Fair Dealing: a Day in the Life of a uOttawa Student

What’s Fair Dealing?

Fair Dealing is an important exception and user right in the Canadian Copyright Act that allows for the reproduction of copyright-protected content without the permission of the copyright holder, in certain circumstances. In a typical day, a uOttawa student will rely on Fair Dealing frequently.

How Does Aquila Rely on Fair Dealing on Campus?

**Interlibrary Loan.** Aquila needs an article from a journal not available at uOttawa. She requests the article from another library. In a few days, she will have a copy of the article that she can share with her classmates to work on a group project.¹

**Course Reserve.** For her sociology class, Aquila borrows a book that her professor placed on course reserve at the library and scans one chapter to read on her tablet.²

**Adding Images to a Class Assignment.** For her visual arts class, Aquila is adding a picture of Barnett Newman’s *Voice of Fire* in her paper on abstract expressionism. She copied the image from the Collections section of the National Gallery of Canada website.³

**Adapting original content.** In her paper on violence in video games, Aquila uses screenshots from online games to illustrate her points.⁴

**Student Journalism.** Aquila is using information and quotes from public pages on Facebook and Twitter for a piece she is contributing to the *Fulcrum* on the Women’s March on Washington.⁵
How Does Aquila Rely on Fair Dealing at Home?

**Doing Homework.** At home, Aquila logs into the University’s course management system to read the news article her professor posted for an assignment in her international development class.⁶

**Remixing & Memes.** As a present to her father, Aquila uses short excerpts from various episodes of *Star Trek: The Next Generation* (her father’s favourite show) to create a 2-minute compilation.⁷

**Film Clips.** To inform herself about climate change, Aquila looks up clips from the film *An Inconvenient Truth* and watches them on her smartphone.⁸

**Listening to Song Previews.** Aquila listens to the song previews of Beyoncé’s latest album on iTunes before she decides to purchase it.⁹

Throughout the day, without knowing it, Aquila has been able to access, reproduce and distribute portions of copyright-protected content without asking permission from the copyright holder, thanks to Fair Dealing.

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¹While Canadian copyright law contains other specific provisions allowing interlibrary loans, these do not allow for further distribution of the loaned material.

²Aquila can create a copy of that one chapter from a published book for research or private study, an amount and purposes considered “fair” under the uOttawa Fair Dealing Guidelines.

³Fair Dealing makes it possible to copy this image because she is reviewing and critiquing it.

⁴Fair Dealing makes it possible to incorporate these images because she is reviewing and critiquing them.

⁵Under Fair Dealing, Aquila can use this information for her article for news reporting as long as she also mentions the source and the author.

⁶Aquila’s professor was allowed to upload that article to the course management system for the purpose of education and one article from one newspaper issue is considered a fair amount under the uOttawa Fair Dealing Guidelines.

⁷Canadian copyright law includes provisions for non-commercial user-generated content that allows for this kind of adaptation. Fair Dealing also makes it possible to use excerpts of copyright-protected works for parody or satire.

⁸Fair Dealing makes it possible to copy these clips because they represent a small amount of the larger original work.

⁹In 2012, in the case of SOCAN v Bell, the Supreme Court of Canada ruled that short previews streamed by online music retailers qualify as Fair Dealing for the purpose of research, even if it is for personal interest.