

George Brown College Copyright Guidelines

These guidelines are in place to provide for copyright compliance and protect George Brown from claims of copyright infringement. They have been developed referencing the Copyright Modernization Act, SCC judgment and the Fair Dealing Policy.

These guidelines may change based on further analysis.

Contact copyrighthelp@georgebrown.ca or ext. 6945 if you have any questions.

Fair Dealing Factors

You must consider the following **Fair Dealing Factors** before you copy or distribute a work:

- i. The purpose of the copying
 - Is the copying for one of the following purposes: education, research, private study, criticism or review, news reporting, parody or satire?
- ii. The amount of the copying
 - How much is being copied? One chapter from a book or one article from a journal may be considered fair.
- iii. The character of the copying
 - How broadly will the work be distributed? Will it be accessible only to eligible students?
- iv. Alternatives to copying the work
 - Is the same or equivalent work available in the library databases? Is there a non-copyrighted alternative?
- v. The nature of the work
 - including whether it is published or unpublished
- vi. The effect of the copying on the work
 - Will the copying undermine the market for the work?

Source Material	Copying/Display Allowed?	Explanation and Examples
Print sources *Cite the source	<input checked="" type="checkbox"/> If the portion is insubstantial and is an optional/supplementary resource <input checked="" type="checkbox"/> It does not substitute for the purchase of course texts <input checked="" type="checkbox"/> If the copying is fair (see Fair Dealing Factors) <input checked="" type="checkbox"/> For exams and testing <input checked="" type="checkbox"/> Workbooks <input checked="" type="checkbox"/> Materials from personal contracts or licenses	<ul style="list-style-type: none"> • One chapter or 10% from a 250 page book is likely insubstantial copying. • One short story, poem, article is likely insubstantial copying. • You should not reproduce/distribute material with a “personal use only” contract or license. • If the portion is a substantial part of the entire work and the copying satisfies the majority of the Fair Dealing Factors then you can copy/distribute. • Distribution can be either: <ol style="list-style-type: none"> a) photocopies given out in class b) copies available at the library reserve desk c) a scanned file uploaded to Blackboard • If the copying doesn't satisfy the Fair Dealing Factors contact copyrighthelp@georgebrown.ca or ext. 6945 to explore your options.

<p>Internet sources</p>	<p><input checked="" type="checkbox"/> Publicly available material</p> <p><input checked="" type="checkbox"/> Password-protected content</p> <p><input checked="" type="checkbox"/> Material with a “clearly visible notice” prohibiting educational use</p>	<ul style="list-style-type: none"> You can use publicly available material from the Internet as long as the content has been legitimately posted and the source and author/creator is cited. There is no technological protection measure preventing you from accessing or copying the material.
<p>Images Tables Figures</p>	<p><input checked="" type="checkbox"/> From library databases or print sources</p> <p><input checked="" type="checkbox"/> From internet sites that do not have a “clearly visible notice” prohibiting educational use</p>	<ul style="list-style-type: none"> Up to 10% of a work is insubstantial copying. It can be used in the classroom or in BlackBoard. There is no technological protection measure preventing you from accessing the material.
<p>Music</p>	<p><input checked="" type="checkbox"/> Playing of music in the classroom</p> <p><input checked="" type="checkbox"/> Uploading copyright protected music to Blackboard or burning copies for distribution</p>	<ul style="list-style-type: none"> You can play a song in your classroom but you cannot upload it to BlackBoard and you cannot burn copies to distribute. There is no technological protection measure preventing you from accessing the material.
<p>Videos and TV</p>	<p><input checked="" type="checkbox"/> News programs</p> <p><input checked="" type="checkbox"/> TV series, documentaries, films (as long as you have a legal copy)</p> <p><input checked="" type="checkbox"/> George Brown LLCs’ extensive collection of DVDs and online educational videos</p>	<ul style="list-style-type: none"> Faculty can show a television program or play a radio broadcast while it is being aired. News programs or news commentaries can be taped and shown in class. You cannot tape TV series, documentaries, or films and show them in class without permission from the copyright holder. Videos from personal collections can be shown as long as the copy is legal. You cannot copy a work (e.g. burn a copy, convert to streaming without permission from the copyright holder). There is no technological protection measure preventing you from accessing the material.
<p>YouTube videos</p>	<p><input checked="" type="checkbox"/> Videos uploaded by the copyright owner</p> <p><input checked="" type="checkbox"/> Illegally uploaded videos</p>	<ul style="list-style-type: none"> YouTube and other video sharing sites may contain content not uploaded by the copyright owner. It is good professional practice to check the legitimacy of a YouTube video before using it in the classroom. Many content creators like the CBC have channels on YouTube. The videos found on these channels can be used.

Mash-ups	<input checked="" type="checkbox"/> Copyright protected works used in the creation of a new work	<ul style="list-style-type: none">• An individual can use copyrighted works such as images, videos, music, text, etc. in the creation of a new work (e.g. modifying a mathematical table, creating an instructional video, creating slides or documents) as long as the original works are cited.• The derivative work must be transformative.• The work must not be used for promotion or commercial purposes.
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References

- [Fair Dealing Policy](#)
- [Bill C-11](#)
- [Supreme Court of Canada Judgment - Alberta \(Education\) v. Canadian Copyright Licensing Agency \(Access Copyright\), 2012 SCC 37](#)