**Instructor Information re. Note Sharing Websites**

Members of faculty own the copyright in traditional academic materials such as lecture notes, articles, books, presentations, tests, and exams. These materials, and any intellectual property rights (particularlycopyright) in those materials, belong personally to the faculty members that create them. This ownership is established under the terms of the [Joint Intellectual Property Policy](https://milo.mcmaster.ca/policies/ip-policy).

A lawsuit against an individual, anonymous poster or against a website hosting content may often not be a practical or cost-effective solution. Many countries, including Canada and the United States, also give Internet content hosts, that allow individuals to post, certain limited legal immunity to such a lawsuit.

However, you may give notice to the website of your copyright claim, so that they make take action in order to prevent potential liability. In the US, this will usually trigger a swift takedown of the material, unless the poster contests your claim.

Many websites, particularly US websites, will have online forms or message templates for you to fill in to register such a claim. For example, here are links to the contact for OneClass and Course Hero, two popular course material sharing websites:

* OneClass: <https://oneclass.com/support> (select “Copyright Complaint” from the contact reason drop-down menu”)
* Course Hero: <https://www.coursehero.com/copyright-infringement/>

If there is no form or other process specified on the host website, then the following messages may be filled in where highlighted and used for the purpose of giving formal notice to a website that it is hosting content that infringes your copyright. The three messages below are intended for use with regard to Canadian, American, and other international websites, respectively. For any questions or for assistance in filling in these forms, please contact [copyright@mcmaster.ca](mailto:copyright@mcmaster.ca).

Template message for Canadian websites (“notice and notice”):

**Subject: Copyright Infringement Notice**

To whom it may concern:

This is notice pursuant to section 41.25 of Canada’s *Copyright Act* that your website service is hosting material that infringes copyright. You are required by section 41.26(1) of the *Copyright Act* to:

* + **(a)** as soon as feasible forward the notice electronically to the person to whom the electronic location identified by the location data specified in the notice belongs and inform the claimant of its forwarding or, if applicable, of the reason why it was not possible to forward it; and
  + **(b)** retain records that will allow the identity of the person to whom the electronic location belongs to be determined, and do so for six months beginning on the day on which the notice of claimed infringement is received or, if the claimant commences proceedings relating to the claimed infringement and so notifies the person before the end of those six months, for one year after the day on which the person receives the notice of claimed infringement.

Work(s): [Title(s)]

Location(s): [link to URL(s)]

File name: [name, if applicable]

Date and time of infringement: [Date infringement was found and viewed, note also if “ongoing"]

Infringing poster: [name/username/account/other identifying information if available]

I am the author and copyright owner of [the works listed above or, if your work has been used in a larger file, identify the specific parts of the work(s) in which you own copyright]. This/these work(s) has/have been posted to your service without my permission.

Claimant name: [Your name]

Contact information: [business address, email, & phone number]

Please contact me at the email listed above indicating your prompt response.

[Name]

[Date]

Template message for US websites (*Digital Millennium Copyright Act* takedown notice):

**Subject: Copyright Infringement Notice**

To whom it may concern:

This is notice pursuant to section 512(c) of the *Digital Millennium Copyright Act* that your website service is hosting material that infringes my copyright. As a service provider, you are required to "expeditiously remove or disable access to" the infringing material.

Work(s): [Title(s)]

Location(s): [link to URL(s)]

File name: [name, if applicable]

Infringing poster: [name/username/account/other identifying information if available]

I am the author and the copyright owner [of the works listed above or, if your work has been used in a larger file, identify the specific parts of the work(s) in which you own copyright]. This/these work(s) has/have been posted to your service without my permission.

Claimant name: [Your name]

Contact information: [business address, email, & phone number]

I have a good faith belief that the use of the material that appears on the service is not authorized by myself, the copyright owner, my agent, or by operation of law.

I declare under penalty of perjury, pursuant to the laws of the United States of America, that this notification is true and accurate, and that I am either the copyright owner or I am authorized by the copyright owner, its agent, or by operation of law.

Please contact me at the email listed above indicating your prompt response.

Signed,

[electronic or physical signature]

[name]

[Date]

Template generic Message for other international websites:

**Subject: Copyright Infringement Notice**

To whom it may concern:

This is notice that your website service is hosting material that infringes copyright in my material.

Work(s): [Title(s)]

Location(s): [link to URL(s)]

File name: [name, if applicable]

Infringing poster: [name/username/account/other identifying information if available]

I am the author and copyright owner of [the works listed above or, if your work has been used in a larger file, identify the specific parts of the work(s) in which you own copyright]. This/these work(s) has/have been posted to your service without my permission.

Claimant name: [Your name]

Contact information: [business address, email, & phone number]

I request that you remove the infringing material immediately.  Please contact me at the email listed above indicating your prompt response.

[Name]

[Date]