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MEMORANDUM

To: Faculty
Date: April 1, 2020
RE: Protecting Online Content

With the move to virtual environment due to the current COVID-19 pandemic, we understand that there are concerns from faculty about placing their intellectual property online. Course content created by a faculty member is considered the faculty member's intellectual property; it should not be distributed, shared in any public domain, or sold by a student or other third party without prior written consent of the faculty member.

This memo outlines some strategies to help you protect your IP.

1. **Make it Common Knowledge:** You may choose to remind students that you own the IP in your lecture and lecture materials even when such lectures or materials are posted online and students are not to post lectures or lecture materials to any other websites or platforms or use the lecture recording or materials for any other purpose without your consent. Professors may also choose to expressly prohibit the recording of live lectures or recorded lectures; this is a common feature of the modern day course syllabus.
2. **Provide Notice:** While not required for protection under the Copyright Act, the addition of the "© [insert professor's name], 2020" at the bottom of a recording, slides or other lecture materials would signal to the students that you are claiming copyright in that particular work. You could also add a watermark to the recording or materials. This may dissuade students or others from using your IP improperly.

3. Digital Security: You may be able to protect your online content through digital security measures. For example, Zoom does not permit a participant the ability to record a live lecture or tutorial without the permission of the host.* Further, the host can require a password for the meeting and enable a watermark feature which superimposes an image onto shared content and the video of the person who is sharing their screen. In PDF files, you can restrict the printing and editing of the PDF document, requiring a password in order to do so. You may wish to consult with your Faculty IT person or WTS to see what digital tools are available to help protect your content.

4. Finding Materials on a Third-Party Site: Should you find your course material posted on a third-party website, you can issue a take-down notice to the website owner. Instructions for doing so are often found in the Terms of Use or similar document, usually hyperlinked at the bottom of the homepage for the offending website. Alternatively, you can contact the website owner and request the removal of infringing materials. Here is a sample of a statement that you could make:

"Please remove the content for Western University course XXXXX. The course material [specify material] has been posted at [provide infringing website address] without my permission as owner of the copyright in such material. Please confirm once the infringing material has been removed. Thank you."

While the technology doesn't yet exist (and perhaps may never exist) to 100% protect your online content, you can take steps to discourage the improper use or sharing of it.

* Notwithstanding the administrative controls within Zoom, students may still find other ways to record online content; this is an issue both in the physical and online classroom. For more information on ways to protect online content delivered through Zoom, see: <https://blog.zoom.us/wordpress/2020/03/20/keep-the-party-crashers-from-crashing-your-zoom-event/>