

 CAPILANO UNIVERSITY		POLICY	
Policy No.	Officer Responsible		
B.601	Vice-President, Academic and Provost		
Policy Name			
Copyright			
Approved by	Replaces	Category	Next Review
Board	n/a	IM&DT	April 2031
Date Issued	Date Revised	Date in effect	Related Policies
November 21, 2017	April 28, 2026	April 28, 2026	B.604 Acceptable Use and Security of Digital Technology Policy S2017-05 Academic Integrity Policy

1. PURPOSE

- 1.1 Capilano University (the “University”) will take all reasonable steps to ensure University Community Members, contractors, and subcontractors are aware of, and adhere to, the *Copyright Act*.

2. DEFINITIONS

“**Copyright**” is the sole right to, among other things, produce, reproduce, publish or perform a copyrighted work or a substantial part of a copyrighted work. Copyright protects original literary, dramatic, artistic, and musical works. Copyright protection lasts for the length of the creator’s life plus 75 years.

“**Copyright Infringement**” is the act of violating any of a copyright owner’s exclusive rights granted by the *Copyright Act*.

“**Fair Dealing**” is a user’s right to reproduce copyrighted works for the purpose of research, private study, education, parody, satire, criticism, review, or news reporting without payment of royalties or permission from the copyright owner.

“**Intellectual Property**” refers to creations of the mind that are legally considered to be owned property in the same way that physical assets are owned by, and belong to, an individual or business. Intellectual Property can include the written words in a book, artistic creations, software, an invention, a business logo, or a design of a new product. Intellectual Property law includes Copyright law.

“**University Community Members**” employees, students, board members, and volunteers.

3. SCOPE

- 3.1 This policy applies to all University Community Members, contractors, and subcontractors using copyrighted works for University teaching, learning, research, administrative, and business purposes.
- 3.2 This policy does not address Copyright in works produced by University Community Members, contractors and subcontractors. Copyright in these works is covered under the Copyright policies of the collective agreements relevant to those employees.

4. POLICY STATEMENT

- 4.1 The University complies with the *Copyright Act*. The University promotes Copyright compliance through education and services.
- 4.2 University Community Members, contractors, and subcontractors will:
- a) Be aware of their rights and responsibilities under the *Copyright Act*;
 - b) Ensure that their use of copyrighted works meets one or more of the following criteria:
 - i) The use is permitted by the Copyright owner; for example, through a licence statement, agreement, or contract;
 - ii) The use is permitted under Fair Dealing or an exception set out in the *Copyright Act*;
 - c) When using copyrighted content for academic purposes, provide attribution befitting their discipline or functional unit's standards, norms, or practices in accordance with S2017-05 Academic Integrity Policy;
 - d) Not use any University technology system or service to communicate infringing materials to others. Digital Technology Services will remove any infringing materials posted on the University network in accordance with B.604 Acceptable Use and Digital Security Policy.
- 4.3 The B.601.1 Fair Dealing Procedure guides the application of Fair Dealing except when the Fair Dealing right is superseded by contractual obligations in specific licensing agreements.
- 4.4 The Copyright office in the library can assist in obtaining any permissions that may be required for copying or posting where the copy falls outside of the Fair Dealing Procedure.

5. DESIGNATED OFFICER

- 5.1 The Vice President, Academic and Provost, is the Policy Owner, responsible for the oversight of this Policy. The Administration of this Policy and the development, subsequent revisions to and operationalization of any associated procedures is the responsibility of the University Librarian and Copyright Officer.

6. RELATED POLICIES AND GUIDANCE

B.604 Acceptable Use and Digital Security Policy

S2017-05 Academic Integrity Policy

Fair Dealing Procedure

7. REFERENCES

Copyright Act (R.S.C., 1985, c. C-42)

Capilano University Faculty Association Collective Agreement