

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.

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.

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