



SIMON FRASER UNIVERSITY
Policies and Procedures

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Number
R 30.04

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Revision No.

Copyright Compliance and Administration Policy

1. Purpose

1.1 The purpose of this policy is to define how the University manages its rights and obligations under Canada's copyright law when copyright protected works in any media are used for a bona fide university teaching, learning, research and administrative purpose.

2. Scope

2.1 This policy applies to all University employees and students who reproduce and use copyright protected works in all media and formats in the course of University teaching, learning, research

- (x) Information Technology Services has responsibility for administering provisions assigned by copyright law to Internet Service Providers (ISP) and considering how educational technology features may help manage copyright compliance and administration.
- (xi) University employees and students have responsibility for complying with Canada's copyright law and Simon Fraser University's copyright policy and related policy documents using the available institutional resources and services.

5. Definitions

5.1 Author means the creator of the work.

5.2 Copyright means the right to make copies of or reproduce a given work. It is an intellectual property right in an original work of authorship (such as a literary, musical, artistic, photographic or film work) fixed in any tangible medium of expression, giving the copyright owner the exclusive right to reproduce, adapt, distribute, perform and display the work, and to authorize others to do the same. Copyright protects the expression of an idea, not the idea itself or facts.

5.3 Copyright owner means one who holds exclusive rights to copyrighted material.

5.4 Copyright protected work means:

- (i) A creative work containing the original expression of an idea,
- (ii) That is fixed by means of recording or expressed in some material form of more or less permanent endurance, and
- (iii) The author is a citizen or resident of Canada or another treaty country.

5.5 Fair dealing means a user's right to make a copy of a work without the copyright owner's permission or payment of royalties when used for the purpose of research, private study, education, parody, satire, criticism or review or news reporting.

5.6 Infringement means an act that interferes with one of the exclusive rights of a patent, copyright or trademark owner:

- (i) Copyright infringement means the act of violating any of a copyright owner's exclusive rights granted by the federal Copyright Act. A copyright owner has several exclusive rights in copyrighted works, including the rights: 1) to reproduce the work, 2) to prepare derivative works based on the original work, 3) to distribute copies of the work, 4) for certain kinds of works, to perform the work publicly, 5) for certain kinds of works, to display the work publicly, 6) for sound recordings, to perform the work publicly, 7) to

5.8 Works means published and unpublished creative works such as:

- (i) Literary works including manuscripts, tables, and computer programs;
- (ii) Dramatic works including recitation, choreography, mime, play, cinematography with dramatic elements;
- (iii) Musical works including a musical composition; and
- (iv) Artistic works including paintings, drawings, maps, charts, plans, photographs, engravings, sculptures, works of artistic craftsmanship and architectural works.

6. Related documents

6.1 The policy documents related to this policy include, but are not limited to, those listed below.

Policies	R30.03 R10.01 A30.01 AD3.13 A30.04 GP28	Intellectual Property Policy Policy on External Research Grants and Contracts Code of Ethics Policy on Service Contracts Policy on Outside Activities Policy on University Trade-Marks
Schedules	R30.04 - Schedule A Entities Covered and not Covered by the Scope of Policy R30.04 R30.04 - Schedule B Alternatives to Reduce the Reliance on Copyright Protected Works that Require Further Permission or Compensation	
Appendices	R30.04 – App. A R30.04 – App. B R30.04 – App. C R30.04 – App. D R30.04 – App. E R30.04 – App. F R30.04 – App. G R30.04 – App. H R30.04 – App. I R30.04 – App. J	Application of Fair Dealing under Policy R30.04 Standard for Evaluating if a Particular Instance of Copying is Fair Dealing under Policy R30.04 General Application of Appendix R30.04 – Application of Fair Dealing under Policy R30.04 Application of Appendix R30.04A to Learning Management Systems Application of Appendix R30.04A to the Production and Sale of Course Packs Application of Appendix R30.04A to Audiovisual Works Application of Appendix R30.04A to Musical Works and Sound Recordings Application of Appendix R30.04A to Library Copying Application of Appendix R30.04A to Teaching and Research by University Faculty and Staff Application of Appendix R30.04A to the Student Activities of Learning and Research

7. Policy Review

7.1 This policy will be reviewed at least every three years

APPENDIX A Application of Fair Dealing under Policy R30.04
APPENDIX B Standard for Evaluating if a Particular Instance of Copying is Fair Dealing under