

#4 – HOW TO INTERPRET THE USE REQUIREMENTS

ESDC Intellectual Property (IP) Job Aid Series

FIND-READ-SAVE-COMPLY

Assume that all materials are protected by copyright – whether or not the copyright symbol has been affixed! (©)

Use Requirements set out the conditions under which copyright materials may be used.

If the *Use Requirements* cannot be found or are complicated or unsuitable, consult the owner directly, replace with different materials or seek the advice of the IPCOE.



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[Pexels.com](#)

FIND & READ

Use Requirements can usually be found by clicking on the image, the *Visit* webpage (Google Images), the image name (Bing) or by going to the host/owner website.

- They may be found under various headings such as *Terms of Use*, *Terms & Conditions*, *copyright information*, *Legal Stuff*, *License Information*, etc.
- When dealing with books, CDs and DVD's, reports, music, etc., check the packaging or the cover page for a rights notice or contact information.

Ensure that the *Use Requirements* include the rights needed for the activity, such as the right to modify, copy, distribute, publish and/or translate.

If there are restrictions, you may need to seek the owner's permission.

[See: [Job Aid #6 – Request Permission](#)]

KEEP RECORDS



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If permission to use the material is provided at the source, keep a record of the source location or URL where it was found, as well as a complete copy/screenshot of the material/image and a complete copy of the *Use Requirements*.

If permission from the copyright owner is required, contact them to provide clear details around how and where the material will be used and keep a record of all communication.

Save all records in a Shared Repository where they can be found later, are accessible to multiple employees and will be kept indefinitely.

COMPLY



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Always adhere to the *Use Requirements* established by the copyright owner.

Be cautious about using the material if the *Use Requirements* are hard to find, seem incomplete or unclear and/or if they include any of the following:

- An indication that the laws of a country other than Canada apply.
- A statement absolving the organization (e.g. the website) from any liability for damages, costs or losses resulting from use of their content.
- A statement that the license does not consider associated rights such as Moral, Model, Property or Privacy Rights. [See: Job Aids [#8 – Moral Rights](#) and [#11 – Additional Rights](#)]

Questions? Refer to the [IPCOE Website](#) or contact the [IPCOE](#) by email.