Copyright and the Family Historian

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Inba’s Background

- Copyright Officer at UVic
- Publishing and author rights
- Facilitating access & connections for university-community based research activities
Your Expectations?

Your Questions?
Family Historian – 2 Roles

1. **User/Researcher** - of 3\textsuperscript{rd} party material
   - Photographs, newspaper clippings, govt. documents, birth certificates, etc.

2. **Creator/Author**:
   - Books
   - Leaflets
   - Post material on the web, blog, etc.
Outcomes

• What is copyright?
• Protected works
  • Criteria for protection
  • Automatic protection
• Types of rights
• Term of copyright
• Fair dealing
• Examples
What is Copyright?

Copyright Act of Canada C-42

• Federal Legislation
• Applied in Canada
• Internet publications
What is protected?

- Literary
- Artistic
- Dramatic
- Musical
Criteria for protection

• Originality
• Fixed

IDEAS & FACTS?
Automatic protection

- Immediate
- Copyright Symbol

Canadian Intellectual Property Office (CIPO)
QUESTIONS?
Ownership of Copyright

- Author of work
- Work by employee
- Work on contract
- Work by govt. employee
Type of Rights

- Economic Rights
- Moral Rights
Economic Rights

- Produce or reproduce a work
- Perform a work
- Publish an unpublished work
- Translate, convert, or adapt a work
- Communicate the work by telecommunication or the public
- Exhibit work
- Authorize someone else to do any of the above
Moral Rights

- Right of attribution
- Right of integrity
- Right of association
Term of Copyright

- Life of author + 50 years
- Public Domain
Fair Dealing

• Exception to balance the needs of users
Exceptions

- Private study
- Research
- Criticism
- Review
- News reporting
QUESTIONS?
Facts / Dates

- Names
- Dates and places of birth
- Family history, list of descendants, etc.

Permissions:
- Distributing copies
- Quoting extensively
Photographs

- Portrait commissioned and paid in full
- Photograph at a store
- Contract with photographer
Photographs – cont’d

• Taken before 1949 = public domain
• Taken on or after January 1, 1949 = Life + 50 years (the photographer)
• Taken on or after January 1, 1949 = 50 years (corporation)
Letters

- Author of letter
- Business Correspondence
Cemeteries

• Tombstone, markers, sculptures, carving?
• Information on the tombstone?
• Centuries old?
• Taking photographs?
Crown copyright

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Out of copyright

- Photographs taken by staff in a company before 1959
- Government material before 1959
- Unpublished work/material of author who died before 1949
- Any material created before 1899.
Open your mind.