



2025 ABC COPYRIGHT CONFERENCE CONFÉRENCE ABC COPYRIGHT 2025

April 29-30, 2025 | 29-30 avril 2025

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2025 Schedule / Programme de 2025

April 29, 2025 (all times in ET)/ 29 avril 2025 (toutes les heures sont en HE)

12:00-12:15

Welcome / Mot de bienvenue

12:15-13:15

Keynote / Conférencière principale

Sara Bannerman

*Canada Research Chair in Communication Policy and Governance,
Professor of Communication Studies at McMaster University*

► Bio

Canadian copyright and Canadian sovereignty: rights and relations

Canadian copyright has user rights in its DNA. These rights, and copyright broadly, are tied to a complex web of forces and struggles that have shaped history for people living within Canadian borders and beyond. British imperialism and settler colonialism; tariffs and trade; race, ability and gender relations; struggles for rights and struggles for sovereignty—all have shaped the history of Canadian copyright. This presentation will examine copyright in relation to the broader relations that shape it.

13:15-13:20

Break / Pause

13:20-14:20

Copyright Reforms in Support of Open Access: A conversation

A panel conversation regarding different reforms that have been discussed as possible pathways to further the objectives of open access to research. In particular, proposed additions of statutory licensing, secondary publishing rights, and expanded user rights to the *Copyright Act of Canada*.

Stephanie Savage, University of British Columbia

► Bio

Panelists:

John Willinsky, Khosla Family Professor, Emeritus, Stanford University

Mark Swartz, Scholarly Publishing Librarian at Queens University

Sean Flynn, Director of the Program on Information Justice and Intellectual Property (PIJIP) at American University

Reasonable, extensive, exhaustive: Applying for an Unlocatable Owners license from the Copyright Board

An SFU instructor contacted the Copyright Office in 2024 about options for using an out-of-print book as a course text. The publisher is long-defunct, and used copies of the book are hard to find and expensive. After searching for current copyright owner information, I decided to apply for an Unlocatable Owners licence from the Copyright Board of Canada. An applicant is required to research the copyright owner of the work, and that research must be “reasonable” but also “extensive” - and eventually “exhaustive.” What does this mean? And did we get the licence? I’ll explore the orphan works problem and the Copyright Board’s process, and walk through the process, including doing the required research, how long the process took, and what the outcome was.

Jennifer Zerkee, Simon Fraser University

► Bio

14:20-14:30

Break / Pause

14:30-15:30

Rebalancing the System: NorQuest’s “Open Education Student Survey” About Student Textbook Costs and OER Uptake

As part of its Open Education Week 2024 activities, NorQuest’s Open Education Steering Committee conducted the “Open Education Student Survey” to gather feedback from students about textbook costs, addressing how much they pay, what alternatives they use, and how textbook costs impact not only students’ educational choices, but their personal lives. The responses illustrated that textbooks are not easily affordable for all students, and balancing textbook costs with other expenses is a serious area of concern.

Nicholle Carriere, NorQuest College

► Bio

Obstacles and Facilitators of Open Scholarship

In 2022, researchers at Dalhousie University were surveyed to assess their understanding and practice of open scholarship. The survey was designed to answer these primary questions: what are Dalhousie University researchers’ existing practices and levels of knowledge regarding open scholarship, and what is their awareness and perception of institutional support for open practices? This session will discuss the findings of that survey.

Lachlan MacLeod, Dalhousie University

► Bio

Melissa Rothfus, Dalhousie University

► Bio

15:30-16:00

unAGM/Day 1 Wrap-up

April 30, 2025 (all times in ET)/ 29 avril 2025 (toutes les heures sont en HE)

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12:15-13:15

The Many Histories of Fair Dealing

Seeking to fill a gap in scholarly literature, the presenters have compiled a detailed account of fair dealing's development through the twentieth and into the twenty-first century. Three streams of influence exerted on fair dealing are addressed: i) government analyses and statutory changes; (ii) the postsecondary sector's concerns regarding use of copyright-protected materials; and (iii) judicial decisions having some affinity to educational copying practices. The authors hope this 40+ years of history can contribute to a better understanding of fair dealing and place the exception on more solid ground in the years to come.

Meera Nair, Northern Alberta Institute of Technology

► Bio

Heather Martin, University of Guelph

► Bio

13:15-13:20

Break / Pause

13:20-14:20

Canadian copyright advocacy briefing : strategies for higher education

In late 2023, the presenters released a white paper examining the key library/education-related questions and arguments that were discussed by the INDU committee and participants during the 2017 Copyright Act Review. This session will provide an overview of the findings, focusing on messaging that our sector can use to counter misconceptions around library copying practices and outlining our advocacy call to action.

Stephanie Savage, University of British Columbia

Jennifer Zerkee, Simon Fraser University

► Bio

Overcoming Barriers to Public Domain Heritage: A Global Dialogue Toward Solutions

This session will first examine the challenges that limit access to cultural heritage in the public domain and the impact that has on people's enjoyment of and participation in cultural life.

Next, the session will introduce the global advocacy efforts of the TAROCH (Toward a Recommendation on Open Cultural Heritage) Coalition, a Creative Commons-led initiative. TAROCH brings together organizations and institutions in international dialogue to address barriers to public domain heritage access. Ultimately, the coalition aims to advance a UNESCO global policy standard that will help guide and empower cultural heritage institutions to open their collections, benefiting society, fostering inclusion, and enriching cultural participation.

Finally, the session will demonstrate actionable steps cultural heritage institutions can take now to leverage open licenses, tools, and practices - supported by education, training and

other initiatives - to implement open-access practices and share their collections more openly and sustainably.

Participants will leave with a clearer understanding of the challenges surrounding public domain access, the role of global advocacy in shaping policy solutions, and practical opportunities to support or participate in collective efforts that advance open-access practices.

Dee Harris, Creative Commons

► Bio

Tanya Richard, Canadian Museum of History

► Bio

14:20-14:30

Break / Pause

14:30-15:00

Copyright and Indigenous Knowledge - a conversation with Harvey Knight

In the late 1980s, Alexander Wolfe wanted to save his family and community oral tradition stories, so he wrote a book called "Earth Elder Stories." Harvey Knight from Muskoday First Nation assisted in the writing of the book. Harvey will talk about the book's history (why oral tradition was committed to print) and discuss the relationship between oral tradition and copyright. One of the key reasons for committing these stories to print is preservation and retention given the loss of traditional first nation's context for knowledge transmission. Ideally what system would support the preservation of the stories and knowledge and how could Canadian copyright be adapted to support

that framework? We do not promise answers but will engage in a conversational exploration of the topic.

Harvey Knight, Muskoday First Nation

► Bio

Donna Thiessen, Saskatchewan Polytechnic

► Bio

15:00-16:30

How to “Actualize” Fair Dealing: The Role of Guidelines.

The Supreme Court of Canada indicated in its 2021 York v. Access Copyright decision that “guidelines are important to an educational institution’s ability to actualize fair dealing for its students”. In this session, Howard Knopf will examine the Court’s rulings on fair dealing, the statute, and the role of guidelines in Canada’s post-secondary institutions. A panel of educational copyright specialists will then discuss the challenges of creating guidelines that provide straightforward guidance while also enabling users’ fair dealing rights. As institutions consider revising their current guidelines, this session will examine what can be gained as well as what can be lost in the process.

Lise Brin, Université de St-Boniface

► Bio

Heather Martin, University of Guelph

► Bio

Howard Knopf

► Bio**Panelists:**

- **Annie Barrette** - Universities Canada
 - Annie Barrette joined Universities Canada in September 2023 and leads the development and implementation of a multi-year strategic plan to guide the association's research, policy development, communications and advocacy on a range of priority issues. Prior to joining Universities Canada, Annie worked for the Association of Faculties of Medicine of Canada (AFMC) and Canadian Blood Services in public affairs and marketing roles. Annie holds a Bachelor of Arts in Communications Studies from Laurentian University, a post-graduate diploma in Public Relations from Cambrian College and a Master's in Political Management from Carleton University.
 - Annie Barrette s'est jointe à Universités Canada en septembre 2023. Elle dirige l'élaboration et la mise en œuvre du plan stratégique pluriannuel qui oriente les activités de recherche, d'élaboration de politiques, de communication et de promotion d'intérêts de l'association sur un éventail d'enjeux prioritaires. Avant de se joindre à Universités Canada, Mme Barrette a occupé des postes en affaires publiques et en marketing à l'Association des facultés de médecine du Canada et à la Société canadienne du sang. Elle est titulaire d'un baccalauréat en communication de l'Université Laurentienne, d'une maîtrise en gestion politique de la Carleton University et d'un diplôme d'études supérieures en relations publiques du Collège Cambrian.
- **Kate Langrell** - University of Saskatchewan

- **Kate Langrell** has been the USask Copyright Coordinator since 2015. She joined USask shortly after completing her Master of Information at the University of Toronto iSchool. In her free time Kate likes to cook, play the piano, and spoil her tuxedo cat Simon.
- **Meera Nair** - Northern Alberta Institute of Technology
 - **Meera Nair** holds a doctorate in Communication with a research interest in systems of copyright law. For over twenty years she has explored the overlap among copyright, creativity, domestic policy, and international influence. She occasionally writes and speaks about these matters; further details are available at her blog Fair Duty. She is the Copyright Officer for the Northern Alberta Institute of Technology in Edmonton.
- **Stephen Spong** - Western University
 - **Stephen Spong** is the Copyright Officer at Western University, where he is also a member of Western Libraries' Teaching and Learning team. He has been at Western since 2019 and has previously worked at Centennial College, the Ontario College of Art and Design University, and Osgoode Hall Law School. He has a JD from Osgoode and a Masters in Information from the University of Toronto.

16:30-16:35

Wrap-Up / Récapitulation

Info on next year's conference!



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