

MEMORANDUM

To: Deans, Department Chairs, School Directors

From: Janice Deakin, Provost & Vice-President (Academic)

Copy: Presidents of SOGS, USC, Employee Groups, Principals of Affiliated University Colleges

Date: December 12, 2013

Re: Use of Copyright-protected materials in Courses scheduled for the Winter 2014 Academic Term

Please ensure that this memorandum is distributed to all faculty and all instructors in courses.

After several months of discussions in good faith by both parties, Western University has been unable to reach a new agreement with Access Copyright.

Western gave Access Copyright notice in June that the University did not wish to renew the existing agreement on its current terms, but would be prepared to discuss renewal at a substantially lower royalty rate that takes into account the changing copyright landscape and fairly values the service that Access Copyright provides.

During the term of the current agreement, a new federal Copyright Modernization Act was passed into law in 2012 and the Supreme Court of Canada also issued rulings that have altered the landscape considerably with respect to fair dealing and the use of published materials for education and other purposes without seeking permission of the copyright holder or paying a royalty.

As a satisfactory agreement could not be reached with Access Copyright, the University is preparing for the expiry of the current agreement on December 31, 2013.

The University is providing a combination of education, information resources and services designed to ensure that members of the Western community can make informed decisions when using the published work of others in research and teaching and have a clear sense of their user rights and obligations under the Copyright Act, while at the same time ensuring that copyright-holders' rights to grant permission and receive compensation are appropriately respected. Further information can be found at <http://copyright.uwo.ca>

Course packs that have already been printed for courses being offered in the Winter 2014 academic term are covered by the current agreement with Access Copyright. For course packs that are printed after December 31st 2013, the Campus Bookstore will work with

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instructors to arrange permissions and remit royalties where necessary. Because of the holiday break, the last possible day for placement with the Campus Bookstore of course pack print orders for the Winter 2014 academic term is Monday December 16.

As indicated in the memorandum sent to all instructors dated December 3, 2013, instructors who have excerpts from published materials mounted on learning management systems will have to review these materials and remove any that would require permission for use from the copyright holder. The December 3 memorandum and resources to aid instructors in this matter can be found at <http://copyright.uwo.ca>

A handwritten signature in black ink, appearing to read "Janis" followed by a stylized flourish.