



# **COPYRIGHT & GEN AI**

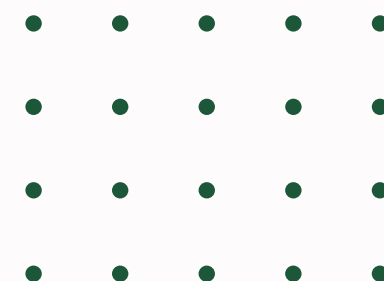
## **WHO OWNS THIS STUFF ANYWAY?**

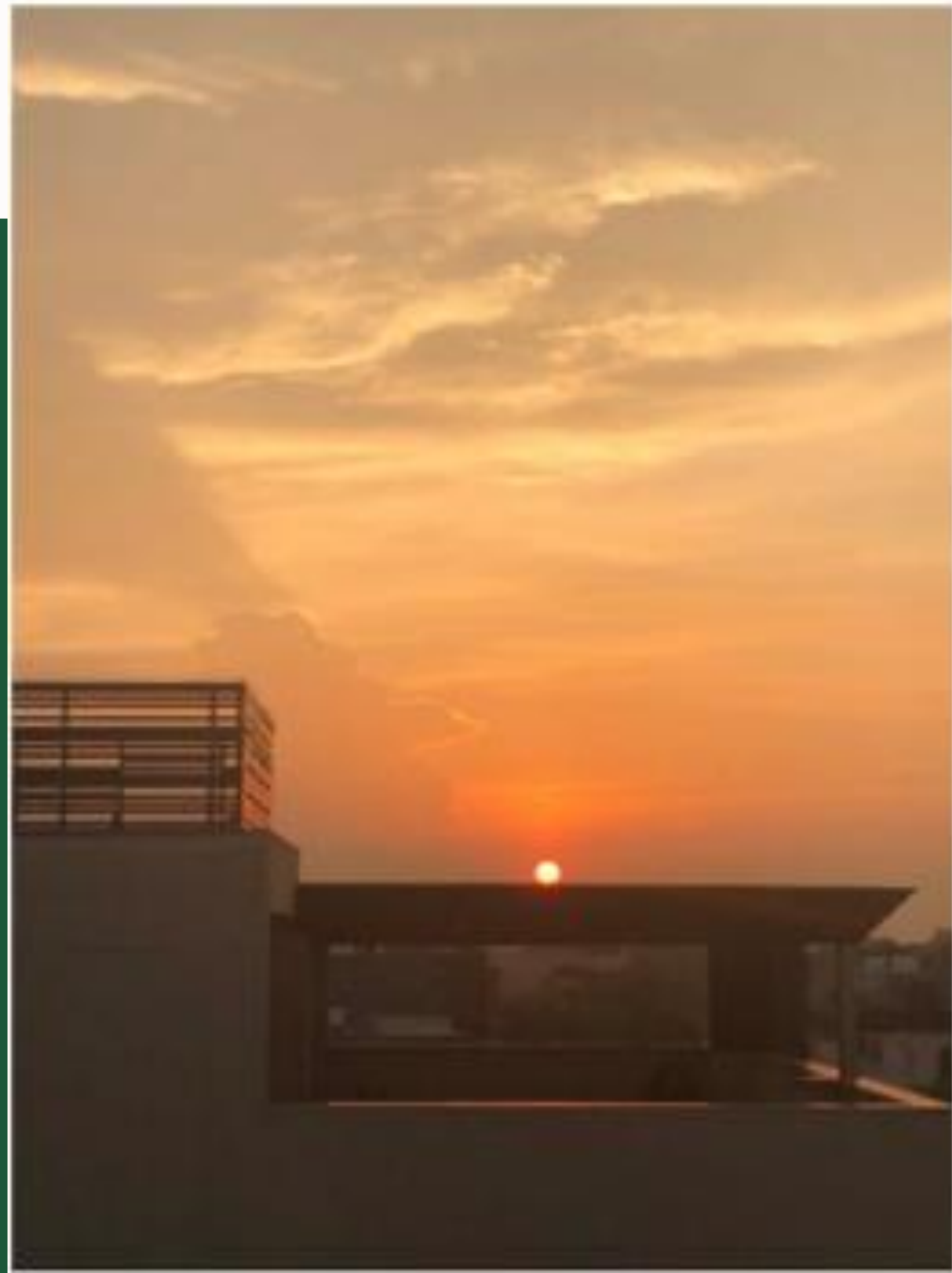
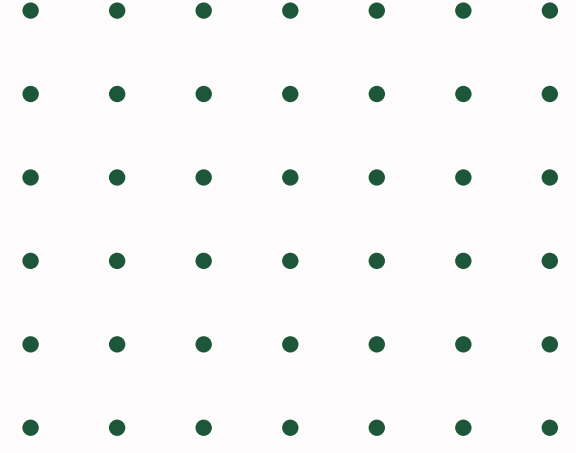
Catie Sahadath

Associate University Librarian, Scholarly Resources  
Durham College & Ontario Tech University

24 April 2024

[bit.ly/dc-genai](https://bit.ly/dc-genai)

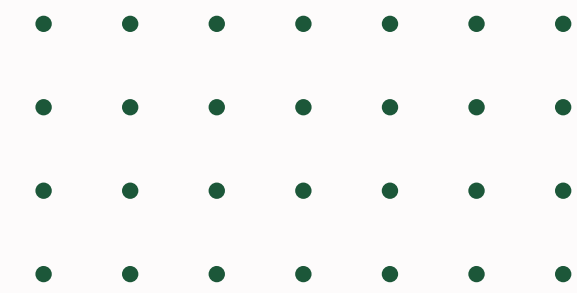




A Photo taken by  
Ankit Sahni



*Starry Night* by Vincent  
Van Gogh

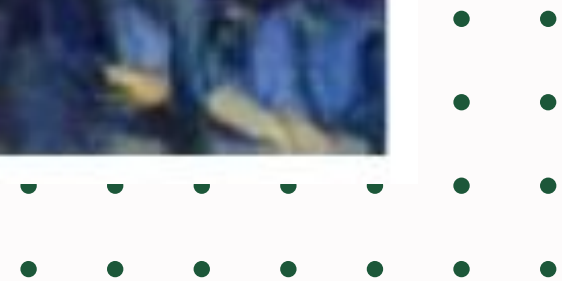
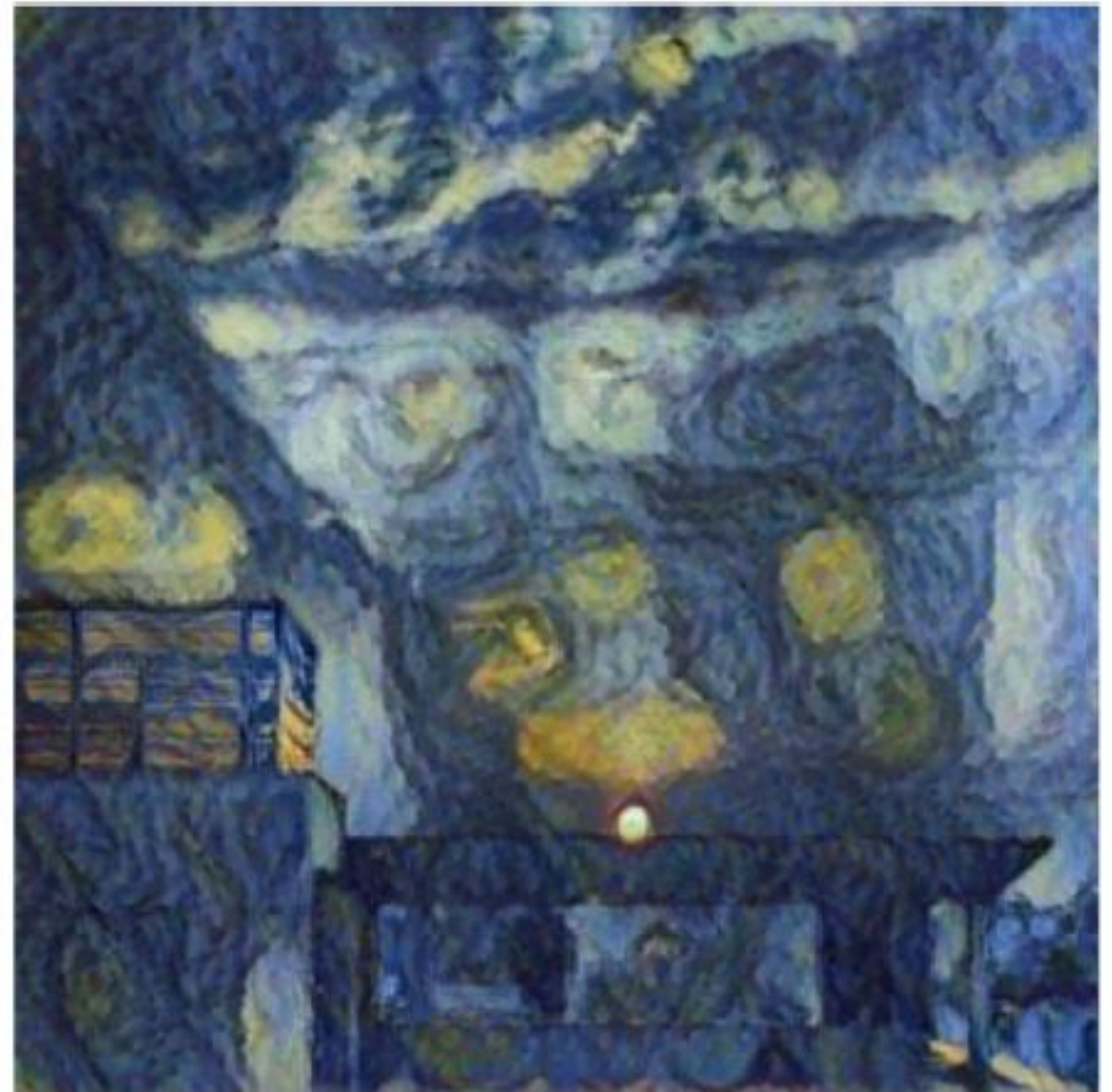


# SURYAST

Published 2020

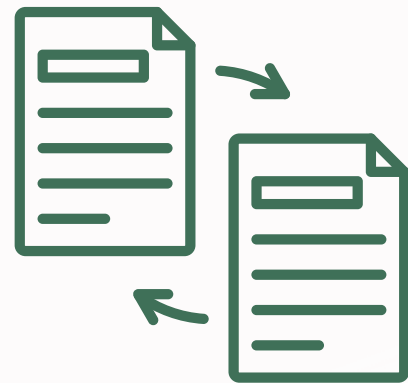
Ankit Sahni &  
RAGHAV

Artificial Intelligence Paining App



# COPYRIGHT

Intellectual property rights for  
copyright owners and/or authors



**The right to prevent  
unauthorized  
reproduction of a  
work**



**Exclusive right to  
benefit  
commercially from  
a work**



**Moral rights, such  
as attribution and  
the right to modify  
a work**



# Canada's Conditions for Copyright Protection



Fixation



Expression



Originality

# FAIR DEALING

Your rights to make use of  
copyrighted works



**Education  
Research  
Private Study**

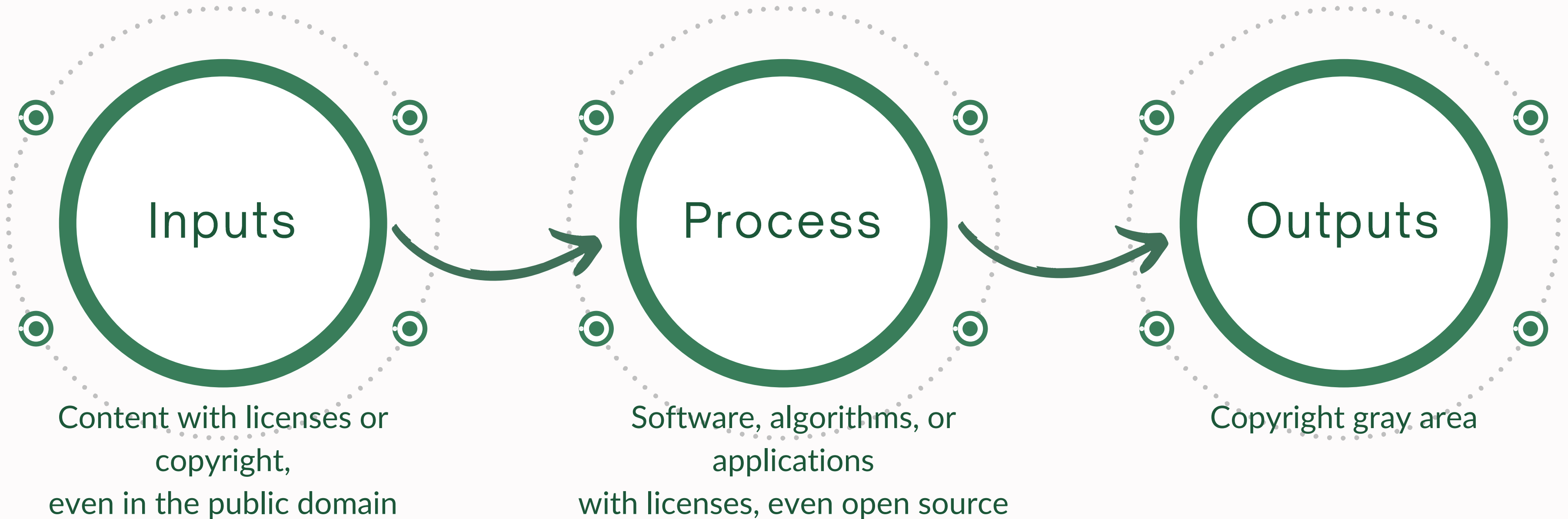


**Satire  
Parody  
Criticism**

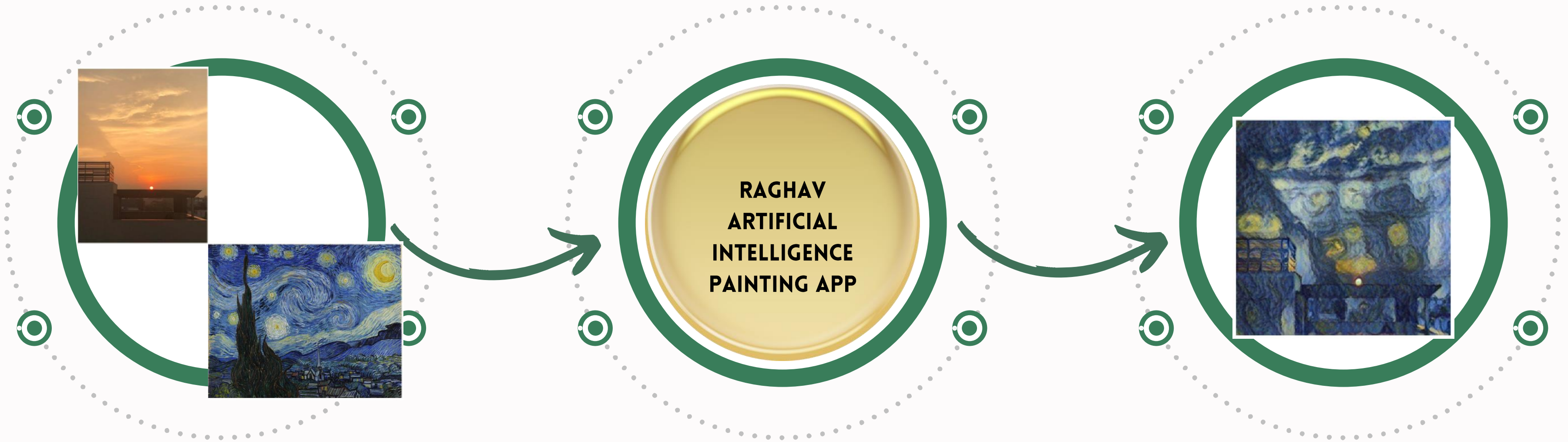


**Review  
News Reporting**

# WHERE WE SEE COPYRIGHT IN GEN AI



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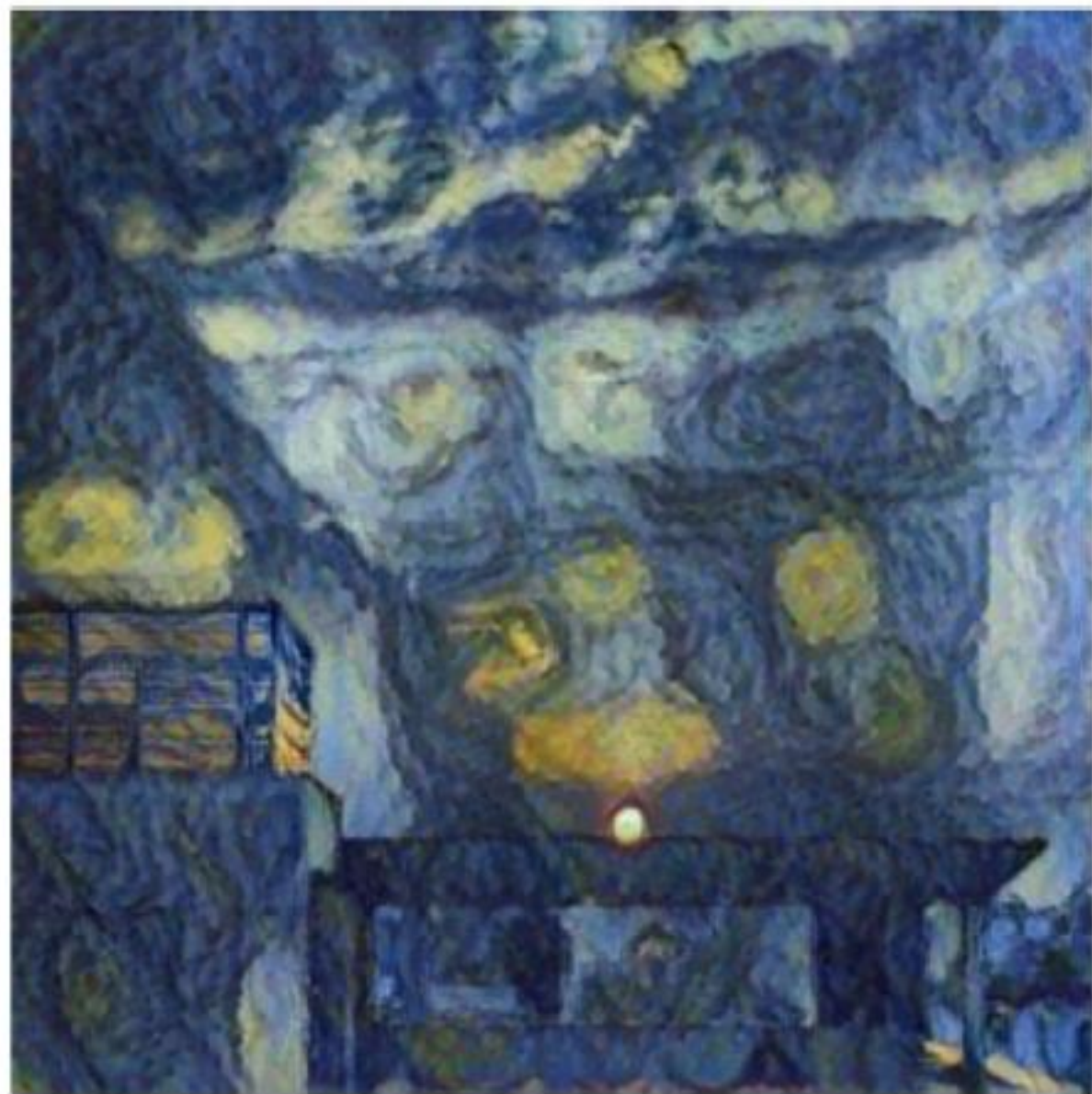
Sunset photo:  
Copyright held by Ankit Sahni  
Starry Night: Public Domain

Raghav App: Copyright owner may be  
a company or the creator of the app

Suryat:  
Default rights holder is unclear



# SURYAST



## U.S.A.



Copyright registration denied

“Lacked the human authorship necessary to support a copyright claim.” [US Copyright Office](#)

## CANADA



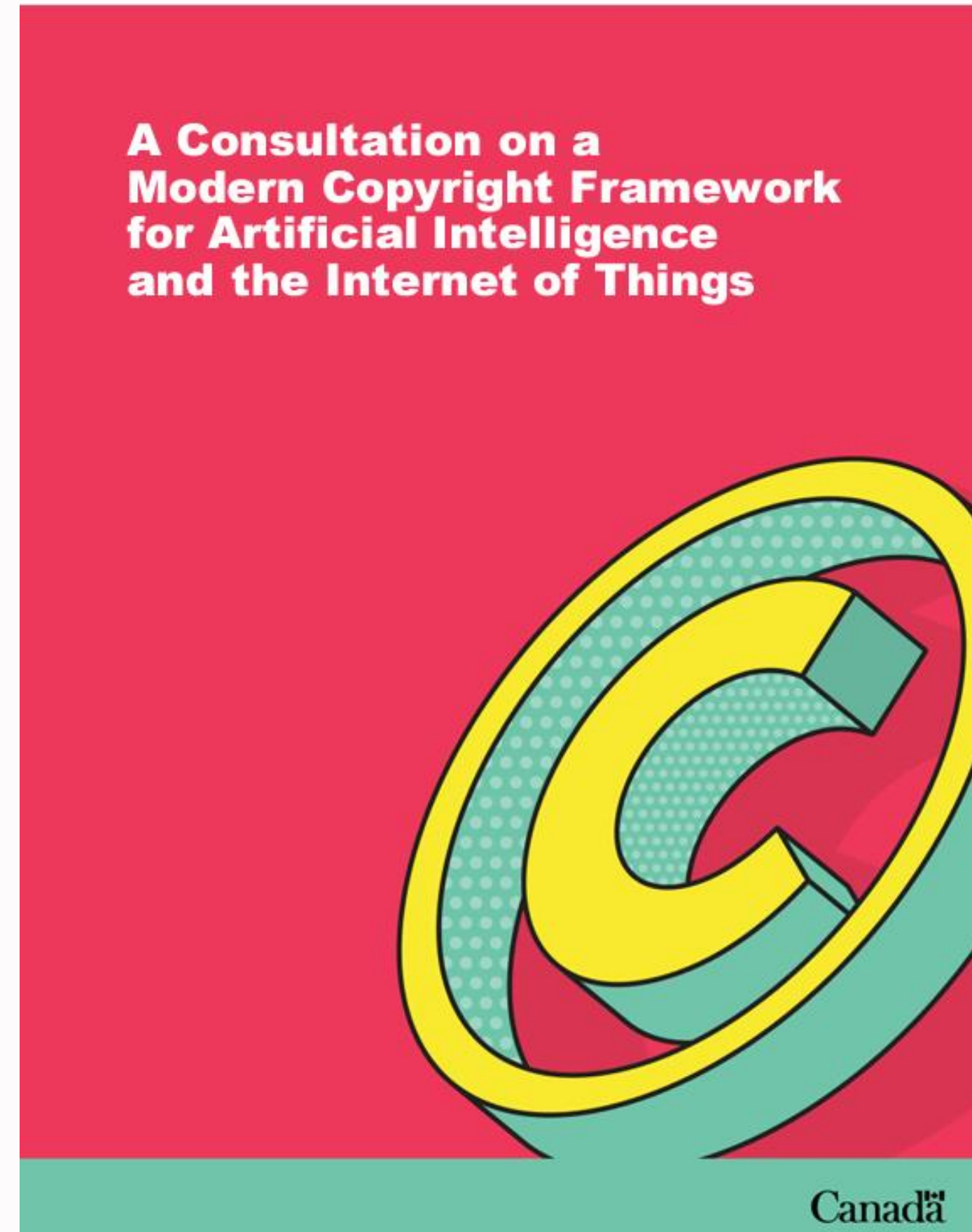
Copyright registration granted

[Canadian Intellectual Property Office](#)

# Canada's Approach

## Copyright Modernization Consultations

- Feedback collected October 2023 - January 2024
- Report forthcoming
- Could result in changes to the Copyright Act



[Innovation, Science, and Economic Development Canada](#)

A photograph of a modern classroom with rows of desks and chairs, a whiteboard, and a podium. The image is overlaid with a semi-transparent green filter and decorative horizontal bars on the left and right sides.

# HOW DO WE USE GEN AI IN THE CLASSROOM?

# Gen AI in Teaching & Learning

Translation

Syllabus statements

Lesson plans

Assignments

Summarizing content

Generating code

Creating test questions

Plagiarism detection

Generating course content

Each of these tasks:

(1) Requires the **input** of intellectual property

(2) Results in the **output** of information

# CONSEQUENCES OF MISUSE

# Consequences of Misuse



Legal action from the copyright holder against the individual or institution



Loss of access to licensed resources for the individual or the institution



Reputational risk for the individual and institution

# Will I be sued for misuse?



Technically there's nothing stopping someone from pursuing litigation



Some large GenAI companies offer indemnity to users, in order to control legal defenses in GenAI copyright cases



This generally deters copyright owners from suing

# GUIDELINES

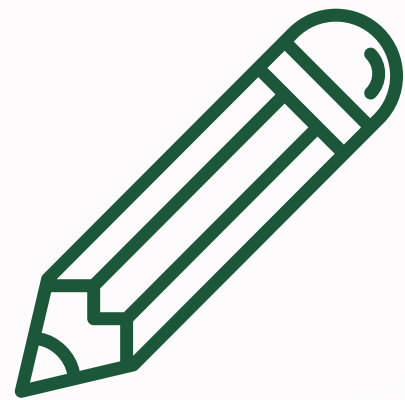




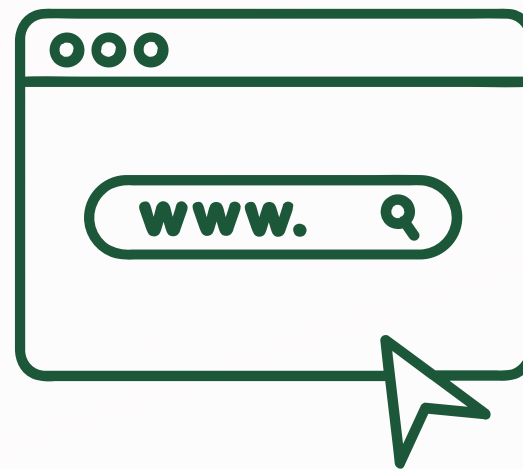
# GENERAL

- When you use GenAI to generate content, you may not hold the copyright to the outputs
- All content entered into a GenAI tool may become part of its corpus of data; your inputs may inadvertently appear as a response to other prompts
- Always review the terms of service for all platforms you're using
- There are other rules outside of copyright to consider (College policies, FIPPA, your own ethics)

# OUTPUTS



Keep good records  
about input, and  
prompts



Use the Library's  
Citation Guide to  
learn how to cite  
GenAI

[Available here!](#)



Always know the  
policies of the  
organization where  
you are using the  
outputs

# INPUTS

## YOU MAY USE

- Openly licensed content
- Materials in the public domain
- Information for which you own the intellectual property / copyright



## YOU MAY NOT USE

- Library licensed resources (E.g. journal articles, eBooks)
- Confidential, personal, or private information
- Significant parts of works to which you do not own the rights

# THE LIBRARY IS HERE TO HELP!

Questions about copyright? AI?  
Library services?

We've got you!

[Durhamcollege.ca/library](https://durhamcollege.ca/library)



# WORKS CONSULTED

[Copyright – Learn the basics Protect your original works. Learn why copyright matters.](#)

[Canadian Copyright in the Age of Generative AI: My Submission to the Government’s Copyright Consultation - Michael Geist](#)

[Generative artificial intelligence | Copyright at Waterloo](#)

[Unclear how Canadian copyright law applies to generative AI: government document](#)

[Who owns AI generated art? A primer on Canadian copyright and AI artwork](#)

[Artificial intelligence and copyright](#)

[Generative AI Has an Intellectual Property Problem](#)

[Carson Law — Copyright Comparison Series - Part 1: Derivative Works in Canada and the U.S.](#)

[State of the Arts: How Should Canadian Copyright Law Treat Works Generated by Artificial Intelligence?](#)

[Consultation on Copyright in the Age of Generative Artificial Intelligence](#)

[Consultation paper: Consultation on Copyright in the Age of Generative Artificial Intelligence](#)

[Canada Calls for AI Input With Copyright Needs Still Unmet](#)

<https://publishingperspectives.com/2024/01/canada-calls-for-ai-input-publishings-needs-still-unmet/>

[Copyright protection for AI-created work? | Canada | Cabinet juridique mondial | Norton Rose Fulbright](#)

[Registration number: 1188619 - Canadian Copyright Database](#)

[U.S. Copyright Review Board Affirms Rejection of Copyright Registration for Work Created With AI Application | IP Law Watch](#)