

The Canadian Right to Copy : Copyright for Dummies

If you find yourself tempted to copy an image for your next rug, you need to ask yourself a few questions.

Is the artist living? If the answer is yes, contact him/her for permission to use the image to make a hooked rug. Most artists will be flattered and give permission as long as they are credited if the work is exhibited or published. Others could charge a one-time fee to use the pattern or have you enter into a license agreement with an annual fee and royalties.

Is the artist dead? If the answer is yes and less than fifty years has passed, you need to find out who owns the copyright. That owner could enter into a license agreement with you and you may have to pay an annual fee and royalties or you could be asked to pay a one-time fee, often for only a single copy.

Longer than fifty years? The image moves into the public domain and can be copied.

Is the image on Facebook? Pinterest? Instagram? “Free Clipart”? Careful. Anyone can post a picture on these social media sites. You cannot assume that an image on any of these sites has been posted by the originating artist or copyright holder. Your choice is simple. You are probably best not to use it, unless you can contact the artist and make an arrangement to copy.

Finally, there are many publications which post what appear to be free patterns. Look at the fine print on the pattern or on the article. It may say something like “This pattern is sold on”. That means you cannot copy and you should purchase the pattern.

There are things the Canadian *Copyright Act (1985)* does not cover. Common things found in nature – for example flowers, animals. If you create a sunflower rug and somebody else hooks one, there is no copyright because you cannot copyright a flower.

A helpful source to address any specifics you may have: [Canadian Intellectual Property Office](#).

