

Language and discourse in the *Copyright Act* review



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Who we are

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Our research question

Q: What is the picture the briefs paint as a whole, and what impact might that have on the committee and the outcomes of the review?

- Who submitted briefs?
- Do specific communities present cohesive messages within their submissions?
- Do the briefs correlate to any action/reports coming out of the review?

Methodology

Theoretical Framework

Grounded Theory

- Starts without a hypothesis
- Theories emerge as data is analyzed and coded
- An iterative process

Process

1. Google Docs and Sheets
 - Identified and categorized submitting parties
2. NVivo - qualitative data analysis tool
 - Uploaded submissions and encoded with identified themes

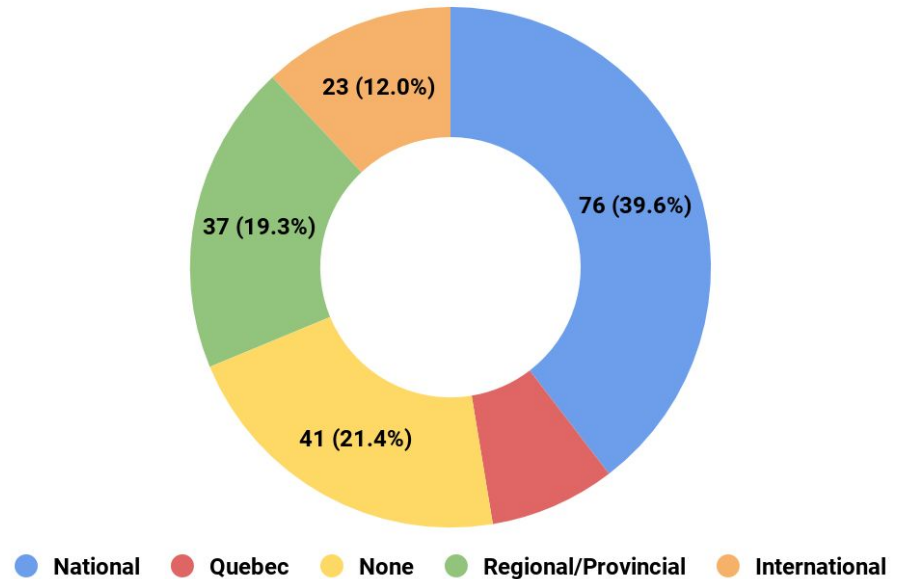
Who submitted briefs?

273 organizations and/or individuals were represented in 192 briefs.

In an attempt to contextualize the briefs we recorded information about the parties including:

- Perspective
- Sector
- Community
- Region

Region

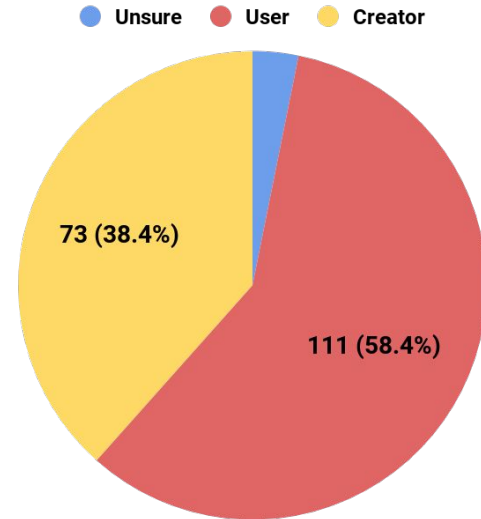


Who submitted briefs?

Of initial interest was the general perspective represented in the briefs.

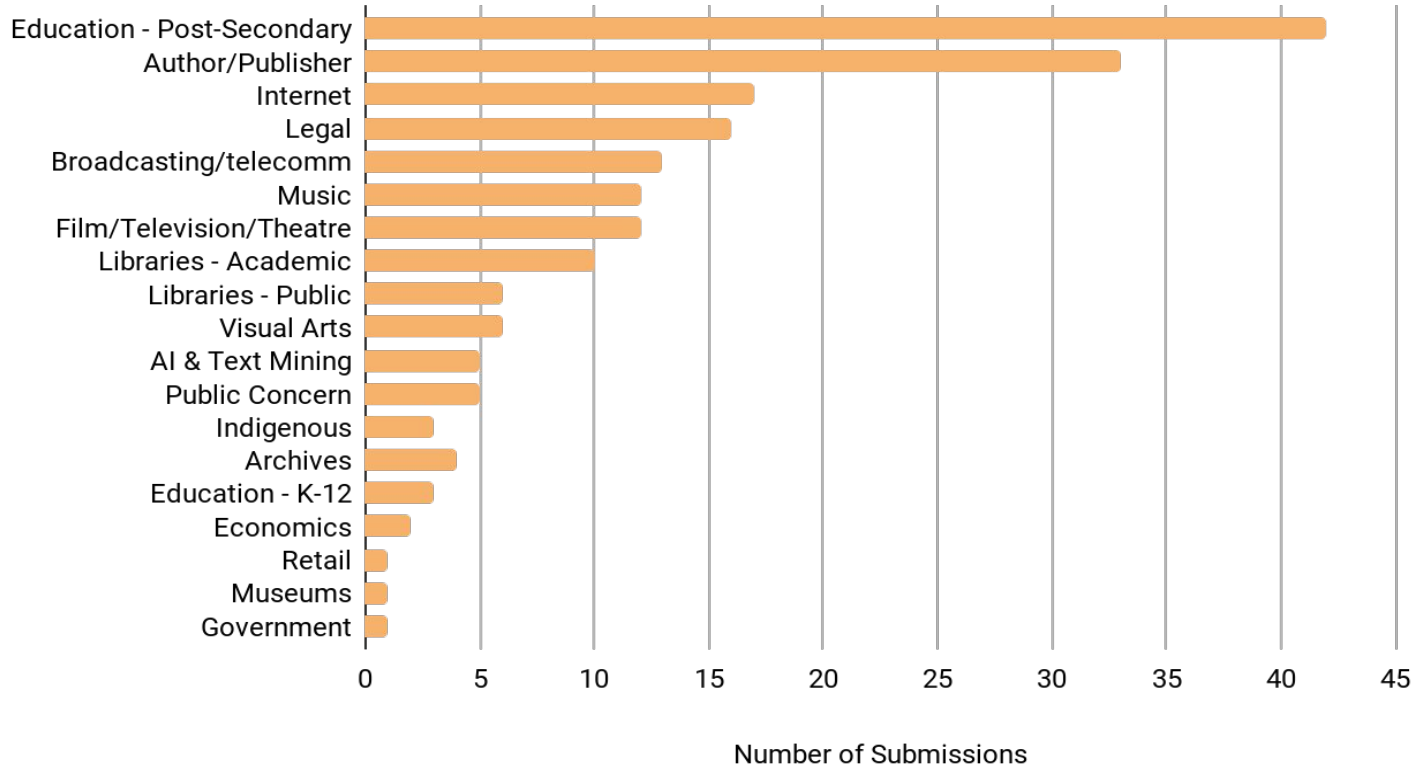
Briefs were coded as either **User-centred**, **Creator-centred**, or **Unsure**, if the brief did not appear to represent either perspective or we were unable to determine which view dominated the submission

Perspective



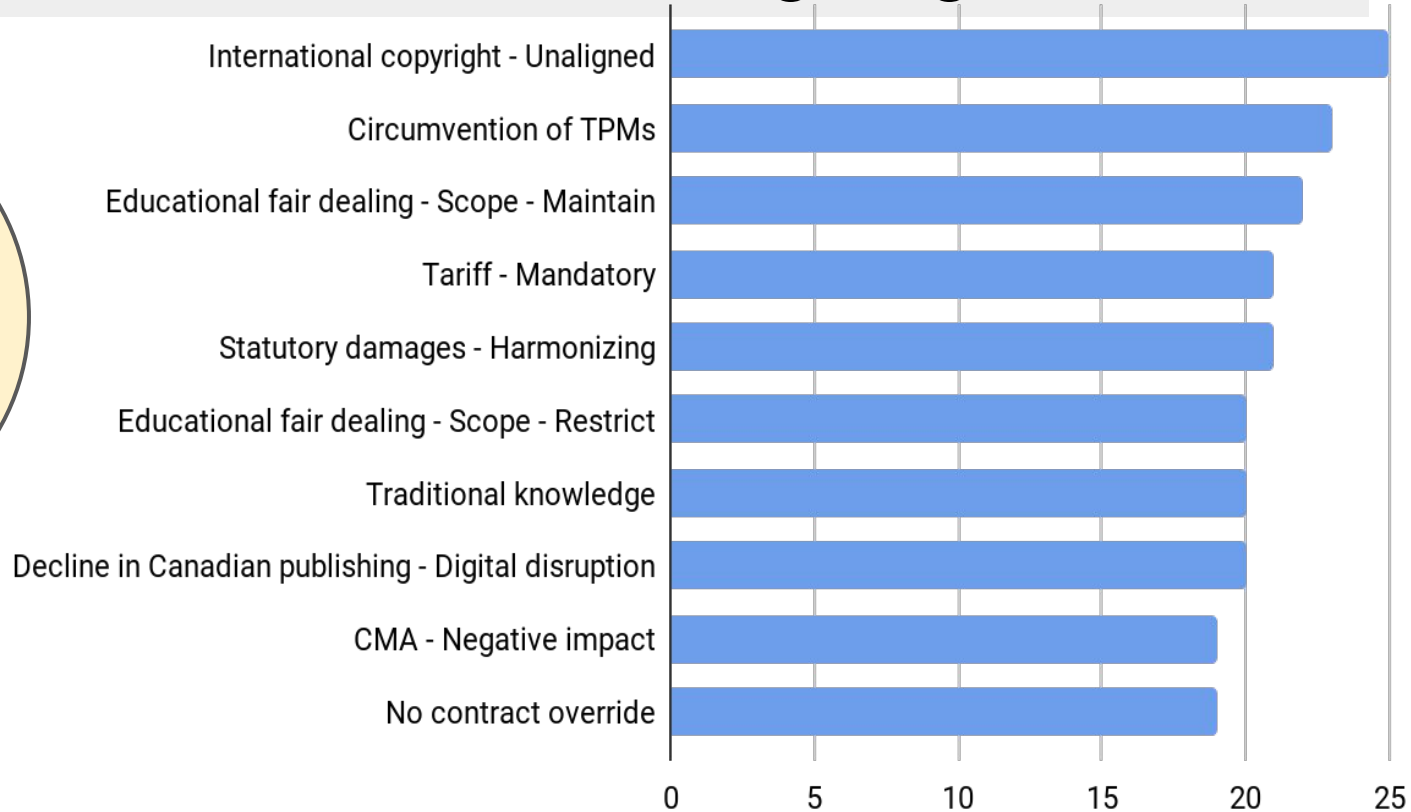
Which perspective do you think was presented in the largest number of briefs?

Who submitted briefs?



What issues did the briefs highlight?

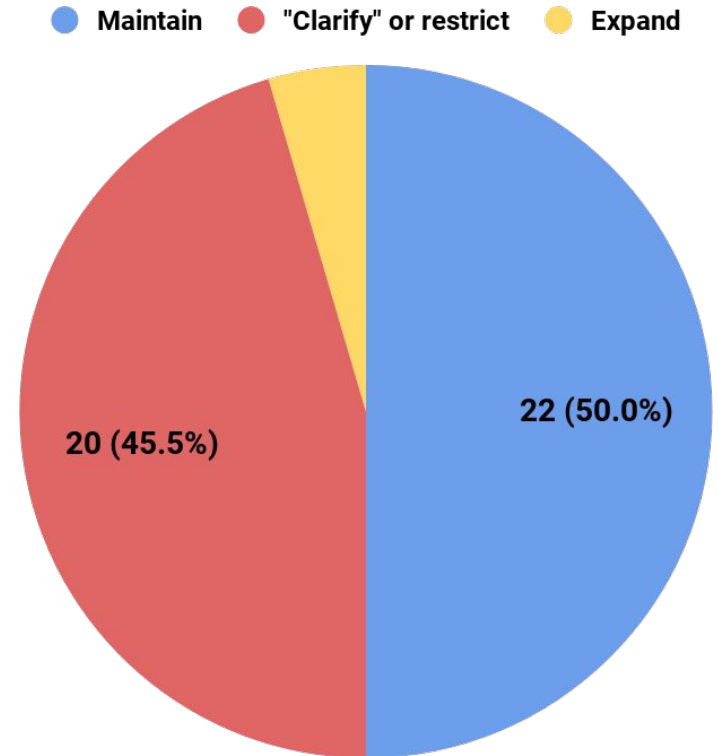
**100/192
briefs
coded**



Fair dealing for education

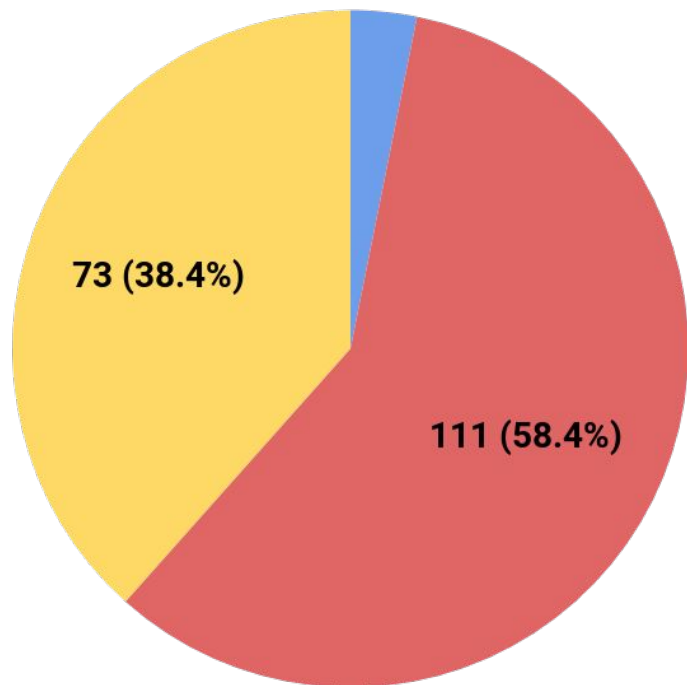
"[F]air dealing as it stands now offers a proper balance of rights and exceptions... Interpretations of what constitutes a dealing that is fair should continue to be left to the context." Canadian Association of Law Libraries

"[T]he Copyright Act [should] be amended such that the fair dealing exception for the purposes of research, private study and education not apply to educational institutions in respect of works that are commercially available." Access Copyright

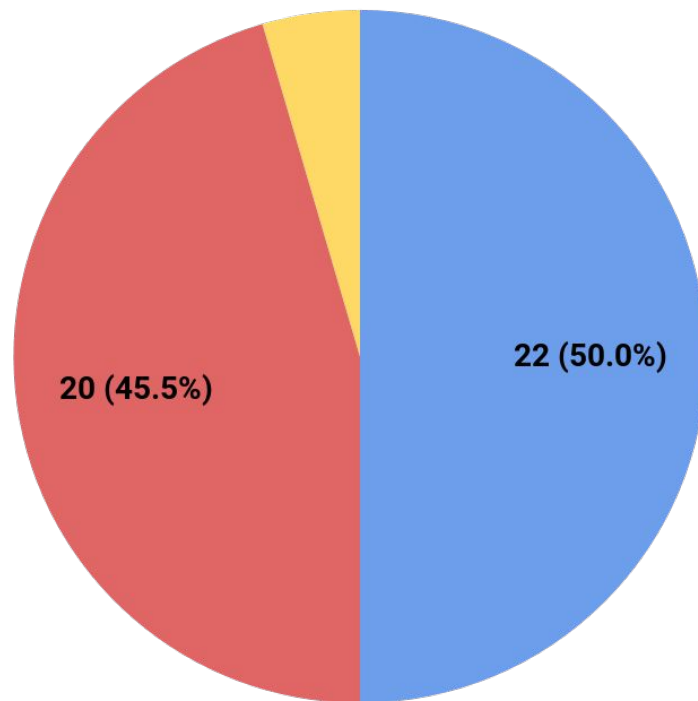


Fair dealing for education

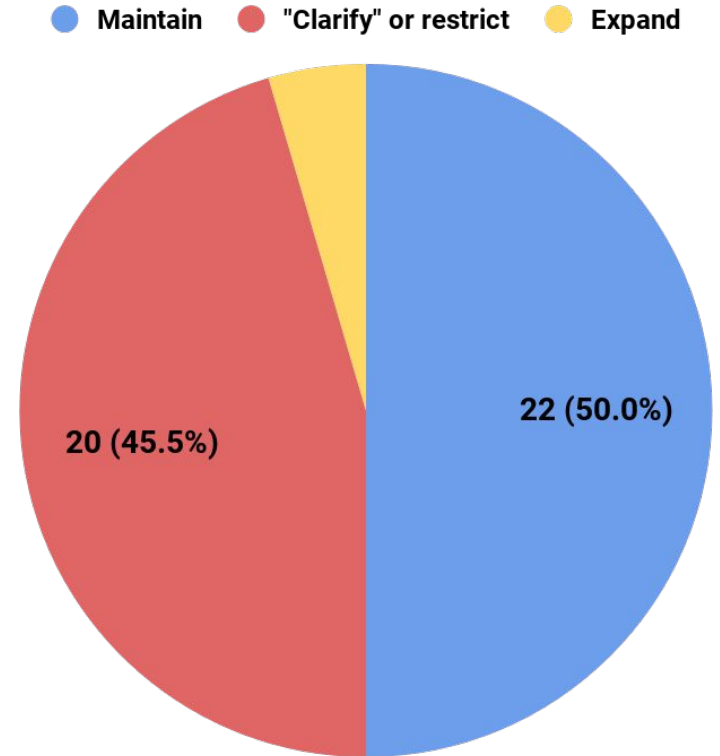
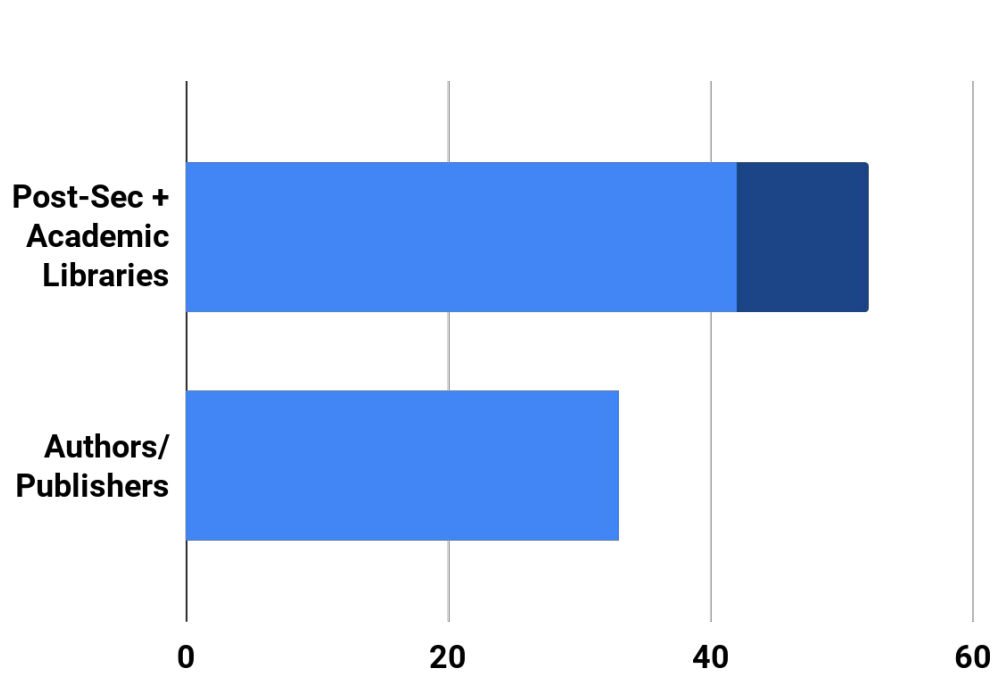
● Unsure ● User ● Creator



● Maintain ● "Clarify" or restrict ● Expand



Fair dealing for education



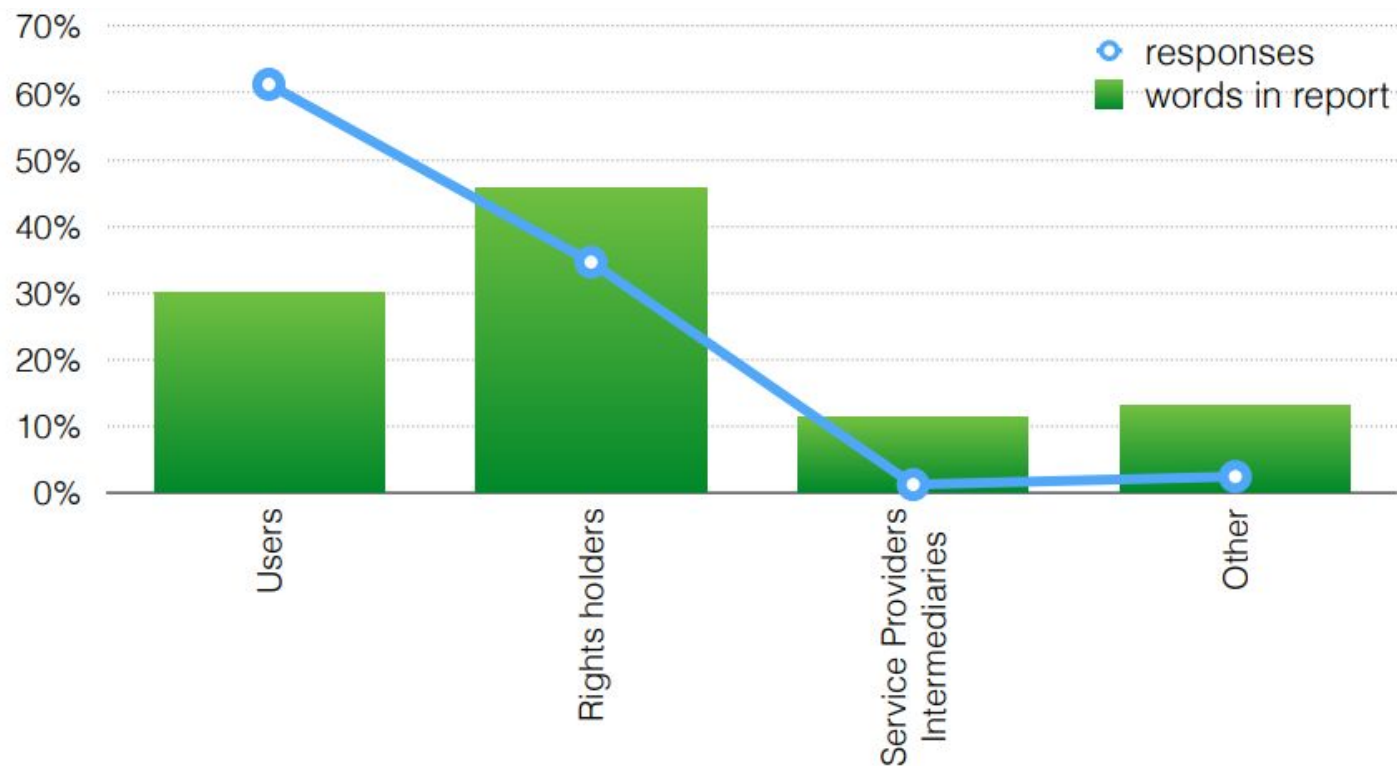
Copyright term extension

"No witnesses expressed outright opposition to extending of the copyright term from 50 to 70 years after death"

- **Shifting Paradigms, pg 22**

"A term extension risks preventing a vital public sphere to the benefit of major record labels, who may further exploit an artist's work after their death but are more likely to let the work languish."

- **Cultural Capital Project (INDU Submission)**



methodology: combined word count of summaries of the positions of the named stakeholder groups in the 'Report on the responses to the Public Consultation on the Review of the EU Copyright Rules'. 'Users' groups 'End Users / Consumers' and 'Institutional Users'. 'Rights Holders' groups 'Publishers/Producers/Broadcasters', 'Authors/Performers' and 'Collective Management Organisations'. 'Other' groups 'Others', 'Member States' and 'Public Authorities'. Word counts are corrected for summaries that are attributed to multiple stakeholder groups at once.

Courtesy of Paul Keller, Communia

Challenges and next steps

Challenges

- The number of briefs kept increasing
- Working with qualitative data
- Using NVivo, a tool we were both new to
- Encoding is an iterative process
- Scope creep...is this our whole career now???

Next Steps

- Finish coding the rest of the briefs
- Revisit nodes, and possibly revisit already-coded briefs
- Cross reference content of briefs with data about who submitted
- Wait for outcomes of the Review and compare to data we captured

A glowing lightbulb is shown against a dark blue background. The bulb is oriented vertically with its base at the bottom. A white rectangular box is overlaid horizontally across the middle of the bulb, containing the text "Questions?".

Questions?