

# Seeking Clearance Guidelines

When all other options enabling the reproduction of a work have been exhausted, seeking clearance from the copyright holder is required. These Guidelines expand the 5<sup>th</sup> question in [Western's Copyright Decision Map](#) and provide information concerning alternatives to copying and securing copyright clearance.

## Background

When none of the factors apply to the work you wish to copy; it is protected by copyright, it is a substantial portion of the original; the 'dealing' is not covered in any license and no statutory exception applies; you need to ask for clearance from the copyright holder. This could be the author or creator of the work or the publisher of the source that includes it. Sometimes collectives like SOCAN or Access Copyright are charged with managing clearance on behalf of the copyright holder and may have a process for securing a transactional (pay per use) licence. The bottom line in these situations is that the copyright holder must be identified and contacted in order for you to receive consent for your proposed dealing, before the work can be copied.

## Guidelines

It **always** adds time, as much as 6 to 8 weeks or more to receive clearance, so start the process early.

Sometimes clearance is not granted or cannot be secured in a timely fashion and choosing an alternative resource will be necessary.

Before initiating a process to seek clearance, determine if there is an alternate way to make the material available without reproducing it, which will satisfy your purposes. For example, many resources available online through one of our libraries' digital collections can be linked from your course syllabus or embedded in a lesson within OWL. Using the 'durable' or 'persistent' link provided by most articles or e-books, permits users to advance to the full text of the resource, first authenticating when necessary, without the need for you to seek clearance. Some websites offer alternatives to copying such as YouTube, which includes a tool that creates code you can copy into a website in order to embed the video and a player into your online course. Is there an alternative to copying that would work for your particular purposes?

You can complete the clearance process yourself. Locate the copyright holder and initiate contact with a request for copyright clearance. Explain in your communication what it is you wish to use and what you plan to do with it. Be sure to include all the ways you plan to 'deal' with the work. Displaying in a Powerpoint presentation in class, copying for a handout to distribute to students and uploading to the university's secure learning management system are three distinct dealings with the same work.

It is best to secure clearance in writing and to keep a copy for your own records

Indicate on the copy or copies that you make once cleared, that the work is used with permission.

Fees or tariffs may be required.

The Book Store at Western is also available to assist with securing clearance. Contact [copyrightclearance@uwo.ca](mailto:copyrightclearance@uwo.ca). In order to expedite the process provide as much detail as possible in your e-mail. Include all bibliographic information about the work, title, author, publication, publisher, etc. as well as specifics about amount you wish to use and all the ways you plan to use it.

The Book Store will initiate their process and contact you when necessary for additional information or status updates.