

# Copyright Quick Reference

## Essential Facts:

- As of September 1, 2011 Dalhousie University is no longer licensed by Access Copyright to copy and distribute copyright-protected materials (normally anything in published form) on campus for educational purposes without obtaining permission from copyright holders.
- We are permitted to carry out these activities, but we must do so within the **Fair Dealing Guidelines** approved by the President of Dalhousie University and described in the *Copyright Act of Canada*, which provide for the legitimate use of a copyrighted work for private research or study without the permission of the copyright holder.
- Copyright exists to protect the rights of copyright holders. Ask yourself if what you want to do will limit sales of a book or journal or other copyright-protected item or published work.
- The Copyright Board of Canada is mandated to assess monetary penalties against, or pursue prosecution of, those who violate copyright.
- It is not the responsibility of faculty or the Library to save students money by making it unnecessary for them to buy textbooks required for their classes.
- Access Copyright restrictions apply only to print and digital works under their jurisdiction. Through the Library, Dalhousie University holds license agreements with many publishers and database vendors that permit the legitimate use of published works that Dalhousie has purchased or subscribed to in digital format.
- Ideas and facts are not protected by copyright.

## Copying:

- **Open Access** and **public domain** documents can be copied in whole or in part without permission of any kind.
- Works protected by copyright can only be copied if a) permission has been granted by the copyright holder, or b) the copying falls within the **Fair Dealing Guidelines**. Fair Dealing considers, among other factors, the purpose of the copying, the extent of the copying, whether or not alternatives exist, and asks if the proposed copying will compete with the commercial market for the original copyright-protected work.
- Fair Dealing therefore limits the legitimate copying of a published work to 10% of the text or an entire chapter, provided the chapter does not exceed 20% of the book.
- In the case of textbooks, these limits are 5% of the text or an entire chapter, story, play, poem or essay, provided the copied portion does not exceed 10% of the book.
- Fair Dealing allows the copying of an entire article from a periodical publication for private research or study.
- Scanning an item protected by copyright for projection onto a screen in class is permitted.
- If the copying you wish to do exceeds that allowed by Fair Dealing then permission must be obtained from the copyright holder. The Dalhousie Libraries can help you obtain permission. Please contact the Copyright Office at [copyright.office@dal.ca](mailto:copyright.office@dal.ca).

## Library Reserves:

- The use of library reserves cannot supplant the purchase of books, course packs or other published material.
- The **Fair Dealing Guidelines** draw a distinction between *required readings* and *supplemental readings*.
- Paper copies of copyrighted material can be placed on reserve. However, these copies must be made as an optional or supplementary source of information for students. This includes legitimately produced course packs.
- The amount of *supplemental* reading material placed on reserve for a course cannot, in purely physical terms, exceed 25% of the amount of material that has been assigned as *required* reading for the same course.
- Wherever possible, place the work in its original form on reserve (ie, the actual book).
- Fair Dealing stipulates that students are permitted to make a single copy of supplemental reading material placed on reserve. In the case of required readings placed on reserve, students are not permitted to make copies.

## Electronic Copies and Blackboard:

- The download of a digital copy of a copyright-protected work for personal research or study is permitted.
- The duplication or distribution of that copy is not permitted.
- It is permissible to provide students with a link to a journal article or eBook.
- It is not permissible to upload a digital copy of a copyright-protected work into a system where others will be able to download it, even if the site is password protected, without permission of the copyright holder.