Copyright FAQs for Students

As a student do I retain copyright of my work? Yes, you retain copyright for all works created during a course of study. If you are creating work under a contract or agreement with your instructor or the institution, copyright will be determined by the terms of your contract or agreement.

What is copyright infringement and what are the penalties? Copyright is the sole and exclusive right of a copyright owner to produce, reproduce, perform, publish, adapt, translate and telecommunicate a work, and to control the circumstances in which others may do any of these things. If a person does something with a protected work that only the copyright owner is entitled to do, and does so without the permission of the copyright owner, that is infringement and that person can be held liable. Penalties can be civil or criminal.

As a student of KPU, what can I legally copy for the purposes of creating assignments, papers and presentations for a course at KPU?

- You may copy material for which you have the copyright holder's permission.
- You may copy material found in the Public Domain.
- You may copy using the Fair Dealing exception in the Copyright Act. Fair Dealing allows you to make one copy for yourself for the purposes of education, private study, research, review, criticism, parody, satire, or news reporting, so long as your dealing is fair.
- All works copied must be legally obtained.

Is there a limit to how much I can copy?

Under Fair Dealing you can copy and communicate in paper or digital format up to 10% of the work or:

- one chapter from a book
- one article from a journal issue
- one article or page from a newspaper issue
- one entry from a reference work (e.g. encyclopedia, dictionary)

Under Fair Dealing you can:

- copy up to 10% of an audio or video work or one track from an album (as long as you are not breaking a TPM)
- copy one image from a compilation (e.g. book, atlas) or up to 10% of a stand-alone image (e.g. painting, poster, wall map). Under Fair Dealing you cannot copy an entire copyright protected stand alone image. See FAQ “Can I Use Material from the Internet” for the exception that allows you to use a stand alone image
- copy a short excerpt of material found on the internet (short excerpt is determined by the type of material you find from the Internet)

Under Exceptions in the Copyright Act you can:

- reproduce an entire textual work (book, journal article) or image for display in class if a copy in the required format is not readily commercially available
Note: Copying multiple short excerpts from the same copyright protected work is not permissible.

**Can I Use Material from the Internet?**
Yes under Fair Dealing you may copy a short excerpt of material found on the internet (short excerpt is determined by the type of material you find from the Internet).

Yes under *Exceptions in the Copyright Act* you can reproduce an entire work from the Internet (image or text) and communicate to other students as long as you are not breaking a TPM or there is no clearly visible notice prohibiting copying; TPMS or Technological Protection Measure include passwords or regional encoding.

**How does copyright apply to the use of images?**
Most images you find in print material or on the Internet are copyright protected. Under exceptions in the Copyright Act you can make some use of copyrighted images in your course assignments.
Under Fair Dealing you can use one entire image from a compilation of images (e.g. a gallery of images on the Web; a book with images) or up to 10% of a stand-alone image (an image that is not part of a larger compilation but is on its own).

Under other educational exceptions in the Copyright Act you can reproduce an entire image from the Internet, as long as there is no clearly visible notice prohibiting copying and as long as you are not breaking a TPM (Technological Protection Measure).

An alternative to using images under the Fair Dealing exception is to make use of images that are posted to the Web under a Creative Commons licence or use images that are in the public domain.

**Can I use Google Images?**
Sometimes Yes, sometimes No.

**Copyright Statement from Google**: “The images identified by the Google Image Search service may be protected by copyright. Although you can locate and access the images through our service, we cannot grant you any rights to use them for any purpose other than viewing them on the web. Accordingly, if you would like to use any images you have found through our service, we advise you to contact the site owner to obtain the requisite permissions.”

To use images retrieved through Google Images you must go to the original site so you can see if there is any notice prohibiting use.
You can also use the feature in Google Image Search that limits the search to only those images that can be freely used. To look for Creative Commons licensed photographs you can filter from the “Search Tools” menu on the search results page, choose ‘Usage rights’, and select one of the ‘filtered for.......’ choices from the drop down menu.
For more info on Images refer to the Images Tab on the Library Copyright Guide.

**Can I incorporate a copyright protected work, including images, in a PowerPoint presentation that will be displayed to other students in my course?**

Under fair dealing as well as specific educational exceptions you may include another person’s work, including images, in your PowerPoint presentations that you display to other students enrolled in your course. You can copy/display an entire single image from a collection of images (e.g. a single
photograph from a book of photographs), or up to 10% of an image if it is not part of a larger collection. You may also put this image in Moodle.

Also, under an exemption in the Copyright Act for display for purposes of instruction, you could display an entire image that is not part of a larger collection of images. To do so you must ensure that there is not a commercially available copy (obtainable within a reasonable time and price) in the format required.

However, if you put this image in Moodle, you must destroy/remove the file from Moodle within 30 days of the end of the course.

Can I play a video/DVD (legal copy only) or project a streamed video in class?
Yes

Can I link to an online video in my presentation?
Yes

What about using Journal Articles from Library research databases?

- To use material from Journals accessed through a Library Research Database you must abide by the terms of the licence which can vary from database to database.
- To look up the permitted uses for a particular journal, search for the journal on the Journals page. Permitted Uses will be shown beside each provider for that particular journal.
- See the E-Resources Tab on the Library Copyright Guide for more details.

Can I make handouts for other students in my class?
You can make copies of your own work to distribute or share with other students in your class. You can display a work that is not your own for a presentation or discussion in class. You can make copies of work that is not your own for a presentation or discussion in class, but the handouts can only be given to students in your class.

Can I record my instructor’s lecture to watch later?
Instructors are the copyright owners of their lecture notes, PowerPoint presentations and exams, and thus control what can be done with their course materials. You may not record an entire lecture or copy entire lecture notes or exams without the prior permission of your instructor.