

Copyright@TRU

TRU and its faculty, staff and students are creators and consumers of various forms of intellectual property. As creators, we rely on the protections offered by intellectual property laws to ensure that our work is protected from improper use. As consumers of intellectual property, we are legally (and morally) obligated to respect the intellectual property rights of others. Copyright is an intellectual property right that is very important to TRU faculty, staff and students.

Copyright Infringement

Infringing copyright is a serious matter and TRU requires each of its faculty, staff and students to comply with the Copyright Act of Canada. Failure to comply with copyright law may result in TRU being sued for infringement and liable for copyright fees and damages. Faculty, staff and students may also be personally liable for copyright infringement, and be responsible for payment of such fees and damages. The Intellectual Property Office at TRU can provide you with information regarding copyright to help you understand what you can and cannot do with copyrighted works.

Contact Information

The Copyright Office at TRU is open Monday through Friday, 8:30 am – 4:30 pm to assist staff, faculty and students with copyright questions.

For assistance, contact:
Danielle Collins, Supervisor
250-852-6823
Copyright@TRU.ca

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<https://www.tru.ca/ipo/basics.html>

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Getting Clearance



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How does Copyright work?

Copyright law protects all original works such as books, sound or video recordings, dramatic, musical and artistic works, photographs and other printed or digital material.

Under Canadian copyright law, the copyright owner of a work has the sole right to produce, reproduce, perform, publish, adapt, translate and telecommunicate that work, which means that people who want to use the work in some way may need to get permission first.

What is a “work”?

A “work” may include textbook excerpts, video clips, journal articles, images, photographs, music, computer programs, translations or compilations.

Licenses

Copyright owners grant permission to others through licenses. TRU has obtained permission for faculty and staff to copy certain works under various license agreements between TRU and copyright holders.

Permission to Copy

There are several steps involved in determining permission to copy specific works. The first four steps are to answer the following questions:

1. Is the work protected by copyright?
2. Does the University already have permission to copy the work?
3. Are you copying a substantial portion of the work?
4. Is copying of the work permitted under the Copyright Act under fair dealing or an education exemption?

Fair Dealing

Fair Dealing is statutory exemption to copyright infringement available if the “dealing” is for both an allowable purpose and “fair.” The Supreme Court of Canada identifies six factors that determine fairness:

1. The purpose of the dealing
2. The character of the dealing
3. The amount of the dealing
4. The nature of the work
5. Available alternatives to the dealing
6. The effect of the dealing on the work

Please refer to [TRU's Fair Dealing Policy](https://www.tru.ca/_shared/assets/FairDealing23287.pdf) at https://www.tru.ca/_shared/assets/FairDealing23287.pdf.

How can we help you?

The TRU Intellectual Property Office can help you remain copyright-compliant by:

- © Determining if a work is copyright protected
- © Verifying if TRU holds a license providing permission to copy/distribute a work that is copyright protected
- © Assessing whether a particular use of a work falls under one of the Canadian Copyright Act Exemptions
- © Providing copyright clearance for the use of works not under license to TRU
- © Helping faculty understand their rights and responsibilities under “Fair Dealing” as it applies to the use of copyright-protected works
- © Clearing works to be posted on Moodle/Blackboard
- © Licensing works to be included in print course packs
- © Assisting with copyright issues in Open Educational Resources

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