


Copyright / Droit d'auteur

Olivier Charbonneau, BCom, LL.M.
Associate Librarian, Concordia University
www.culturelibre.ca

APOP Talk on ©
2011-04-27




Concordia University
SPECTRUM
Research Repository
Concordia University Libraries

Home | About | Browse by Year | Browse by Department | Browse by Author | Browse by Document Type

Home > Browse by Author > C. > Charbonneau, Olivier

Export as [ASCHI Citation] [Export] [RSS 2.0] [RSS 1.0] [Atom]

Jump to: Article | Book Section | Conference or Workshop Item | Monograph | Thesis

Number of items: 25.

Article

Charbonneau, Olivier (2010) [Les Cahiers de propriété intellectuelle](#), Vol. 2 (No. 3), ISSN 0840-7266

Charbonneau, Olivier (2010) [Perspectives in Copyright Reform](#), Feltzer, 56 (2), pp. 52-54, ISSN 0014-9802



Charbonneau, Olivier (2009) [Collaboration and open access to Law: How can Web 2.0 technologies help us understand the law?](#) Pothetstream

<http://spectrum.library.concordia.ca/view/creators/Charbonneau=3AOlivier=3A=3A.html>



(FYI: © reform is on hold)


(Because of the Fereral elections)

Plan

(1) © Theory (1) Théorie du ©
(2) © in Education (2) © en éducation


APOP Talk on ©
2011-04-27



Intellectual Property / Propriété intellectuelle

Copyright	Droit d'auteur
Patents	Brevets
Trademarks	Marques de commerce
Industrial Designs	Design Industriels
...	...


APOP Talk on ©
2011-04-27



Intellectual Property / Propriété intellectuelle

Copyright	Droit d'auteur
Patents	Brevets
Trademarks	Marques de commerce
Industrial Designs	Design Industriels
...	...

APOP Talk on ©
2011-04-27



Copyright / Droit d'auteur

Artistic, literary, dramatic, musical, <u>works</u>	<u>Œuvres</u> artistiques, littéraires, dramatiques, musicales
---	--

APOP Talk on © 2011-04-27 UNIVERSITÉ Concordia UNIVERSITY

Copyright / Droit d'auteur

Artistic Everything we use in education! dramatic, musical, <u>works</u>	<u>Œuvres</u> Tout ce que nous utilisons (en éducation!) musicales
---	--

APOP Talk on © 2011-04-27 UNIVERSITÉ Concordia UNIVERSITY

© = contrôle

(1) Protect a work's economic market (right-holder) (2) Protect the creative endeavour (creator)	(1) Protéger le marché économique d'une oeuvre (titulaire) (2) Protéger la démarche artistique (créateur)
--	---

APOP Talk on © 2011-04-27 UNIVERSITÉ Concordia UNIVERSITY

Copyright	Droit d'auteur
Economic + artistic right [Sole] Right to exploit <small>(produce, reproduce, execute in public, publish; + adapt, translate...)</small>	Droit économique + artistique Droit [exclusif] d'exploitation <small>(produire, reproduire, exécuter en public, publier; + adapter, traduire...)</small>
Automatic (fixation, originality)	Automatique (fixation, originalité)
Term (public domain)	Durée (domaine public)
Transfer in writing (contract)	Transfert par écrit (contrat)
Moral right (Integrity, paternity)	Droit moral (Intégrité, paternité)

APOP Talk on © 2011-04-27 UNIVERSITÉ Concordia UNIVERSITY

Copyright	Droit d'auteur
Economic + artistic right [Sole] Right to exploit <small>(produce, reproduce, execute in public, publish; + adapt, translate...)</small>	Droit économique + artistique Droit [exclusif] d'exploitation <small>(produire, reproduire, exécuter en public, publier; + adapter, traduire...)</small>
Automatic (fixation, originality)	Automatique (fixation, originalité)
Term (public domain)	Durée (domaine public)
Transfer in writing (contract)	Transfert par écrit (contrat)
Moral right (Integrity, paternity)	Droit moral (Intégrité, paternité)


APOP Talk on © 2011-04-27 UNIVERSITÉ Concordia UNIVERSITY

Absolute Control? Contrôle absolu ?

APOP Talk on © 2011-04-27 UNIVERSITÉ Concordia UNIVERSITY

Absolute Control? Contrôle absolu ?

«La propriété c'est le vol!» (Proudhon)
«He who lights his taper [candle] at mine
receives light without darkening me»
(Jefferson)

APOP Talk on ©
2011-04-27 


Contrôle absolu ? Not exactly / pas exactement

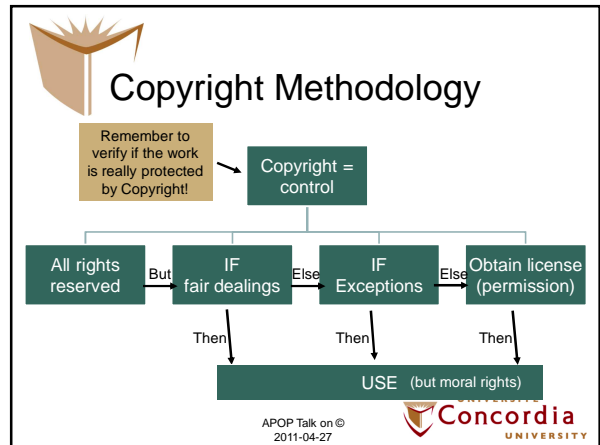
Fair dealings / Utilisation équitable
(Fair use)
& Exceptions

APOP Talk on ©
2011-04-27 


Contrôle absolu ? Not exactly / pas exactement

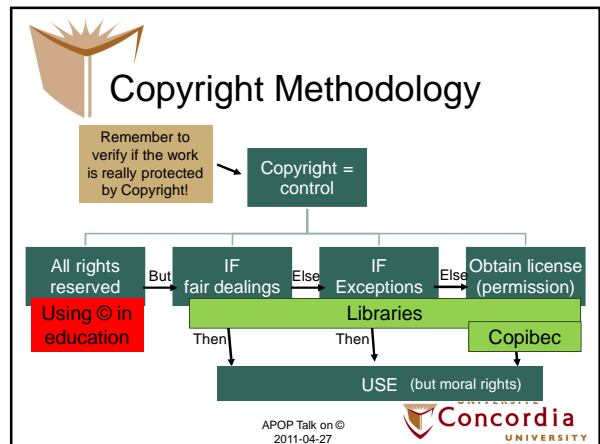
Fair Else, get permission!
Sinon, obtenir permission!


APOP Talk on ©
2011-04-27 



(2) Practice / Pratique

APOP Talk on ©
2011-04-27 






Education Creators and Users

- Using © content
 - Define cases where fair dealing & exceptions apply and establish reasonable limits in an institutional policy
 - <http://vpexternalsecgen.concordia.ca/documentspolicies/VPERSG-2.pdf>
 - Obtain permission from rightholders
 - digital licenses via libraries
 - Collecting societies
 - Vendors, creators
- Creating © content
 - Creators of copyrighted content
 - Students, professors, professionals, other staff & volunteers...
 - Is there a way to leverage their endeavors for the greater good?

APOP Talk on ©
2011-04-27




A fully contractual solution
Une solution pleinement contractuelle

APOP Talk on ©
2011-04-27



Allow commercial uses of your work?

Yes ¹

No ²

Allow modifications of your work?

Yes ¹

Yes, as long as others share alike ³

No ²

Jurisdiction of your licence ¹

Canada

Autorisez-vous les utilisations commerciales de votre création ?

Oui ¹

Non ²

Autorisez-vous les modifications de votre création ?

Oui ¹


Yes, as long as others share alike ³

Non ²

Jurisdiction of your contrat ¹

Canada

APOP Talk on ©
2011-04-27




© is a tool

How can this tool work for you?

Permissions OR exceptions

Manage expectations and risk


APOP Talk on ©
2011-04-27

Further reading

- Canadian Intellectual Property Office, *A Guide to Copyrights*, Industry Canada, 2008
 - http://www.ic.gc.ca/eic/site/cjpointernet-internetopic.nsf/eng/h_wr02281.html
- CCH Canadian Ltd. v. Law Society of Upper Canada, 2004 SCC 13, [2004] 1 S.C.R. 339
 - <http://www.canlii.org/en/ca/scc/doc/2004/2004scc13/2004scc13.html>
- Concordia University Libraries, Copyright Guide
 - <http://library.concordia.ca/help/copyright/>
- Copyright Act, R.S.C. 1985, c. C-42
 - Art. 3, 5, 6, 13, 14.1-14.2, 27-28.2, 29-32.2
 - <http://www.canlii.org/en/ca/laws/stat/rsc-1985-c-c-42/>
- Murray, Laura J. and Samuel E. Trosow, *Canadian copyright : a citizen's guide*, Toronto : Between the Lines, 2007
 - [http://clues.concordia.ca/record=b2276747~\\$0](http://clues.concordia.ca/record=b2276747~$0)

APOP Talk on ©
2011-04-27




Merci !

Olivier Charbonneau
Associate Librarian, Concordia University
www.culturelibre.ca
o.charbonneau@concordia.ca

APOP Talk on ©
2011-04-27

