

## REQUEST FOR CONTRIBUTIONS FOR THE INFORMATION SESSION ON THE IMPACT OF THE COVID-19 PANDEMIC ON THE COPYRIGHT ECOSYSTEM

### INTRODUCTION

During the upcoming 42<sup>nd</sup> Session of the Standing Committee on Copyright and Related Rights (SCCR), an Information Session on the Impact of the Covid-19 Pandemic on the Copyright Ecosystem will take place. In order to provide a clear overview of the “impact on the cultural, creative and educational ecosystem, including copyright, related rights, and limitations and exceptions”, the Secretariat kindly invites Member States and Observers to share existing examples of situations that arose and actions that were taken and/or interventions that were made during the Covid-19 pandemic with respect to the industries or institutions that are being considered in the Information Session. We ask you to describe these situations or actions by providing the information requested below. If you are able to give us some elements of your response before March 15, it could help our researchers who are preparing the overview. In addition, all contributions received by the eve of the Information Session will be uploaded (with your permission) onto the WIPO web site.

Please send this form by email to the following address: [copyright.mail@wipo.int](mailto:copyright.mail@wipo.int) with the subject: “Information Session”.

### INFORMATION REQUEST

1. Full name of the entity or individual submitting the response.  
Canadian Federation of Library Associations
2. Contact person with email address and telephone number for questions or clarifications about the submission.  
Christina de Castell [Christina.decastell@vpl.ca](mailto:Christina.decastell@vpl.ca) 604-331-4007
3. Would you accept having your response made public (e.g. posted on the WIPO website)?  
 Yes  
 No
4. Do you accept having the information contained in your responses mentioned in studies and presentations for the Information Session?  
 Yes  
 No
5. **Brief** description of example, measures or interventions that took place (up to 200 words).  
*(Explanation: Please briefly explain the situation and why it is of interest for the Information Session. Examples could include policies put in place or other measures aimed at increasing the resilience of an industry or institution, or to assist the people they serve.)*  
Because public libraries were closed, we could not deliver early literacy programs that support language learning for young children. As an example, in Vancouver, Canada, the public library

delivers more than 5,000 programs of this type annually. These use rhymes, reading stories aloud, songs and finger play to develop parent-child engagement skills, create social networks for new parents, and provide early learning opportunities for children.

Most public libraries do not have access to copyright experts or staff who can negotiate individual permissions with rights holders. When publishers and collective societies told libraries that permission was required, staff assumed this was correct and did not consider options under fair dealing. This greatly limited what stories were shared, which limited use of stories in different languages or from other countries. In turn, using a more limited range of content means children were not exposed to diverse stories and the result could be less likelihood of sales after exposure to books through the library. Libraries that took advantage of explicit publisher permissions followed labour-intensive reporting requirements that diverted staff time from public services.

6. Territory where it took place (continent, country, and city or region).  
Canada

7. Relevant sector or sectors.  
Libraries, Publishing, Educational and Research

7.1 Additional observation or sector not listed above:  
Click or tap here to enter text.

8. Please provide the key lessons from this example.  
While librarians understand reading stories aloud in person to be an allowable activity that does not engage copyright law, as it does not make a copy, delivering early literacy programs online was new, and would require filming pages of a book as part of reading it aloud. This introduced a barrier as it could be said to create a copy of the book, although most would understand that it was not a replacement or equivalent to a copy of the book. Canadian copyright law includes fair dealing, and early literacy programs would be an educational purpose, so some libraries proceeded on this basis. Other libraries chose to use only material that had explicit permission from publishers, or free licences, or paid for licences from the collective society.

Fair dealing was effective and operationally achievable for libraries, if they were comfortable with the level of risk in fair dealing. However, many libraries were not comfortable with the risk. Where staff were not comfortable with using books because they understood permission was required, they eliminated the story reading entirely and delivered only rhymes, songs and finger plays.

Although some publishers offered licences without charge, the onerous reporting requirements associated with the licences diverted too much time from direct service delivery to be useful for many libraries.

Some libraries that created recorded content identified that the higher quality expectations for recorded content, and the short permission suggested as appropriate by rightsholders meant that offering recordings was often not worth the effort.

These issues mean that fewer, less diverse stories were shared through libraries during COVID.

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9. Please provide links to relevant documents or other sources that could provide further information about this example.

[Online Storytimes Guidelines For Canadian Public Libraries During COVID-19](#)

10. Please provide any additional comment you might have.

The Canadian Federation of Library Associations provided guidance for libraries on the options, use of acknowledgement, and possible controls to apply fair dealing. Some libraries provided only live storytimes as a “control” which would limit distribution, while others offered recordings available for times ranging from a few days up to the duration of closures. The length of time that libraries made recordings available varied from library to library, as did the way that the recordings were shared.

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