MEMORANDUM OF UNDERSTANDING RE. COPYRIGHT

Between:

ASSOCIATION OF ACADEMIC STAFF UNIVERSITY OF ALBERTA
    ("AASUA")

- and -

THE GOVERNORS OF THE UNIVERSITY OF ALBERTA
    ("University")

WHEREAS:

The University has in place a regulation covering copyright ownership (the "Copyright Regulations"), which is an appendix to the various agreements between the AASUA and the University (the "Agreements");

The Agreements deal with the ownership of copyright in Article 10 and Copyright Regulations (the "Copyright Rules");

The parties have recognized a need to review the Copyright Rules;

The following is the agreed upon course of action:

1. An Agreement Review Committee (ARC) will be struck in accordance with Article 5 of the various academic staff agreements to review and make recommendations to the parties on proposed amendments to the Copyright Rules, within the parameters contained in this MOU.

2. Any amendments should take into account the historical practice of the University to not claim ownership in classroom materials created by an academic staff member, with certain exceptions that will be clarified.

3. Any amendments will recognize the University’s interest in an immediate, irrevocable and royalty free license from the owner of the copyright material with the ARC making recommendations on the scope of use granted by the license;

4. The ARC will take into consideration the issues that arise in an environment where electronic and other forms of media are created by academic staff members for use in the academic setting;

5. Recognizing that the University has an obligation to protect the interests of all members of the University community and recognizing that different members of the University community may have different interests, the changes must address the interests of all members of the University community;

6. The ARC will need to take into consideration in reviewing the Copyright Regulations the limitations and restrictions that must be included in any document of this nature, including the following:
a. Any amendments must not be retroactive;
b. Any amendments must permit the University to effectively and efficiently manage research grants and contracts on its own behalf and on behalf of members of the University community, and in particular members of the AASUA, and must include provisions that allow the University to do so;
c. Any amendment must be consistent with the University’s policies, procedures and mandates relating to the use and publication of research results and cannot impair its ability to create, disseminate and use knowledge; and

d. Any amendments must recognize the unique issues that arise in collaborative research settings.

7. This MOU is subject to approval by the University’s Board of Governors or its relevant sub-committee and, if required, the General Faculties Council or its relevant sub-committee.

8. This MOU is subject to approval by the AASUA’s Council or its relevant sub-committee.

DATED at the City of Edmonton, in the Province of Alberta, this 12th day of January, 2010.

[Signatures]

Walter Dixon
President, AASUA
On behalf of the AASUA

[Signatures]

Earl G. Amrhein
Provost & Vice-President (Academic)
On behalf of the University

[Signatures]