



Canadian Association of
Research Libraries

Association des bibliothèques
de recherche du Canada

June 1, 2006

The Hon. Bev Oda, P.C., M.P.
Minister of Canadian Heritage and Status of Women
Canadian Heritage
25 Eddy Street
Gatineau, Quebec K1A 0M5

The Hon. Maxime Bernier, P.C., M.P.
Minister of Industry
Industry Canada
5th floor, West Tower
C.D. Howe Building
235 Queen Street
Ottawa, Ontario K1A 0H5

Re: Copyright Reform and Digital Rights Management

Dear Ministers:

This letter is to support the letter of May 17, 2006 to you from “Canada’s Privacy Community” on behalf of 23 organizations and individuals.

The Canadian Association of Research Libraries (CARL) is the leadership organization for the Canadian research library community. The Association’s members are the 27 major academic research libraries across Canada plus Library and Archives Canada, the Canada Institute for Scientific and Technical Information (CISTI) and the Library of Parliament. CARL members are the backbone of Canada’s intellectual holdings in all disciplines.

CARL has played an active part in the copyright reform process over a number of years, especially in regard to issues affecting Canada’s research community. The Association welcomed a number of provisions of Bill C-60, *An Act to Amend the Copyright Act* when it was introduced last fall. Specifically CARL welcomed sections of the Bill which related to:

- the alteration or removal of rights management information and circumventing technological measures for non-infringing purposes, and
- the introduction of a “notice and notice” as opposed to a “notice and take down” regime for Internet Service Providers

While recognizing that these provisions may need further refinement and safeguards to address privacy issues CARL hopes and expects that they will be re-introduced in the next copyright Bill. We also expect that the Association's concerns with facilitating e-learning, delivery of documents to the user's desktop and the educational use of the Internet will be addressed.

CARL agrees with the misgivings of the "Privacy Coalition" about the possible use and legal protection of digital rights managements that may infringe on personal privacy. We endorse the request for assurances from the government that (to quote the May 17 letter)

- (1) any proposed copyright reforms will prioritize privacy protection by including a full privacy consultation and a full privacy impact assessment with the introduction of any copyright reform bill;*
- (2) any proposed anti-circumvention provisions will create no negative privacy impact; and*
- (3) any proposed copyright reforms will include pro-active privacy protections that, for example, enshrine the rights of Canadians to access and enjoy copyright works anonymously and in private.*

CARL looks forward to working with members of your respective Departments as the government prepares for new copyright legislation that is fair, balanced and reflects the needs of Canada's research community.

Yours truly,



John Teskey, President, CARL

cc: Ms. Susan Bincoletto, Director General, Marketplace Framework Policy Branch, Industry Canada
Ms. Patricia Neri, Director General, Copyright Policy, Department of Canadian Heritage
Mr. Mark Haslett, Chair, CARL Copyright Committee
Mr. William Maes, Chair, CARL Government Policies and Legislation Committee
Mr. Timothy Mark, Executive Director, CARL