

# Intellectual Property Guidelines

Activities that happen in ORL locations are subject to Canadian federal and provincial laws including:

- Intellectual Property laws
- Criminal Code

## Definitions:

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- **Intellectual property** is the legal protection to ideas, inventions and creations in the industrial, scientific, literary and artistic fields. It also covers symbols, names, images, designs and models used in business ([Government of Canada](#)) and comes in different forms:
- **Copyright** is a legal means of protecting literary, artistic, musical, and dramatic works that are original and created in a fixed medium. [Government of Canada - Copyright](#)
- **Trademarks** are used to distinguish goods and services in a marketplace [Government of Canada - Trademarks](#)
- **Patents** cover inventions and must be novel, useful and non-obvious [Government of Canada - Patents](#)
- **Industrial Design** cover the visual features of a shape, its configuration, pattern or ornament or combination of these features applied to a finished article (“How things look”). [Government of Canada - Industrial Designs](#)
- **Fair Dealing** is a user’s right in copyright law permitting use of a copyright protected work without permission or payment of copyright royalties for the purpose of research, private study, education, satire, parody, criticism, review or news reporting, provided that what you do with the work is ‘fair’.

[Fair dealing](#) is a long-standing feature of Canadian copyright law that permits certain uses of copyright material in ways that do not unduly harm the interests of copyright owners, but which could have significant social benefits. In Canada, fair dealing does not infringe copyright and is limited to the purpose of research, private study, education, parody or satire:

- ORL staff and customers may make copies for specific purposes under the fair dealing provision of the Copyright Act. Any concerns of the legitimacy of staff

copying for these purposes will be referred to the Chief Executive Officer or delegate.

- ORL's copying services, whether library staff or a customer makes the copy, are provided without a motive of financial gain. The fee charged is intended to cover the costs to the Library.

#### Details:

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ORL seeks to advocate for, inform and support the intellectual property rights of the creator as outlined within Canadian legislation while balancing the social benefit and educational value of fair use.

The majority of the material in the Library's collections is subject to Intellectual Property laws. It is not the role of Library staff to interpret the legislation for customers. Responsibility regarding intellectual property arising from the use, printing, and/or copying is the responsibility of the customer making the copy or item, whether the customer uses their own or library equipment.

The intellectual property laws of Canada govern the making of reproductions and/or use of some materials. Certain copying may be an infringement of intellectual property laws, including copyright law. The Okanagan Regional Library is not responsible for infringing copies or items made by users of the Okanagan Regional Library's copying equipment and Makerspaces. It is the user's obligation and responsibility to determine and satisfy intellectual property laws or other use restrictions (such as privacy rights, CSA standards, technical protection measures, licensing and trademark, etc.) when using ORL's collections, equipment and software.

For more information, please visit the Canadian Intellectual Property Office's website:

<http://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/home>