

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.

Create a **Library Proxy Link** 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

Sound 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 Brightspace

You can scan and upload “short excerpts” to Brightspace 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 for photocopying or scanning.

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, where possible, the name of the author or creator of the work and the year.

Contact Us

Bookstore Coursepacks

coursepacks@uvic.ca
www.uvicbookstore.ca/text/coursepacks

Course Reserves

Law Library | lawlib@uvic.ca
McPherson Library | reserves@uvic.ca
Music & Media | libmedia@uvic.ca

Special Collections

250-721-8257 | speccoll@uvic.ca

Archives

250-721-8258 | archives@uvic.ca

Copyright Compliance & Administration Policy and Fair Dealing Guidelines

www.uvic.ca/universitysecretary/assets/docs/policies/
IM7310.pdf

Intellectual Property Policy

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

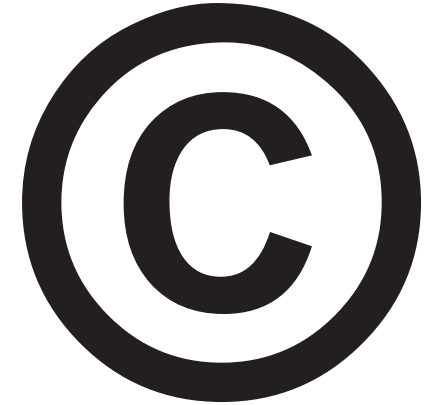
UVic Business & Industry Partnerships

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



Know your rights

Using copyrighted materials for teaching

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Copyright Basics

The Canadian *Copyright Act* falls under federal jurisdiction.

Copyright law protects creative works such as books, computer programs, sound or video recordings, photographs, songs, 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 may need to get permission first. Copyright law provides 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).

Fair Dealing

UVic faculty, students, and staff are both creators of material, as well as users of copyright-protected work produced by others.

The fair dealing provision in the *Act* permits use of a copyright-protected work without permission from the copyright owner. To qualify for fair dealing, two tests must be met:

- the “dealing” must be for a purpose of research, private study, criticism, review, news reporting, education, satire, or parody.
- 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 digital format, “short excerpts” from a copyright-protected work. The work must **mention the source** and, where possible, 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:

- as a class handout
- as a posting to a course management system (e.g. Course Reserves and Brightspace) that is password protected or restricted to students registered in a course
- as part of a coursepack

Other Permissions

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

Guidelines

A short excerpt means:

- up to 10% of a copyright-protected work (including a literary work, musical score, sound recording, and audiovisual work)
- one chapter from a book
- a single article from a periodical issue
- an entire artistic work (including a painting, print, photograph, diagram, drawing, map, chart, and plan) from a copyright-protected work containing other artistic works
- an entire newspaper article or page
- an entire single poem or musical score from a copyright-protected work containing other poems or musical scores
- 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 than 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 the 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 out of print books and web pages may need to be obtained.