

Copyright FAQs

Copying a PDF from library databases

Some library database agreements do not allow copying of PDF files and reposting them to a course website. Make a direct link to the article instead.

Videos for classroom use

You can play a video in the classroom as long as the video/DVD is legally obtained.

Sound recordings for classroom use

Sounds recordings may be played in the classroom. The recording must be played to an audience of primarily students for education purposes.

Posting copyright material in CourseSpaces

You can scan and upload "short excerpts" to CourseSpaces that qualify under fair dealing.

Slides, transparencies & LCD projections

Production of slides and transparencies for classroom use is covered by the [Fair Dealing Guidelines](#). The same restrictions apply as for photocopying.

Images for posters

Unless images are obtained from the public domain or copyright free sources, permission must be obtained for their use.

Citing Sources

When short excerpts are provided to students, mention the source and, if given in the source, the name of the author or creator of the work.

Contact Us

Bookstore Coursepack Coordinator
250-472-4589 | cpack@uvic.ca
www.uvic.ca/bookstore/textbooks/faculty/index.php

Course Reserves:

Curriculum Library | curric@uvic.ca

Law Library | lawlib@uvic.ca

McPherson Library | reserve@uvic.ca

Music & Media | libmedia@uvic.ca

Special Collections

250-721-8257 | speccoll@uvic.ca

Archives

250-721-8258 | archives@uvic.ca

Fair Dealing Guidelines

www.uvic.ca/universitysecretary/assets/docs/policies/IM7700.pdf

Intellectual Property Policy

www.uvic.ca/universitysecretary/assets/docs/policies/GV0215_1180_.pdf

UVic Industry Partnerships

www.uvic.ca/research/partner/

Copyright Office

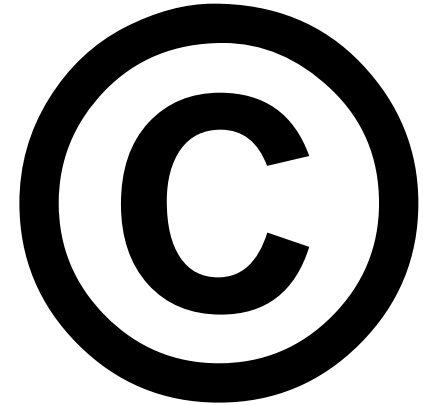
The Copyright Office is responsible for overseeing and advising the university community on copyright issues. The Copyright Office makes every effort to provide accurate information but does not offer it as counsel or legal advice.

UVic Copyright Office

copyright@uvic.ca

copyright.uvic.ca

June 2015



Know your rights

Using copyrighted
materials for teaching



University
of Victoria

Copyright basics

Canadian copyright legislation, the [Copyright Act](#), falls under federal jurisdiction.

Copyright law protects creative works such as books, computer programs, sound or video recordings, photographs, songs and other printed or digital material and website content.

Automatic protection

Copyright protection exists as soon as an original work is created in a fixed form.

Exclusive rights

The copyright owner of a work has the sole right to produce, reproduce, perform, publish, or alter a work. The copyright holder may authorize someone else to copy their work. Therefore, anyone who wants to use the work in some way may need to get permission first. Copyright law does provide some exceptions to these exclusive rights.

Term of Copyright & Public Domain

Works enter the public domain when the term of copyright has expired. Currently, the term of copyright is measured by the life of the creator plus 50 years. Once these works move into the public domain you can use them for cultural, educational, personal and social purposes.

Fair dealing

The fair dealing provision allows copying for research, private study, education, parody, satire, review and criticism (short excerpts-10%).

Fair Dealing

UVic faculty, students and staff are both creators of material that is subject to protections under the Canadian [Copyright Act](#), as well as, users of copyright material produced by others.

The fair dealing provision in the [Act](#) permits use of a copyright-protected work without permission from the copyright owner or the payment of copyright royalties. To qualify for fair dealing 2 tests must be passed.

First, the “dealing” must be for a purpose stated in the [Act](#): research, private study, criticism, review, news reporting, education, satire or parody.

The second test is that the dealing must be “fair.” The landmark Supreme Court of Canada decisions in 2004 and 2012 provided guidance as to what this test means in educational institutions.

You may communicate and reproduce, in paper or electronic format, “short excerpts” from a copyright-protected work. The work must [mention the source](#), and, if given in the source, the name of the author or creator of the work. A copy of a short excerpt may be provided or communicated to each student enrolled in a class or course:

- a) as a class handout
- b) as a posting to a course management system (e.g. Course Reserves and CourseSpaces) that is password protected or restricted to students of the university
- c) as part of a coursepack.

Other Permissions

Where copying falls outside the fair dealing guidelines, please contact the Copyright Office for more information or assistance.

Guidelines

A short excerpt means:

- a) up to 10% of a copyright-protected work (including a literary work, musical score, sound recording, and audiovisual work)
- b) one chapter from a book
- c) a single article from a periodical
- d) an entire artistic work (including a painting, print, photograph, diagram, drawing, map, chart, and plan) from a copyright-protected work containing other artistic works
- e) an entire newspaper article or page
- f) an entire single poem or musical score from a copyright-protected work containing other poems or musical scores
- g) an entire entry from an encyclopedia, annotated bibliography, dictionary or similar reference work

provided that in each case, no more of the work is copied that is required in order to achieve the allowable purpose.

Copying or communicating multiple short excerpts from the same copyright-protected work, with the intention of copying or communicating substantially the entire work, is prohibited.

Copying or communicating that exceeds the limits in the Fair Dealing Guidelines may be referred to UVic's Copyright Office for evaluation. An evaluation of whether the proposed copying or communication is permitted under fair dealing will be made based on all relevant circumstances.

NOTE: Special permissions for certain publishers, out of print books and webpages may need to be obtained.