# Using Images in Classroom Presentations: Copyright Considerations

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| Displaying images in a classroom | - Display any images except those “commercially available in a format suitable for this use” or restricted by the terms of use of a licence. | - *Copyright Act*\(^1\) exception 29.4, Reproduction for Instruction.  
- Restrictions found in licence or other terms of use, etc. | - Ask rights holder for permission to use the work.\(^2\)  
- Find another image to use.\(^3\) |
| Posting images in LMS (e.g., eClass) / distributing to students | - Use *Copyright Act* exception for open web content and/or a fair dealing assessment to gauge the level of risk you will be accepting by posting another person’s work to your LMS.\(^4\)  
- Post / distribute images licensed for this purpose, including most library licensed resources (e.g., ArtStor) and most works that have a Creative Commons licence. | - *Copyright Act*\(^1\) exception 30.04, Work Available Through Internet and/or exception 29, Fair Dealing.\(^4\)  
- Library eResources are generally purchased for educational use; see terms of use for clarification.  
- Creative Commons (and other open) licences generally allow for non-commercial re-use. | - Ask rights holder for permission to use the work.\(^2\)  
- Find another image to use.\(^3\) |
| Posting images on the open web as part of a presentation or Open Education Resource (OER) | - Post images licensed for this purpose (e.g., open licenses such as Creative Commons).  
- Use a fair dealing assessment to gauge the level of risk you will be accepting by posting another person’s work to the open web.\(^4\) | - Creative Commons (and other open) licences generally allow for non-commercial re-use.  
- *Copyright Act* exception 29, Fair Dealing, allows for limited uses for educational purposes.\(^4\) | - Ask rights holder for permission to use the work.\(^2\)  
- Find another image to use.\(^3\) |

Assumptions: Images used in classroom presentations are obtained from a lawful source and proper attribution is provided.

\(^1\) *Copyright Act* [http://laws-lois.justice.gc.ca/eng/acts/C-42/](http://laws-lois.justice.gc.ca/eng/acts/C-42/)

\(^2\) Sample permission letters are available on the Copyright Office web site: [http://copyright.ualberta.ca/](http://copyright.ualberta.ca/)

\(^3\) Use your own images (if appropriate, assign a CC licence), images in the public domain, or images with more flexible terms of use.

\(^4\) See reverse for more information about the exception for fair dealing as it pertains to images.

\(^5\) Information about Creative Commons licences can be found here: [https://creativecommons.org/](https://creativecommons.org/)

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**Need help?** Copyright Office website [http://copyright.ualberta.ca/](http://copyright.ualberta.ca/) or [copyright@ualberta.ca](mailto:copyright@ualberta.ca)
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**Exception for Fair Dealing**

The Canadian Copyright Act allows an exception for certain limited uses of copyright material where the purpose is research, private study, education, parody, satire, criticism, review, or news reporting.

**Copying by University Employees**

University employees must ensure the amount they copy does not exceed the limits defined in the University of Alberta Fair Dealing Guidelines. These can be found at [http://copyright.ualberta.ca/](http://copyright.ualberta.ca/).

**Copying by Individuals**

When considering using images under fair dealing (e.g., in theses or conference presentations, etc.), individuals must assess the “fairness” of their dealing. The Copyright Act does not define what is fair, rather fairness is assessed based on the facts of each case. Assessing whether a dealing is fair involves consideration of six factors including: the purpose of the use; the character of the dealing; the amount of the dealing; alternatives to the dealing; the nature of the work; the effect of the dealing on the work. For more information on these six factors and assessing fairness, please contact copyright@ualberta.ca.

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Instructors who choose to share their presentation material with students may do so provided distribution is limited to students enrolled in the program. Posting to a secure online environment that requires students to authenticate is recommended (e.g., LMS). Please include the following notice:

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- Indicate the title of the image reproduced (if available), as well as the author and source for each image.
- Use low resolution for images if you have a choice between high or low resolution options.
- Exercise due diligence in ensuring the copy reproduced is made from a lawful source.

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