

<http://copyright.mcmaster.ca>

## Copyright Checklist & Flowchart for Instructors

### 1. APPLY FAIR DEALING

You can copy a short excerpt or up to 10% from a copyright-protected work and distribute it to students as an electronic file on A2L, as an email attachment, as a class handout in hardcopy.

#### A short excerpt means:

- ✓ One chapter from a book.
- ✓ A single article from a periodical.
- ✓ An artistic work, such as a diagram, drawing, map, chart, photograph, print, plan or painting from a work containing other such works.
- ✓ A newspaper article or an entire page of a newspaper.
- ✓ An entire single poem or musical score from a copyright-protected work containing other poems or musical scores.
- ✓ A complete entry from an encyclopedia, annotated bibliography, dictionary or similar reference work.

#### What's not fair?

- ✗ Copying more than is required to achieve the intended purpose.
- ✗ Copying multiple short excerpts from a work if it results in a substantial amount.

### 2. INCLUDE A CITATION WITH ANY WORK YOU USE

- ✓ To qualify for Fair Dealing, short excerpts of copyright protected works must include the source and, if given in the source, the name of the author or creator of the work.

### 3. DISTRIBUTE MATERIALS USING A2L OR CAMPUS STORE COURSE PACK

#### Journal articles, book chapters & reports

- ✓ Course materials supplied to students using personal websites, social media, or file sharing platforms such as Dropbox, do not comply with Fair Dealing or the *Copyright Act*, regardless of whether or not access to the content is password-protected.

#### Slides and recorded lectures

- ✓ Fair Dealing allows the use of copyright-protected works in PowerPoint presentations, recorded lectures, webinars, or podcasts which are uploaded to A2L provided the use is within the short excerpt guidelines described above.

### 4. USE E-RESOURCES AVAILABLE AT MAC LIBRARIES



#### E-Journals

- ✓ Check the library record of any journal to confirm whether the license agreement permits distribution through course software and/or course packs. Select "Get it", then click on "Terms of Use". If the journal cannot be made available as a file, staff can assist in providing a permalink.

#### E-Books

- ✓ Copy according to the e-book license allowances. Notify students that they may be required to create an e-book account and that there may be limits to downloading, copying, printing, etc.

## Library reserve system

- ✓ Add a book or journal to library reserve, or add copies of chapters or articles according to Fair Dealing.

## 5. OBTAIN PERMISSION FROM THE PUBLISHER OR COPYRIGHT HOLDER

- ✓ If the work you need is not covered by Fair Dealing, by a library license, or is not a “free” resource, permission can be requested from the copyright owner. Contact Linda Colarusso, Copyright Coordinator in the Campus Store for assistance at [colarus@mcmaster.ca](mailto:colarus@mcmaster.ca) or at extension 22621.

## 6. USE YOUR OWN WORK

### Artistic works such as charts, tables, diagrams, figures, and photographs

- ✓ Acknowledge an original work as your own.
- ✓ If you create an original work *based on* someone else’s ideas, facts or data, add a “based on” statement.
- ✓ Modifying or adapting an original work requires permission from the copyright owner.

### Published works

- ✓ Before copying your own published work to any online tool (including A2L), to a McMaster University personal website, an institutional repository such as MacSphere, a site such as Dropbox or Google Drive or academia.edu, ensure that your publisher agreement allows it.

## 7. TEXTBOOKS AND COPYRIGHT

- ✓ When selecting a textbook, consider supplementary material which might be included (presentation slides, answers to problems, practice exercises, etc.). If the terms of use for the supplementary are restrictive, try to negotiate with the publisher representative to allow broader use.

## 8. FREE RESOURCES

### Creative Commons

- ✓ An image or other type of work with a Creative Commons license can be distributed freely without permission as long as it is cited. Check the license terms for details before cropping, adapting or modifying.

### Open Access

- ✓ Check the terms of use to determine if distributing an open access work is freely allowed (it usually is).

### Public domain works

- ✓ In Canada, most works enter the public domain 50 years after the death of the creator and can be distributed or adapted freely without permission.

### Government of Canada documents and publications

- ✓ Permission is not required to copy and distribute a Crown work unless the work notes otherwise.
- ✓ Permission is required to copy more than a short excerpt of a provincial or municipal government work.

## 9. ONLINE CONTENT INCLUDING STATIC IMAGES, TEXT, VIDEO AND AUDIO

- ✓ Whether presenting online content in class or providing a link, ensure the works have been uploaded legally.
- ✓ Apply Fair Dealing, or confirm website terms of use or license details, when sharing content from the web.

