

COPYRIGHT ACT

The permissions and restrictions outlined in this pamphlet are imposed by the Copyright Act of Canada and apply Canada-wide to EVERY person. Only those aspects most pertinent to the RRC community are noted here.

Key Concepts

- *Intellectual Property (IP)* - product of the human mind in a tangible form
- *Moral Rights* – the right to be acknowledged as the creator of IP
- *Copy Rights* – permission to use and to copy IP
- *Infringement* – violation of moral or copy rights

OBLIGATIONS

Obligation to Cite

Whenever using works protected by copyright, cite the source and the author.

Obligation to Restrict Further Use

Whenever copies are distributed each copy MUST include the following statement:

This item is supplied to you for your personal use in compliance with the Copyright Act. Any further reproduction, distribution or transmission of this item, or excerpts from this item, must comply with the Copyright Act.

USING PUBLISHED WORKS

Fair Dealing

College instructors and staff **may communicate and reproduce, in paper or electronic form, short excerpts** from a copyright protected work for the purposes of research, private study, criticism, review, news reporting, education, satire and parody.

Short excerpts

Up to 10% of a copyright-protected work (including textbooks), or

- a single chapter,
- a single article,
- a single short story, play, poem or essay from a collection,
- an entire newspaper page,
- an entire artistic work
- an entire entry from a reference work

Copying for Education or Training

- may convert short excerpts to digital for use in PowerPoint or other display format
- may store short excerpts on a learning or course management system such as LEARN
- may send short excerpts by e-mail to Distance Education students

Multiple Copies – a single 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 on a secure website
- in a course pack

PROHIBITIONS

Successive Copying

You may not copy or communicate multiple short excerpts from the same copyright-protected work.

Motive of Gain

No copying may be carried out with a motive of gain.

Commercially Available

No copying may be carried out if the work or subject matter is commercially available in an appropriate medium.

Copies of Copies – not permitted

Inter-Library Loans (ILLO)

Items obtained through ILLO may NOT be copied or placed on reserve.

Reserve Readings

- must NOT substitute for the purchase of books, course packs or other published materials

DIGITAL LOCKS

You are prohibited from tampering with digital locks or other TPMs (technological protection measures) that restrict sharing or copying the content.

INTERNET MATERIAL

May be reproduced, downloaded, or communicated to students and staff, providing:

- The site is reputable
- The site content is legal
- The site content is freely accessible
- There are no usage restrictions clearly visible on the source site
- There are no digital locks on the content
- Users cite the source appropriately

NOTE: Be sure to comply with any posted restrictions. For example, if posted under Creative Commons or similar, use according to the applicable license.

STUDENT-CREATED WORK

Any original work created by a student is protected by copyright.

Subject to Policy A10, the student must authorize any further use of his/her work.

Any of the following uses typically requires written permission from the student:

- by an instructor,
- in an institutional publication (including pamphlets, videos, etc.),
- posting on a website, or,
- any similar purpose

IMAGES / VIDEOS / DVDs

Copyright covers all intellectual property including images, videos, DVDs, etc.

- May be shown in class or streamed
- Must be a legal copy
- May be converted to other formats for class display purposes only

USER-GENERATED CONTENT

Anyone (including a student) is permitted to create a derivative work containing copyrighted material - including video clips or audio tracks - provided that:

- It is used solely for non-commercial purposes
- The sources are legal
- The sources are cited
- The compilation does NOT substitute for the purchase of commercially available products

DESTRUCTION OF COPIES

- Backup copies – a single backup copy is permitted but must be used only in the event the source copy is lost, damaged or otherwise unusable
- Intermediate copies – must be destroyed immediately
- Access to copies – must be removed 30 days after the final course evaluation
- E-mail copies – must be deleted from email immediately after receipt

PROCESS

Requests for Course Collections in paper format must be made on the form provided by the Print & Graphics Centre. Information required is:

- a full citation for each item to be copied
- a Colleague course code or name of group – e.g. ACCT-1234, College Council
- the number of students or attendees
- a signature attesting that the requested material complies with copyright limitations
- proof of permission as appropriate

RECORD KEEPING

You should keep track of **any** copyright material that you use, especially if you obtained permission for use beyond the allowances in the Act or license. Make sure you keep all necessary information.

RESPONSIBILITIES

- Be aware of copyright issues & how to comply
- Always acknowledge source explicitly
- Ensure departmental support for fees
- Seek prior permission if necessary – after the fact is not acceptable
- Submit reports as required
- Staff have a duty to make students and other staff aware of their copyright obligations

INFRINGEMENT

Failure to comply with copyright restrictions and obligations violates the Copyright Act.

Any College staff member who violates the Copyright Act may be subject to disciplinary action.

For details consult the College's Fair Dealing Copyright Policy (P7).

Links to this guide and other information may be found on:

AIR web site <http://air.rrc.mb.ca>

Under the 'copyright' tab

Library web site <http://library.rrc.ca>

Under the 'help/guides' tab

INDIVIDUALS WITH DISABILITIES

Special permissions are available for the benefit of individuals with perceptual disabilities.

FOR ASSISTANCE

Consult with:

Library Reference

ext. 2233 (NDC) or ext. 8371 (EDC)

Library Systems Coordinator

ext. 2417

Manager, Campus Store & Print Shoppe

ext. 2039

Digital Learning Supervisor (LEARN)

ext. 3073

Corporate Counsel

ext. 2946



COPYRIGHT COMPLIANCE

A BRIEF GUIDE FOR STAFF

Prepared by

LIBRARY

CENTRE FOR TEACHING EXCELLENCE,
INNOVATION & RESEARCH

SEPTEMBER 2016