

# Bulletin mars 2015

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March 2015

## Université Laval criticized by European publishers

In a letter sent to Michel Audet, Quebec's Delegate General in Brussels, during the Brussels book fair where Quebec was being honoured, representatives from the Federation of European Publishers indicated that they were extremely disappointed that an institution of higher education – extensively financed through public funds – was demonstrating a lack of respect for intellectual property and was acting against the interests of European authors and publishers. The letter was of course in reference to the new copyright policy adopted in May 2014 by Université Laval authorizing its professors to copy an entire chapter or up to 10% of published works without requesting permission or paying compensation. In its letter, the Federation condemned Université Laval's attitude and said that such a well-respected university should instead be making a point of defending intellectual property to ensure that quality works can continue to be made available to students and professors. Hélène David, Quebec's minister of culture and communications, took advantage of her visit to the Brussels book fair on February 27 to meet with the Federation's representatives.

Copibec has already filed a motion in Quebec Superior Court for authorization to launch a class action lawsuit on behalf of thousands of authors and publishers whose rights have been infringed upon by Université Laval. Authors Guy Marchamps, Jean-Frédéric Messier, Michel Nadeau and Fred Pellerin, together with publishers Leméac, Herbes rouges, Écosociété, Productions Micheline Sarrazin, Les Presses de l'Université du Québec and the Belgian and French copyright licensing agencies are also named parties in the legal proceedings. An initial hearing will be held in Quebec City on March 12 to discuss certain preliminary issues.

## Quebec writers also take stand against Université Laval

More than 30 writers, including Samuel Archibald, Michel Marc Bouchard, Arlette Cousture, Nicolas Dickner, Marie Laberge, Yann Martel and Michel Tremblay, signed an open letter to the rector of Université Laval denouncing the institution's policy on "fair dealing." They said they were stunned to see the university, which should be model of integrity when it comes to intellectual property, adopt a policy that disregards authors' rights and damages the university's reputation at home and abroad. The writers were critical of Université Laval's economically driven decision that will make writers poorer at a time when their median income from literary creation is already less than \$2,450 per year.

The letter (in French) and the complete list of signatories can be viewed by clicking [here](#).

## Copibec's lawsuit against Université Laval supported by class action assistance fund

On January 20, after hearing from Copibec's Executive Director, author Guy Marchamps and their legal counsel Daniel Payette, the directors of the Quebec government's *Fonds d'aide aux recours collectifs* unanimously decided to provide financial assistance to pay part of the costs incurred by Copibec in the class action it has launched against Université Laval to ensure that the rights of authors and publishers are respected. The assistance covers the authorization stage in Quebec Superior Court.

## Registration period for payment to visual artists

This spring, Copibec will be making a royalty (licence fee) payment to visual artists. To be eligible, at least one of your works must have been reproduced in a book (including exhibition catalogues), magazine or newspaper **published in Quebec** between January 1, 2011 and December 31, 2013. Works reproduced on digital media are

not eligible.

## Register now!

Go to the Copibec website ([www.copibec.qc.ca](http://www.copibec.qc.ca)) and click Log into my account (in the top right corner of the home page).

The deadline for registering is **Friday, April 17, 2015**.

## What if you have questions?

Please contact [Isabelle Billeau](#), Communications and Rightsholder Services Officer, at 1-800-717-2022 or 514-288-1664 ext. 235.

## Royalty distributions underway

The Copibec team has been making various royalty payments this year. In January, we paid out the amounts collected from the Quebec government and its non-budgetary organizations for compiling and distributing print-format press reviews. The payment targeted mainly newspaper publishers and freelance journalists. Royalties totalling \$893,537 for newspaper articles copied for purposes other than press reviews were also distributed to rightsholders.

In March, the royalties for pay-per-use licences (specific authorizations) are also scheduled for distribution. At the same time, a payment to Quebec authors and publishers is planned. It consists of an additional amount of \$636,120 received from other copyright licensing agencies such as Access Copyright (Canada), Copyright Clearance Center (U.S.) and ProLitteris (Switzerland).

During the second half of the year, Copibec will make its eighth lump sum (repertoire) payment. Freelance magazine and newspaper contributors should check our website for the registration dates. We also encourage book publishers to immediately make sure all their titles have been registered with Copibec and contain complete information. In addition, be sure to notify us if any rights have reverted to authors. If you need more information, feel free to [contact us](#)!

Since April 1, 2014, Copibec had paid out a total of \$15,838,910 to rightsholders.

## Copibec partners with Copyright Clearance Center to offer Get It Now

In collaboration with [Copyright Clearance Center](#) (CCC), Copibec is now able to offer Quebec CEGEPs and universities the *Get It Now* solution that lets them obtain individual periodical articles from a catalogue of millions of articles made available by more than 130 publishers around the world.

This new service for CEGEP and university libraries provides immediate access to content from recognized publishers at a reasonable price. *Get It Now* makes it easier to order articles and includes a dashboard that helps librarians monitor purchase volumes and generate real-time reports.

For more information about *Get It Now*, please contact Copibec's [licensing team](#).

## Tour of schools and education faculties

The 2014-2015 school year has been a busy one in terms of meeting with users. Copibec's "road warriors" (Kevin, Caroline, Frédérique, Émilie and Camille) travelled across Quebec to talk with teachers, school management personnel, librarians, educational advisors and other teaching professionals. They explained the details of the Copibec agreement with the education ministry, highlighted the importance of participating in the data collection process and answered questions about the *Copyright Act*.

Since April 1, 2014, Copibec has visited 83 schools and training centres as well as 32 school boards. Every day, our agents also answer a variety of questions submitted through our website's [Educator Space](#). By the end of this school year, we will have answered more than 400 questions about elementary, high school and college licensing,

Copyright Act exceptions, our Exclusions List, online reporting, the use of online content, reproducible material, plays and songs, etc.

This year, we also went to meet with future teachers during 11 information sessions at four different universities (Université de Montréal, UQAC, UQAM and Bishop's University). The sessions gave us the opportunity to explain the content of our licences to students in education faculties and make them more aware of copyright compliance issues.

We'd like to thank everyone who welcomed us to their school, classroom or office in cities and regions all over Quebec, including locations such as Montreal, Chicoutimi, Lac-Mégantic, Joliette, Quebec City, Beauce, Bois-Francs and the Laurentians.

## SAMUEL

Earlier this year we conducted a survey of SAMUEL users at the preschool, elementary, high school and college levels to ask for their first impressions about the new tool. Although the comments were generally positive, they showed us the importance of improving the search functions and continuing to promote the platform. SAMUEL is still not well known but our information sessions are achieving their goal by helping a large number of people discover the platform.

Users are interested in various improvements such as a refined search function and an enriched database containing more documents. In fact, we are making efforts to approach new partners and have them make their documents available on SAMUEL.

Here's a reminder about how to use the content available on the platform: books and magazines can be used within the limits of the licensing agreements in effect between Copibec and the education ministry and the college institutions. Images, song lyrics and individual articles can be used in their entirety.

If you work at the preschool, elementary, high school or college level and would like us to give you a presentation about SAMUEL, [contact us!](#) If you already have a Savia account, you can use that account to access SAMUEL (in French) at the following address: [www.copibecnumerique.ca](http://www.copibecnumerique.ca). You can also access SAMUEL through your Savia account: after logging into Savia, click the green "Access to SAMUEL" button at the top right of the page. If you don't already have an account, it's easy to [create one!](#)

## Music books and sheet music collections

Copibec represents a number of Canadian and foreign publishers of music books, sheet music collections and musical instruction works (Doberman-Yppan, Productions d'Oz, les Éditions Consonance, etc.). Following discussions with some of those publishers, we decided to devote some of our efforts in the coming months to promoting our repertoire and licences among schools that specialize in teaching music. We have already approached about 25 schools and plan to reach out to many others. Our goal is to make them more aware of copyright compliance and explain the various available options for using the titles in the Copibec repertoire.

In addition, Copibec is pleased to announce that the music books from Doberman-Yppan and Productions d'Oz will be available on [SAMUEL](#) in the coming months.

## On the move!

[Émilie McAll Pinard](#), our Liaison Officer, is back from her maternity leave and is ready to go back on the road to present [SAMUEL](#) and the [copying licence](#) to elementary and high schools. [Kevin Charron](#), who was replacing her, is now taking over from Anouk Pérusse (on maternity leave) as the new resource person for authors and journalists. And finally,

Francis Dubois, who had been replacing Anouk since last fall, has gone back to his position as business development and reporting officer. After this game of musical chairs, we wish everyone best of luck in their new (and not-so-new) roles!

**Contributors:** Hélène Messier, Rose-Marie Lafrance, Cécile Gascon et Nicolas Boudreault

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