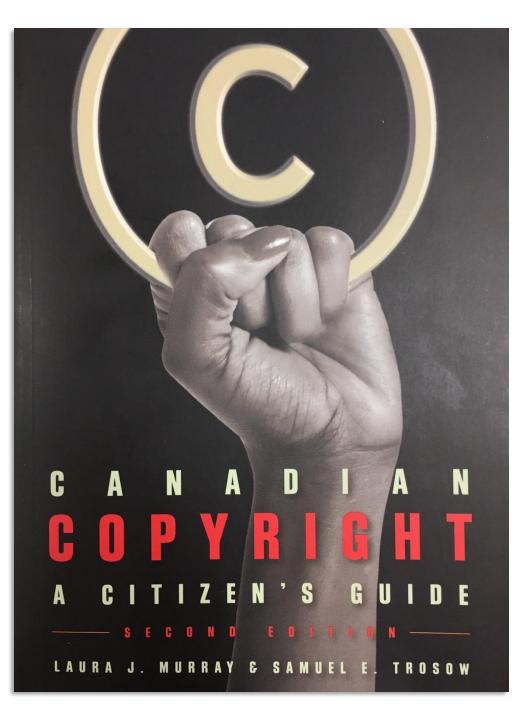


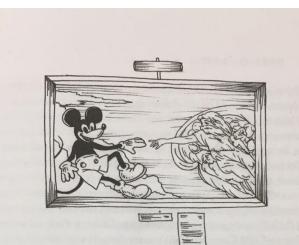
#### SFU employees are responsible for abiding by Canada's **Copyright Act and the** University's copyright policies.

Under fair dealing you may copy or distribute a short excerpt of a

05/2019

# Scenario 1: a book chapter





#### 5. USERS' RIGHTS

f 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

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

First published in 2013 by Between the Lines 401 Richmond Street West Studio 277 Toronto, Ontario M5V 3A8 Canada 1-800-718-7201 www.btlbooks.com

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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.

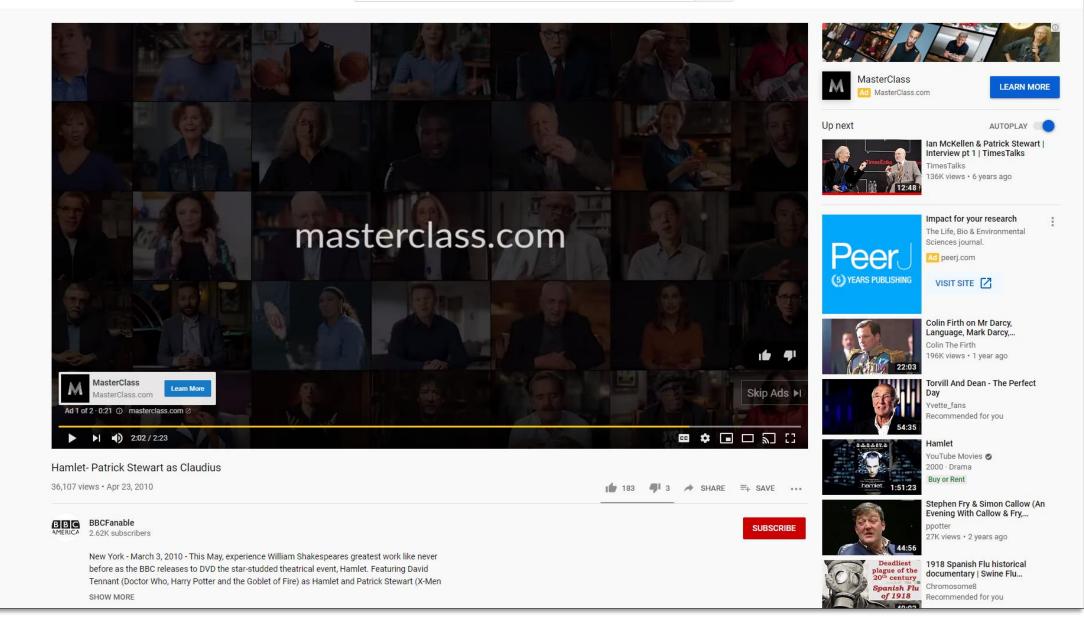
## Scenario 2: a YouTube video

YouTube CA

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patrick stewart as claudius

Q



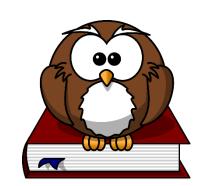
# Scenario 3: showing a film in class

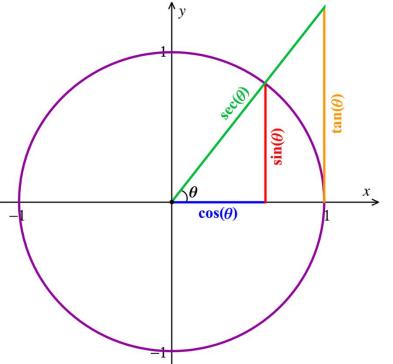
## Library streaming options

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

# Scenario 4: images







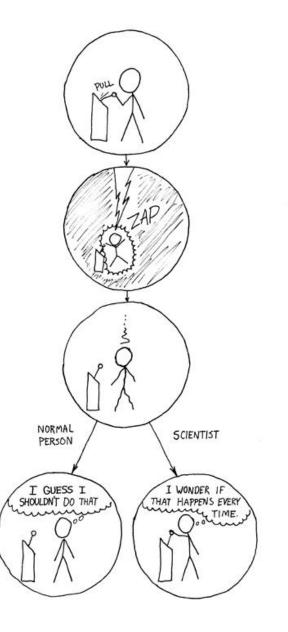


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Apps sFU What is fair dealing...



ABOUT COLLECTIONS FEEDBACK

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## Legitimate free image sources

- <u>Flickr.com</u> (with Creative Commons filter)
- <u>Pixabay.com</u>
- Unsplash.com
- <u>Thenounproject.org</u>

## 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.

<u>https://www.lib.sfu.ca/help/research-assistance/format-type/online-images/databases</u>

## 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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