

Copyright Rights & Obligations

The Canadian Copyright Act serves to strike an equitable balance between creator rights and user rights. As both authors and consumers of works, we at Western must be aware of the privileges extended to us as knowledge creators and our obligations when we employ the work of others in our research, teaching and learning.

As specified in the Act “copyright” in relation to a particular work means the sole right to produce or reproduce the entire work itself or any substantial part of it, to perform the work or any substantial part of it in public, and if the work is unpublished, to publish the work or any substantial part of it. Copyright extends to other activities such as adaptation, translation, and telecommunication to the public of a work, in addition to a few additional circumstances relevant in certain narrower applications. Consult the [Copyright Act](#) for more information.

The Act has been further delineated by judicial rulings which detail application of the Act in specific circumstances. This includes five pivotal Supreme Court of Canada cases heard between 2004 and 2012 . Known as the Pentalogy, these rulings clarify the intent of the law according to the courts and provide important guidance for us especially in determining our rights as users.

Copyright automatically accompanies the creation of a work, nothing further is required. However creators, if they choose, can register copyright for their work. This registration process is coordinated by the Canadian Intellectual Property Office (CIPO), additional information and online registration forms are available via the [Copyright section of its website](#).

In general, the Act stipulates that if a work meets the definition of a copyright-protected work, copying the work in its entirety, or any substantial portion of it, or engaging in any of the other protected activities, requires permission of the copyright owner unless certain conditions articulated in the Act apply. Users of copyright-protected works can do so freely and without the levy of additional tariffs only under certain circumstances.

Western has developed a [Copyright Decision Map](#) to assist faculty staff and students in weighing the details of these circumstances and making informed decisions when using the work of others. The Copyright Decision Map will guide members of the Western community through the five questions that should be considered when contemplating any ‘dealing’ with copyright protected material in teaching and learning, both in the classroom and online via OWL, and in research.

Western’s [Fair Dealing Analysis](#) will provide assistance for the Western community in applying the fair dealing exception to particular situations. Also see Western’s [Fair Dealing Exception Guidelines](#) for additional details.

Please direct any questions to copyright@uwo.ca.

