

QUESTIONS RELATING TO LECTURE CAPTURE VIDEOS

Question #1:

When recording lectures for broader distribution on an institution or third party site, do we need to be concerned about images used in the lectures being captured in the video?

Answer #1:

Generally speaking, capturing a copyrighted image in a video recording is essentially the same as any other form of copying so using images in this way is different from using them for temporary, in-class display. For these reasons, it is important to ensure that all presenters either obtain permission to use the images in their presentations or use images for which permission is not required, such as images that are covered by an appropriate Creative Commons license or are in the public domain. Alternately, you may wish to omit all copyrighted images from the recording, either by focusing the camera on the presenters (and not filming the presentation screen) or by editing the recordings to blur out or otherwise redact any copyrighted images captured.

If the University is capturing and publishing the recordings, then your department must ensure that it has secured all required permissions to record the lectures and distribute them. Therefore, we strongly recommend that each presenter sign a Presenter's Licence, Consent and Waiver form. By signing such a form, the presenters will not only grant the institution a licence to distribute the recordings online (and perform other actions related to such distribution), but also confirm that the contents of their presentations do not "infringe any copyright or other intellectual property rights of any other person." This gives the University some comfort that the presenter has taken steps to ensure their presentation does not infringe copyright.

Question #2:

If we were put this taped version of the presentations on our website, and someone giving a presentation (not in our department) violated copyright, could we potentially be liable for violating copyright law?

Answer #2:

Yes, if UBC posted a lecture that contained material that infringed copyright, then UBC may itself be liable. We must reduce the risk of this happening, and one way of doing so is to require that each presenter sign a Presenter's Licence, Consent and Waiver form.

Another way is to review the lectures prior to posting. If it appears that the lecture contains materials that may be infringing copyright, you may wish to edit the recordings to blur out or otherwise redact any copyrighted images captured.

Question #3:

If the taped version of the presentation was put on You Tube, and we placed a link to it on our website, could we still be at risk of violating copyright law if a presenter violated copyright in their presentation?

Answer #3:

If UBC posted the presentation on Youtube, then our answer to your second question would apply.

If someone else records and posts the presentation on Youtube, then linking to that video would present a lower risk (relative to the person who posts the video). However, you should still exercise caution: if you know or suspect that a video contains material that infringes copyright, you should not link to it. Please see [Instructor FAQ 2.15](#) for some additional considerations to keep in mind when linking to external websites.