

Copyright User Rights and Access to Justice Symposium Synopsis

In *CCH Canadian Ltd. v Law Society of Upper Canada*, 2004 SCC 13, the Supreme Court of Canada stated that exceptions to copyright infringement such as fair dealing are “user rights”. More than a decade later, where do we stand in Canada and elsewhere with respect to copyright user rights? What is the nature of copyright user rights and why does it matter? What does a historical perspective on copyright law and policy bring to our understanding of user rights? How may the law respond to constant technological changes as they redefine the rules of engagement between copyright holders, users and the public? Does the copyright regulatory framework give rise to access to justice constraints for copyright users that deserve particular attention? What remedies do users have against copyright holders and their distributors blocking their access to lawful uses of copyright works?

This conference will approach these issues from an international, multi-jurisdictional and interdisciplinary perspective, through copyright theory, as well as human rights, property, contracts, remedies, social justice and access to justice theories, ask how international conventions address (or fail to address) the rights and interests of users; how historically, copyright law and policy were tied to access to learning and what light might this shed on the present; the extent to which copyright law facilitates or hampers its most commonly stated objective to incent the creation and dissemination of copyright works, particularly in a world of digitized works and locks; and what remedies or reform need to be put in place.