Glossary of Terms

Online Media Arts Presentation Standards

Introduction

The **Independent Media Arts Alliance** (IMAA) has developed this resource to guide and support the presentation of media arts online.

This glossary was developed by researcher Mariane Bourcheix-Laporte in collaboration with three working groups composed of 29 media artists and cultural workers. The working groups met several times in the Spring and Summer of 2021 as part of IMAA's **Online Presentation Standards Project**.

This glossary should be used with the **IMAA Fee Schedule** and these publications:
- **Intellectual Property and Online Presentation: Guidelines and Resources for the Media Arts Community**
- **Towards Accessible Online Presentation Models: Introduction and Resources for the Media Arts Community**
- **Online Presentation Workflow: Resources for the Media Arts Community**
- **Glossary of Terms: Online Media Arts Presentation Standards**
- **External Resources: Online Media Arts Presentation Standards**

TABLE OF CONTENTS

ACCESSIBILITY

Ableism

Accessibility

Audio Description

Barrier

Captions

Closed Captioning

Crip and disability aesthetics

Crip politics

Crip time

Critical access

D/deaf and disability self-determination

Deaf and disability arts practices

Described Video

Descriptive video services

Disability

Disability justice

Disability-identified art

Disversability

Equity

Integrated Described Video

Intersectionality

Live Described Video (Live DV)

Live-to-tape Described Video

Perceptual disability

Reproduction in alternate format

Self-identification

Sign languages

Subtitles

Tokenism

Transcription

INTELLECTUAL PROPERTY AND COPYRIGHT

Access - The First Nations principles of OCAP®

Artistic work

Assignment of copyright

Author

Cinematographic work

Collective agreements

Collective society

Communication rights

Control - The First Nations principles of OCAP®

Copyright

Copyright infringement

Copyright royalties

Cultural appropriation

Cultural Protocols

Digital rights management

Digital watermarks

Distribution

Distributor

Dramatic work

Fair dealing

Indigenous Data

Indigenous data sovereignty

Indigenous Intellectual Property Rights

Intellectual property

Licence

Licensee

Literary work

Making Available Right

Moral rights

Moral Rights Infringement generally

Musical work

Narrative sovereignty

Ownership - The First Nations principles of OCAP®

Perceptual disability

Performance Rights

Possession - The First Nations principles of OCAP®

Presentation

Presenter

Reproduction Rights

Sound recording

Technological protection measure

Territorial Protocols

The First Nations principles of OCAP®

Transfer

Work of joint authorship

IMAA FEE SCHEDULE

TECHNICAL

Advertized Content

Bandwith

Bit rate

Content

Content delivery network (CDN)

Cookie (Internet)

Digital Rights Management (DRM)

Discoverability

Download

Electronic Sell-through

End user

Frame rate

Freemium

Geoblocking

High speed Internet access

Interactive Content

Latency

Livestreaming

Media player

New media

On Demand

Pay Once

Pay Per View

Peer-to-peer

Recording

Remote

Scheduled

Scheduled Viewing

Streaming

Subscription

Subscription video-on-demand (SVOD)

Transactional on Demand

Transactional video-on-demand (TVOD)

Unique visitor

Upload, to

Usage-based billing

User-generated content

Video

Video-on-demand (VOD)

Webcast

ACCESSIBILITY

Please note that D/deaf and disability communities are not monolithic. *The concepts presented in this glossary are in evolution and may not be used by some individuals or groups. We encourage consultation with the people concerned to validate how they identify and the terms they prefer using. If you have any questions, would like to make a comment, or have a conversation about this document, please contact us at* **info@imaa.ca**.

Ableism

Ableism is discrimination or prejudice against people with disabilities. Ableism can take the form of stereotypes, attitudes and practices, physical barriers in the environment, oppression, ideas or assumptions.

Source : Accessibility Toolkit: A guide to making art spaces accessible, Humber College and Tangled Art + Disability

Accessibility

An ethical standard designed to guarantee everyone independent participation in cultural life.

Source : Charter for an Accessible, Inclusive, and Equitable Culture, Exéko

Audio Description

Audio Description is a verbal description of the essential visual aspects of an artwork. The audio is made available to the gallery visitor with a hand-held device and headphones.

Source : Accessibility Toolkit: A guide to making art spaces accessible, Humber College and Tangled Art + Disability

Barrier

Means anything — including anything physical, architectural, technological or attitudinal, anything that is based on information or communications or anything that is the result of a policy or a practice — that hinders the full and equal participation in society of persons with an impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment or a functional limitation.

Source : Accessible Canada Act, S.C. 2019, c. 10

Captions

Closed captioning (CC) is a text version of spoken dialogue in media that can be turned off and on by the viewer. Open captioning (OC) is a text version of spoken dialogue in media that are always in view and cannot be turned off. Live Captioning is a text version of spoken dialogue in media transcribed in real-time during a live event.

Source : Media Accessibility, AMI-tv

Closed Captioning

The on-screen textual representation of the audio component of a television program including on-screen dialogue, sound effects and non-speech information such as the identity of speakers and their manner of speaking.

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Crip and disability aesthetics

The crip aesthetic ventures to embody difference in ways that are not yet understood or defined and reinforces that deficiency is merely a matter of perspective. Disability or crip arts

simultaneously question societal and art-world structures, and as with many movements that have been pushed to the fringes of the establishment, it is grounded in social practice and rife with challenging histories.

Source : Christiana Myers, "On the Complexity of Cripping the Arts", Canadian Art

Crip politics

To crip the arts is to notice, embrace and lead with the difference and disruption that disability creates within artistic production. [...] This means moving away from requesting inclusion within dominant art practices and institutions, and instead thinking about how these aesthetic markers that often signify and highlight disability and difference can change and unsettle the larger art world.

Source : Jenna Reid, "Cripping the Arts: It's About Time," Canadian Art

Crip time

This term refers to additional time demands due to the intrinsically heavier work and mental load generally experienced by Deaf and disabled people. The concept of crip time (derived from the reappropriation of the insult cripple) challenges the standard conception of time by highlighting the demands placed on people living with a disability. From a positive standpoint, it refers to new practices that value and draw on temporality that meshes with values of inclusion rather than the demands of efficiency. Crip time can be understood as taking into account the extra time needed by some people to perform everyday tasks. It also reflects a wish to not only re-evaluate that time, which is considered by mainstream and productivity-oriented societies as lost or unproductive, but also to reconfigure time management generally in society. Crip time is thus presented as an alternative solution to the temporality enjoyed by able-bodied people. With respect to this aspect of

non-standardization, crip time involves impermanence and chronicity, and implicitly acknowledges the possibility of intermittent productivity due to disability.
Source : Deaf and Disability Arts Practices in Canada Glossary, Canada Council for the Arts

Critical access

Traditionally, access practices try to accommodate D/deaf and disabled individuals into the normative world, often using a standardized, check-list approach that does little to challenge the broader culture of ableism. In contrast, what Aimi Hamraie describes as "critical access" is a practice that mobilizes the knowledge carried by D/deaf and disabled people to co-design access practices led by their politics
Source : Accessing The Arts: Towards Difference-Centered Design, Creative Users Projects

D/deaf and disability self-determination

Deaf and disabled people do not only want access to culture, they want to assert self-determination: artists shape culture, some claim to be politically committed, some share their imaginations and views of the world. They also want to be involved in all the situations that concern them.
Source : Deaf and Disability Arts Practices in Canada - Summary Report (p. 6), Canada Council for the Arts

Deaf and disability arts practices

Deaf and disability arts are diverse artistic practices in which being Deaf, having a disability or living with mental illness are central to the exploration of narrative, form and/or aesthetics. This work carries a high degree of innovation and breaks traditional or dominant artistic

conventions to bring distinct perspectives and ways of being into the arts ecology, shifting perceptions and understandings of human diversity.

Source : <u>Fields of practice, Canada Council for the Arts</u>

Described Video

Described Video (DV) uses a secondary audio track synchronized with media to provide aural representation of visual narrative of a program's non-verbal elements that may include surroundings, costumes and body language.

Source : <u>Media Accessibility, AMI-tv</u>

Descriptive video services

A technique whereby a narrator provides a description of a program's key visual elements so that persons who are blind or have visual impairments can understand what is occurring on the screen.

Source : <u>Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)</u>

Disability

Medical and Legal Model

Means any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment — or a functional limitation — whether permanent, temporary or episodic in nature, or evident or not, that, in interaction with a barrier, hinders a person's full and equal participation in society.

Source : <u>Accessible Canada Act, S.C. 2019, c. 11</u>

Social model

Unlike the medical model that considers disability as an impairment, the social model views it as caused by social obstacles. This model originated in the independent-living advocacy work of British activists belonging to the Union of the Physically Impaired Against Segregation. In 1975, these activists were the first to reinterpret the concept of disability in Fundamental Principles of Disability, a manifesto that differentiated between physical limitation (impairment) and being disabled by society (disability). This nuance was theorized in 1981 by British sociology professor Mike Oliver, who postulated the ""social model of disability"" to signify these oppressive social dynamics and thus pave the way for Critical Disability Studies."

Source : Deaf and Disability Arts Practices in Canada - Glossary, Canada Council for the Arts

Disability justice

Disability justice is an identity-based framework that affirms the experiences of D/deaf and disabled people. Importantly disability justice advocates for the self-determination of D/deaf and disability communities. Accessibility centered around the knowledge and politics of D/deaf and disabled people is also called "critical access."

Disability justice came out of the work of Black, racialized, and queer activists. It takes an intersectional approach to fighting oppression, meaning that it looks at the different layers of identity and how they relate to power. In this view, oppression through ableism must be understood in relation to other experiences of oppression, including sexism, racism, classism, homophobia, transphobia, etc.

Source : Towards Accessible Online Presentation Models, The Independent Media Arts Alliance

Disability-identified art

Disability-identified art [...] is not simply created by disability artists, it embraces and promotes disability politics, culture, pride, prioritizing things like resistance and affirmation and vision

Source : Alex Kronstein quoted in Deaf and Disability Arts Practices in Canada - Summary Report (p. 48), Canada Council for the Arts

Disversability

The term Diversability embraces the uniqueness and potential in every human being, disabled or non-disabled. Diversabilities refer to physical, cognitive, developmental, learning, and/or neurological differences, or diversity, in ability levels. Diversability events promote an atmosphere where individuals are comfortable discussing and exploring questions about accessibility, equality, and inclusion for people with disabilities..

Source : Diversability: What Does the Word Mean?, Disabled World

Equity

Accessibility ensures that everyone can participate in cultural life on their own terms. Accessibility entails such considerations as the design of spaces, how publics are received and served, the location of cultural venues, the economic and logistical conditions of participation, and communication strategies.

Source : Charter for an Accessible, Inclusive, and Equitable Culture, Exéko

Integrated Described Video

Integrated Described Video (IDV) is a method of producing video content for blind and partially sighted audiences from the ground up, whereby the identification of key visual

elements is incorporated into the pre-production, production and post-production phases, eliminating the need for traditional DV after the program has been packaged.

Source : <u>Media Accessibility, AMI-tv</u>

Intersectionality

Intersectionality is a concept that refers to the interaction among various systems of oppression such as sexism, racism, colonialism, ableism, audism and so on. As a major contribution of feminist studies and, more specifically of Black feminist thought and the political demands of African-American feminists, the concept factors integrates facets of oppression, power dynamics and systems of privilege in order to bring practices up-to-date for a better social justice.

Source : Véro Leduc, " L'intersectionnalité à l'aune des personnes sourdes et handicapées " [Intersectionality with respect to Deaf and

disabled people], Intersectionnalité et handicap [Intersectionality and disability] seminar (organized by CIRRIS/Centre interdisciplinaire de

recherche en réadaptation et intégration sociale in Québec City on May 18, 2018). <u>Deaf and Disability Arts Practices in Canada - Glossary, Canada Council for the Arts</u>

Live Described Video (Live DV)

Live Described Video (LDV) is similar to post-production DV, but is performed in real-time during a live event or program. Live Described Video weaves additional description into what's already included to create a more vivid picture for the blind and partially sighted audience.

Source : <u>Media Accessibility, AMI-tv</u>

Live-to-tape Described Video

Live-to-tape DV is similar in nature to Live DV except that the real-time narration procedure is applied to previously recorded programs. This method is used to expedite the production process for productions with a fast turnaround and little action.

Source : Media Accessibility, AMI-tv

Perceptual disability

Means a disability that prevents or inhibits a person from reading or hearing a literary, musical, dramatic or artistic work in its original format, and includes such a disability resulting from

(a) severe or total impairment of sight or hearing or the inability to focus or move one's eyes,

(b) the inability to hold or manipulate a book, or

(c) an impairment relating to comprehension.

Source : Copyright Act, R.S.C., 1985, c. C-42

Reproduction in alternate format

It is not an infringement of copyright for a person with a perceptual disability, for a person acting at the request of such a person or for a non-profit organization acting for the benefit of such a person to

(a) reproduce a literary, musical, artistic or dramatic work, other than a cinematographic work, in a format specially designed for persons with a perceptual disability;

(a.1) fix a performer's performance of a literary, musical, artistic or dramatic work, other than a cinematographic work, in a format specially designed for persons with a perceptual disability;

(a.2) reproduce a sound recording, or a fixation of a performer's performance referred to in paragraph (a.1), in a format specially designed for persons with a perceptual disability;

(b) translate, adapt or reproduce in sign language a literary or dramatic work, other than a cinematographic work, in a format specially designed for persons with a perceptual disability;

(b.1) provide a person with a perceptual disability with, or provide such a person with access to, a work or other subject-matter to which any of paragraphs (a) to (b) applies, in a format specially designed for persons with a perceptual disability, and do any other act that is necessary for that purpose; or

(c) perform in public a literary or dramatic work, other than a cinematographic work, in sign language, either live or in a format specially designed for persons with a perceptual disability.

Source : <u>Copyright Act, R.S.C., 1985, c. C-43</u>

Self-identification

Self-identification is the voluntary process of identifying oneself with a minority group. It is a key practice in the context of employment equity policies or funding access.

Source : <u>Deaf and Disability Arts Practices in Canada - Glossary, Canada Council for the Arts</u>

Sign languages

In 2019, Canada officially recognized Quebec Sign Language (LSQ), American Sign Language (ASL) and Indigenous Sign Languages as the first languages of Deaf people.[*] Terms such as "gestural language " or langage des signes (in French) should be avoided.

*[**Government of Canada, Proposed Accessible Canada Act – Summary of the bill, 2018.**](#)

Source : [Deaf and Disability Arts Practices in Canada - Glossary, Canada Council for the Arts](#)

Subtitles

Subtitles refer to the translation of media into another language such as foreign films.

Source : [Media Accessibility, AMI-tv](#)

Tokenism

This term refers to the practice whereby an institution or a person or group of persons from a majority social group use the services or contribution of someone belonging to a minority social group for the sole purpose of having that minority to be seemingly represented in a given initiative, without regard to other necessary equity, diversity and inclusion measures.

Source : [Deaf and Disability Arts Practices in Canada - Glossary, Canada Council for the Arts](#)

Transcription

Transcription is a verbatim text representation of a given media production. All pertinent portions of the original media should be conveyed through the transcript, including dialogue, sound effects and music. Transcriptions are particularly useful for the deafblind community and, when used on the Internet, it can also provide search engine optimization benefits.

INTELLECTUAL PROPERTY AND COPYRIGHT

Access - The First Nations principles of OCAP®

Access refers to the fact that First Nations must have access to information and data about themselves and their communities regardless of where it is held. The principle of access also refers to the right of First Nations' communities and organizations to manage and make decisions regarding access to their collective information. This may be achieved, in practice, through standardized, formal protocols.

Source : The First Nations Principles of OCAP®, First Nations Information Governance Centre

Artistic work

A visual representation such as a painting, drawing, map, photograph, sculpture or plan.

Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Assignment of copyright

An assignment occurs when a copyright owner transfers part or all of their rights to another party. The assignment may be for the whole term of the copyright or for a certain part of it.

Source : A Guide to Copyright, Government of Canada

Author

The creator of an artistic, literary, musical or dramatic work.
Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Cinematographic work

Any work expressed by any process analogous to cinematography, whether or not
accompanied by a soundtrack.
Source : Copyright Act, R.S.C., 1985, c. C-42

Collective agreements

Under the Status of the Artist Act, certified professional associations can bargain scale
agreements on behalf of their members. These agreements determine minimum rates and
conditions for artists' fees and services provided by artists. These agreements can be
negotiated with federal institutions (e.g., national museums) and broadcasters. Once an
agreement has been reached, it becomes binding like a union's collective agreement.
Intellectual Property and Online Presentation: Guidelines and Resources for the Media Arts
Source : Intellectual Property and Online Presentation: Guidelines and Resources for the Media Arts Community, The Independent Media Arts Alliance

Collective society

An organization formed to administer copyright on behalf of its members.
Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Communication rights

The copyright holder has the sole right to publicly communicate their work or to authorize its communication. They can be financially compensated through royalties. Examples of public communications include exhibitions and screenings (in-person and online), television and radio broadcasts, public performances, public lectures, etc.

Source : Intellectual Property and Online Presentation: Guidelines and Resources for the Media Arts Community, The Independent Media Arts Alliance

Control - The First Nations principles of OCAP®

Control affirms that First Nations, their communities, and representative bodies are within their rights in seeking to control over all aspects of research and information management processes that impact them. First Nations control of research can include all stages of a particular research project-from start to finish. The principle extends to the control of resources and review processes, the planning process, management of the information and so on.

Source : The First Nations Principles of OCAP®, First Nations Information Governance Centre

Copyright

In the simplest terms, ""copyright"" means ""the right to copy."" In general, copyright means the sole right to produce or reproduce a work or a substantial part of it in any form. It includes the right to perform the work or any substantial part of it or, in the case of a lecture, to deliver it. If the work is unpublished, copyright includes the right to publish the work or any substantial part of it.

Copyright also applies to performers' performances, sound recordings and communication signals, though the applicable rights may differ somewhat. For example, the copyright in a

sound recording consists of the sole right to publish the sound recording for the first time, to reproduce it in any material form, to rent it out and to authorize any such acts."
Source : A Guide to Copyright, Government of Canada

Copyright infringement

Copyright infringement occurs where a person wrongfully uses your work without your permission or does anything only an owner is allowed to do, as stated in the Copyright Act. Infringement may include acts such as copying, performing, selling/distributing or posting your work on the internet without your permission.
Source : A Guide to Copyright, Government of Canada

Copyright royalties

A sum paid to copyright owners for the sale or use of their works or other subject-matter
Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Cultural appropriation

Appropriation occurs when someone else speaks for, tells, defines, describes, represents, uses or recruits the images, stories, experiences, dreams of others for their own. Appropriation also occurs when someone else becomes the expert on your experience and is deemed more knowledgeable about who you are than yourself...(p. 55)
Source : On-Screen Protocols & Pathways: A Media Production Guide to Working with First Nations, Métis and Inuit Communities, Cultures, Concepts and Stories, imagineNATIVE

Cultural Protocols

First Nations follow cultural protocols, ceremonies and ancestral laws to guide relationships and interactions in a good way. For example, when people enter another Nation's territory, there are protocols to guide that interaction. (p. 16) Cultural protocols vary across the country – sharing circle, prayers, feasts, use of tobacco, use of talking sticks – these are all dependent on territory and nation. [...] Consequently, it is important for content creators to determine and follow regional and community protocols. (p. 15)

Source : On-Screen Protocols & Pathways: A Media Production Guide to Working with First Nations, Métis and Inuit Communities, Cultures, Concepts and Stories, imagineNATIVE

Digital rights management

(DRM) is an umbrella term that refers to access control technologies used by publishers and copyrights holders to limit usage of digital media or devices. To some extent, DRM overlaps with copy protection but DRM is usually applied to creative media (music, films, etc.) whereas copy protection typically refers to software.

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Digital watermarks

A watermark that is digitally encoded in a text or picture so that it does not show, cannot be deliberately removed and is still there when an extract of a picture or recording is used. The objective is to create a pattern that indicates proof of ownership. Unauthorized use of a watermarked image can then be traced.

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Distribution

Cultural industries model

In the cultural sector at large, the term "distribution" generally refers to the different steps involved in circulating cultural products (e.g. artworks, films, books, video games, etc.), from their point of production to their point of consumption. This means that all the intermediaries involved in circulating a cultural product from its producer to its audience can be understood to be "distributors." This includes companies that market, and grant licence for, cultural products as well as companies that make cultural products available to the public through exhibitions, screenings, broadcasts, etc.

Independent media arts community model

In the independent media arts community, the circulation chain that connects an artwork to an audience is generally understood to include two complementary sets of activities: distribution and presentation (or exhibition).

- In this model, distributors are organizations that represent artists and media producers. They build a repertoire of media works and can grant licences to presenters to rent to the public.. Distributors can seek out exhibition opportunities for the works in their collections and negotiate licensing fees with presenters.

- Presenters (or exhibitors) are organizations that program a variety of public activities showcasing media artworks. Whether they maintain regular programming activities, organize a yearly festival, or program events periodically, any organization that presents media arts publicly, in person or online, is understood to be a presenter."

Source : Intellectual Property and Online Presentation: Guidelines and Resources for the Media Arts Community, The Independent Media Arts Alliance

Distributor

See "Distribution"

Dramatic work

Includes plays, screenplays, scripts and motion picture films.
Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Fair dealing

The Copyright Act makes an exception for uses that fall under fair dealing, including research, private study, education, parody or satire, criticism or review, and news reporting. The author and source must be cited for the unauthorized use to be considered fair dealing. In principle, fair dealing should not cause harm to the copyright holder, like losing out on royalty revenues because of unauthorized use.
Source : Intellectual Property and Online Presentation: Guidelines and Resources for the Media Arts Community, The Independent Media Arts Alliance

Indigenous Data

The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) reaffirms Indigenous rights to self-governance and authority to control their Indigenous cultural heritage embedded in their languages, knowledge, practices, technologies, natural resources, and territories (i.e., Indigenous data). Indigenous data, which include data collected by governments and institutions about Indigenous Peoples and their territories, are intrinsic to Indigenous Peoples' capacity and capability to realise their human rights and responsibilities to all of creation.
Source : CARE Principles for Indigenous Data Governance, The Global Indigenous Data Alliance

Indigenous data sovereignty

Indigenous data sovereignty reinforces the rights to engage in decision-making in accordance with Indigenous values and collective interests.

Indigenous Intellectural Property Rights

As described in a United Nations report, Indigenous peoples' rights to their knowledge and culture differ from conventional intellectual property rights (IPRs) in the following ways:

- Indigenous peoples have collective rights, often vested in clan, family or other socio-political groups;

- Indigenous peoples' cultural heritage and expressions often cannot be associated with a single, identifiable individual creator, author or producer;

- cultural heritage, objects and expressions are managed and owned in accordance with customary rules and codes of practice, and are usually not sold or alienated in ways that conventional
IPRs can be;

- Indigenous rights include all forms of traditional knowledge, such as intangible cultural products and expressions, none of which are protected under conventional IPRs law;

- Indigenous peoples' knowledge is transmitted orally, and is therefore not subject to the same requirements regarding material forms that pertain to conventional IPRs law;

- Indigenous traditional knowledge is usually held by the owners and their descendants in perpetuity, rather than for a limited period.

Intellectual property

A form of creative effort that can be protected through a trademark, patent, copyright, industrial design or integrated circuit topography.

Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Licence

This is a legal agreement giving someone permission to use a work for certain purposes or under certain conditions. A licence does not create a new owner for the work.

Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Licensee

An individual or organization licensed by the owner of a trademark to use this trademark according to specific terms and conditions.

Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Literary work

Work consisting of text, such as books, pamphlets or computer programs.

Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Making Available Right

Exclusive right of the owner of copyright that is triggered when a Content provider makes Content available to the public in a way that allows an End User to have access to it from a place and at a time of their choosing, regardless of whether such Content is accessed or not.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Moral rights

Moral rights are concerned with the natural and inherent rights of a creator, and include the right of anonymity (the right of the author to remain anonymous or to adopt a pseudonym); the right of integrity (to prevent distortion, mutilation or modification of the work); and the right of association (to be credited for the work).

Source : A Guide to Copyright, Government of Canada

Moral Rights Infringement generally

Any act or omission that is contrary to any of the moral rights of the author of a work or of the performer of a performer's performance is, in the absence of the author's or performer's consent, an infringement of those rights.

Source : Copyright Act, R.S.C., 1985, c. C-42

Musical work

Work consisting of music plus lyrics or music only.

Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Narrative sovereignty

Culture is a fundamental underpinning of sovereignty and identity, and for the purpose of these protocols, recognition of Indigenous ownership and control over their rights to their intellectual and cultural property and heritage is paramount. Sovereign nations must have control over own stories. To assure sovereign notions and support truly Indigenous projects, Indigenous peoples must:

- have decision making control over the funding and the creative sides of production;
- protect Cultural Property Rights and interests; and
- ensure appropriate consents, access to, and control of Cultural property.

Source : On-Screen Protocols & Pathways: A Media Production Guide to Working with First Nations, Métis and Inuit Communities, Cultures, Concepts and Stories, imagineNATIVE

Ownership - The First Nations principles of OCAP®

Ownership refers to the relationship of First Nations to their cultural knowledge, data, and information. This principle states that a community or group owns information collectively in the same way that an individual owns his or her personal information.

Source : The First Nations Principles of OCAP®, First Nations Information Governance Centre

Perceptual disability

A disability that prevents or inhibits a person from reading or hearing a literary, musical, dramatic or artistic work in its original format, and includes such a disability resulting from severe or total impairment of sight or hearing or the inability to focus or move one's eyes, the inability to hold or manipulate a book, or an impairment relating to comprehension.

Source : Copyright Act, R.S.C., 1985, c. C-42

Performance Rights

The exclusive right to communicate copyrighted Content to the public (the End Users) by any means of telecommunication, in accordance with the Copyright Act.

Source : <u>Making Sense of the Media Distribution Multiverse, Canada Media Fund</u>

Possession - The First Nations principles of OCAP®

Possession While ownership identifies the relationship between a people and their information in principle, possession or stewardship is more concrete: it refers to the physical control of data. Possession is the mechanism by which ownership can be asserted and protected.

Source : <u>The First Nations Principles of OCAP®, First Nations Information Governance Centre</u>

Presentation

See "Distribution"

Presenter

See "Distribution"

Reproduction Rights

The copyright holder has the sole right to reproduce their work in full or in parts, in any medium. They also have the right to authorize the reproduction of their work and can be financially compensated through royalties. Examples include print reproductions of film/video

stills and photographs, physical copies of media artworks (tape, DVD, CD, etc.), and digital copies of media artworks (website, database, archive, etc.).

Source : Intellectual Property and Online Presentation: Guidelines and Resources for the Media Arts Community, The Independent Media Arts Alliance

Sound recording

A recording consisting of sounds, whether or not a performance of a work, but the definition does not include any soundtrack of a cinematographic work where it accompanies the cinematographic work.

Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Technological protection measure

Means any effective technology, device or component that, in the ordinary course of its operation,

(a) controls access to a work, to a performer's performance fixed in a sound recording or to a sound recording and whose use is authorized by the copyright owner; or

(b) restricts the doing — with respect to a work, to a performer's performance fixed in a sound recording or to a sound recording — of any act referred to in section 3, 15 or 18 and any act for which remuneration is payable under section 19.

Source : Copyright Act, R.S.C., 1985, c. C-42

Territorial Protocols

Indigenous peoples in Canada remain the custodians of traditional territories and ancestral lands and cultural protocols also apply to accommodating territorial recognition where possible. Cultural protocols often situate Indigenous languages and peoples by acknowledging

their relationship to the land. Again, appropriate protocols are primarily determined by going into each region and working directly with the community themselves. (p. 15)

Source : On-Screen Protocols & Pathways: A Media Production Guide to Working with First Nations, Métis and Inuit Communities, Cultures, Concepts and Stories, imagineNATIVE

The First Nations principles of OCAP®

The First Nations principles of ownership, control, access, and possession – more commonly known as OCAP® – assert that First Nations have control over data collection processes, and that they own and control how this information can be used. [...] The First Nations principles of OCAP® establish how First Nations' data and information will be collected, protected, used, or shared. Standing for ownership, control, access and possession, OCAP® is a tool to support strong information governance on the path to First Nations data sovereignty. Given the diversity within and across Nations, the principles will be expressed and asserted in line with a Nation's respective world view, traditional knowledge, and protocols.

Source : The First Nations Principles of OCAP®, First Nations Information Governance Centre

Transfer

An act by which the rights in respect to intellectual property are conveyed from one person or organization to another.

Source : Glossary of Intellectual Property Terms, Canadian Intellectual Property Office

Work of joint authorship

Means a work produced by the collaboration of two or more authors in which the contribution of one author is not distinct from the contribution of the other author or authors.

Source : Copyright Act, R.S.C., 1985, c. C-42

IMAA FEE SCHEDULE

Add-on fees

Add-on fees are paid in addition to artists' and professional fees. They apply when:

- In-person programs and events are also presented online.

- Online livestreamed programs and events are also made available for on-demand viewing.

- Standard parameters for online on-demand presentation are extended.

Section : DEFINITIONS AND TYPES OF FEES

Annual Operating Budget Categories

IMAA defines "annual operating budget" as the organization's total annual revenues, averaged over the last 3 years. If the organization received revenues for acquisition funds or capital projects, these are excluded from the total. For organizations that report to CADAC, the exact amount can be found on line 4700 of the organization's financial form.

Section : DEFINITIONS AND TYPES OF FEES

Artists' fees

Artists' fees correspond to recommended amounts for royalties paid to artists, for the screening or exhibition of their copyrighted works. According to the CARFAC/RAAV Fee Schedule, copyright royalties "apply to the reproduction, exhibition, or presentation of works" (CARFAC/RAAV, Definition of Copyright Royalties).

In-person artist talks, participation on panels/roundtables, and speaking engagements at screenings/presentations

Events are held in a physical setting and involve a live audience. Attendance can be free or can require registration, a ticket, or a pass.
Section : 3. PROFESSIONAL FEES

In-person media arts exhibitions

In-person media arts exhibitions are presentations of media art works in physical exhibition contexts. Exhibitions typically last three weeks or longer and present works in an ongoing way. Examples include looping audiovisual pieces and continuous digital/electronic works.
Section : 2. MEDIA ARTS EXHIBITIONS

In-person media arts projects

Media arts projects are small-scale versions of media arts exhibitions. Projects are narrower in scope than exhibitions and may be presented in smaller spaces or for shorter periods. For example, an installation exhibited in the lobby of a theatre for the duration of a festival.
Section : 2. MEDIA ARTS EXHIBITIONS

In-person presentation

In-person programs and events are presented in live settings and spaces where viewers or audiences are physically present to experience the work. Examples include theatrical

34

screenings, pre-recorded audio presentations to a live audience, exhibitions in galleries and other physical settings, site-specific installations, and talks delivered to a live audience.

In-Person Screenings and Audio Presentations

Screenings of single-channel film or video, or presentations of pre-recorded audio works to an in-person audience. These events are typically held over one or two evenings.

Installation

Installation means overseeing or participating in the installation or de-installation of works for an exhibition/project on the exhibitor's premises. Activities associated with installation for in-person exhibitions/projects may include unpacking or packing of works, placing works in an exhibition space, calibration of equipment and software, etc. Activities associated with installation for online exhibitions/projects may include re-formatting files, programming interactive functions, designing a user interface, uploading content to a database or website, etc.

Livestreamed artist talks, participations on panels/roundtables, and speaking engagements at screenings

Events are streamed at a determined date and time via an exhibitor's website, platform, or social media channels. Presenters may require viewers to register or purchase a ticket to access these events or they may be freely accessible to all viewers.

Livestreamed presentation (synchronous presentation mode)

Livestreamed programs and events are presented at a determined date and time via a presenter's website, digital platform, or social media channels. This presentation mode is like a broadcast in the sense that once the livestream has started, viewers who tune in part way through will have missed the beginning. Presenters may require viewers to register or purchase a ticket to access these programs. Livestreamed programs and events may also be freely accessible to viewers.

Section : DEFINITIONS AND TYPES OF FEES

Livestreamed screenings/presentations

Online screenings and presentations of pre-recorded audio works that are streamed at a determined date and time via an exhibitor's website, platform, or social media channels. Presenters may require viewers to register or purchase a ticket to access these programs. Livestreamed programs may also be freely accessible to viewers.

Section : 1. SCREENINGS AND AUDIO PRESENTATIONS

Minimum fees

These are the minimum fees that the independent media arts community considers acceptable. IMAA strongly encourages presenters that are unable to pay recommended fees to pay fees that exceed the minimum amounts listed in the Fee Schedule.

Section : DEFINITIONS AND TYPES OF FEES

Multiple screenings/presentations (in-person and livestreamed)

Discounted fees for multiple screenings/presentations of the same work(s) are designed to offer economies for exhibitors. These fees apply to each additional screening/presentation after the first screening/presentation (second screening/presentation and onward).

Section : 1. SCREENINGS AND AUDIO PRESENTATIONS

On-demand artist talks, participations on panels/roundtables, and speaking engagements at screenings

Pre-recorded events that are accessible at the viewer's convenience via the presenter's website, digital platform, or social media channels. On-demand programs may be freely accessible to anyone with an Internet connection. Presenters may also require viewers to activate programs through a ticket, pass, or registration to access their content.

Section : 3. PROFESSIONAL FEES

On-demand presentation (asynchronous presentation mode)

On-demand programs and contents are accessible at the viewer's convenience via the presenter's website, digital platform, or social media channels. On-demand programs may be freely accessible to anyone with an Internet connection. Presenters may also require viewers to activate programs through a ticket, pass, or other form of registration to access their content.

Section : DEFINITIONS AND TYPES OF FEES

On-demand screenings/presentations

Online programs that are accessible for streaming at the viewer's convenience via the presenter's website, digital platform, or social media channels. On-demand programs may be freely accessible to anyone with an Internet connection. Presenters may also require viewers to activate programs through a ticket, pass, or registration to access their content.

Section : 1. SCREENINGS AND AUDIO PRESENTATIONS

Online media arts exhibitions

Online media arts exhibitions are equivalent in scope to in-person media arts exhibitions. The main difference is that works are presented online or in other digital formats through websites, digital platforms and interactive environments, apps, remote AR/VR experiences, etc. In this way, viewers can experience the works remotely and with their own devices.

Online media arts exhibitions are different from online screenings/presentations in the following ways:

- They are typically presented over a longer timeframe (more than two weeks)

- An in-person or online screening experience would not render the desired overall experience of the exhibition

- Significant curatorial thought has been put in the design of the exhibition for the online environment (web design, interactive features, spatiotemporal relationships between works, etc.)

Section : 2. MEDIA ARTS EXHIBITIONS

Online media arts projects

Online media arts projects are small-scale versions of online media arts exhibitions. Online projects are narrower in scope than online exhibitions and may be presented for shorter periods of time. For example, a web-based generative artwork made available throughout the duration of a festival via the presenter's website.
Section : 2. MEDIA ARTS EXHIBITIONS

Online presentation

Online programs and events are presented via websites, digital platforms, or social media channels. Viewers access these programs and events remotely through a device connected to the Internet (e.g., personal computer, phone, tablet, etc.). Online presentation can be livestreamed (synchronous presentation mode) or on-demand (asynchronous presentation mode).
Section : DEFINITIONS AND TYPES OF FEES

Package screening/presentation fees (all presentation modes)

Package screening/presentation fees encourage presenters to screen/present a program of shorts, including films, videos, and pre-recorded audio works. These fees apply to curated or thematic programs, with a minimum of 6 works under 30 minutes that have been produced by different artists.

These fees do not apply to programs of works by the same artist, which are considered "retrospective" programs. For retrospective programs, single screening/presentation fees apply.

These fees apply to programs that are presented as a single event, with works played one at a time and in a determined order. The total duration of the event should be similar to that of a single screening/presentation event (e.g., feature film screening).

Section : 1. SCREENINGS AND AUDIO PRESENTATIONS

Participation on panels and roundtables (all presentation modes)

Participation on panels and roundtables normally requires less preparation than artists' talks because there are more speakers contributing to the event.

Section : 3. PROFESSIONAL FEES

Period of on-demand availability

The standard period for a work to be available for on-demand streaming is up to two weeks. Add-on fees apply when programs are available for on-demand streaming for more than two weeks.

Section : DEFINITIONS AND TYPES OF FEES

Professional fees

Professional fees correspond to recommended amounts paid to self-employed artists and other cultural workers for services rendered through professional activities.

Section : DEFINITIONS AND TYPES OF FEES

Recommended fees

These are standard recommended fees for the presentation of media arts. They are calculated at 150% of the minimum fees. IMAA encourages presenters to pay recommended fees or higher.
Section : DEFINITIONS AND TYPES OF FEES

Speaking engagements at screenings/presentations (all presentation modes)

Speaking engagements at screenings/presentations, like introductions and Q&As, are held right before or right after the screening/presentation. They do not require special preparation from the artist and are usually short (less than 30 min.).
Section : 3. PROFESSIONAL FEES

Streaming window after content activation

If the viewer needs to activate a program through a ticket, pass, or other form of registration to stream its content, the standard timeframe to complete the streaming is up to 72 hours. Add-on fees apply when the streaming windows extend beyond the initial 72 hours.
Section : DEFINITIONS AND TYPES OF FEES

TECHNICAL

Advertized Content

Monetization method where content is available for free, but either the platform or the content itself include advertising which can be displayed before, during or after the playback of content, or superimposed on the content.
Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Bandwith

A measure of the amount of data that can travel through a network or of the information capacity of a transmission channel.
Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Bit rate

Speed at which bits are transferred. The bit rate is usually expressed in bits per second, kilobits per second, megabits per second, etc.
Source : TERMIUM Plus®, Government of Canada

Content

Any content that is deemed a work or other subject matter under the Copyright Act, which is available for consumption by an end user by any means of distribution (download, streaming

or broadcast).

Content delivery network (CDN)

Third party that delivers content between the content provider and the end user via an intelligent distributed network. For streaming services providers, this means that audio or video streams will be delivered more reliably, with less buffering and time outs.

Cookie (Internet)

A small piece of information sent by a Web server to a Web browser to be read back from that browser. Cookies provide a way for the website to recognize you and keep track of your preferences. Cookies are unable to perform any operation by themselves. They are neither spyware nor viruses.

Digital Rights Management (DRM)

Digital rights management (DRM) is a systematic approach to copyright protection for digital media. DRM's purpose is to prevent illegal distribution of paid content over the Internet.

Discoverability

"Discoverability," as a term, belongs to the field of law in English, and to the field of information technology in both English and French. It refers to the capacity to easily discover an item, whether it be an application or a piece of content. [...] Basic to the concept of discoverability are two components of equal importance: content and audience, the audience being motivation behind any discoverability initiative. (p.10)

Source : Discoverability: Toward a Common Frame of Reference, Canada Media Fund

Download

Method of distribution where the entire content is delivered from an online service to the end user's device, which results in the end user having a permanent copy of the content to keep as their own.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Electronic Sell-through

Method of media distribution whereby the end user pays a one-time fee to download content for permanent storage on a storage unit, such as a hard drive.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

End user

Canadian natural person who consumes distributed content.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Frame rate

The number of complete images (frames) per second displayed, recorded, or transmitted
Source : TERMIUM Plus®, Government of Canada

Freemium

Content that is provided free of charge, but typically with limited functionality, with advertising or with additional features which are only available if the End User pays an additional fee.
Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Geoblocking

Also known as geofencing and geofiltering, geoblocking is a practice that is used mostly by media operations to selectively accept or reject attempts to access content based upon the requestor's Internet Protocol (IP) address.
Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

High speed Internet access

Broadband is often called high-speed Internet, because it usually has a high rate of data transmission. In general, any connection to the customer of 256 kbit/s (0.256 Mbit/s) or more is considered broadband Internet, or high speed internet.
Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Interactive Content

Content that allows the End User to actively interact in real time, to varying degrees.
Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Latency

Latency refers to how much time it takes for a data packet to travel from a sender to a receiver. The greater the latency, the greater the delay is between the actions being carried out and their appearance on the screen. For example, if during a videoconference there is a delay between the moment when you speak and the moment when your interlocutor hears you, there is a latency issue.
Source : Cyber Safe and Sound, The Independent Media Arts Alliance

Livestreaming

The action or process of broadcasting an event, etc., live over the internet.
Source : Oxford English Dictionary Online

Media player

Software that "plays" audio, video or animation files. In the Windows world, Windows Media Player is the default player from Microsoft, but RealPlayer and other softwares are also widely used. QuickTime Player and iTunes are the media players for the Mac that come from Apple.
Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

New media

Media services delivered through the Internet. It encompasses a diverse range of communications products and services that make use of video, audio, graphics and alphanumeric text. Such services include but are not limited to video games, electronic mail (e-mail), online paging services, faxing, electronic commerce, and Internet protocol (IP) telephony.

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

On Demand

The absence of time restriction for accessing Content, as long as such Content is in the provider's library.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Pay Once

Monetization method generally related to Electronic Sell-through distribution, where the End User generally pays a one-time fee to access Content for an unlimited number of times and period of time.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Pay Per View

Monetization method generally used in digital Video rental, where the End User pays a one-time fee to access Content for a limited time.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Peer-to-peer

A description of the process whereby digital files are exchanged between users of a network, usually employing a system architecture that indexes the files a user makes available to others, and establishing an automated direct connection between users for the file download.

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Recording

Content distributed to an End User that has been recorded on a device's storage unit, which results in the creation of a new readable copy of such Content that may be available permanently or for a predetermined period of time.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Remote

Method of Consumption where Interactive Content is hosted on a server or device that is different from the device from which the Interactive Content is played.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Scheduled

Content that is distributed according to a predetermined schedule.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Scheduled Viewing

Content that may only be accessed while it is broadcast to a mass audience, or available through a platform for Streaming at a specific time.
Source : <u>Making Sense of the Media Distribution Multiverse, Canada Media Fund</u>

Streaming

Technique for transferring Content in a continuous flow to allow it to be viewed before the entire file has been Downloaded to the End User's device. For Streaming to work, the End User side receiving the data must be able to collect the data and send it as a steady stream to the application that is processing the data and converting it to Audio, Video or pictures.
Source : <u>Making Sense of the Media Distribution Multiverse, Canada Media Fund</u>

Subscription

Recurring membership model to access a platform, for a fee or at no cost, providing services which allow the End User to Consume Content from the provider's library.
Source : <u>Making Sense of the Media Distribution Multiverse, Canada Media Fund</u>

Subscription video-on-demand (SVOD)

SVOD would be defined as any package of programs offered for a specific price and period of time. Requesting and delivering content is the same as with standard VOD.
Source : <u>Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)</u>

Transactional on Demand

Method of Content distribution whereby the End User can, at the time of their choosing, pay a one-time fee to Download Content for temporary storage on a hard drive or other storage unit. The Content can be accessible for a fixed period of time and is automatically deleted after a set number of hours after the End User starts Consuming the Content, or after a set number of days after the Content is Downloaded.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Transactional video-on-demand (TVOD)

TVOD would be defined as the traditional form of on-demand programming, whereby a viewer accesses a single program on a transaction basis from a library or menu of options, with unlimited access to that program for a specified period of time (usually 24 hours).

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Unique visitor

Unique visitors are measured according to their unique IP addresses, which are like online fingerprints, and unique visitors are counted only once no matter how many times they visit the site within a specified period of time. Unique visitor is the reference used nowadays in the measurement of a website's audience.

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Upload, to

To transfer programs or data from a connected computer to a computer with greater resources, typically from a personal computer to a mainframe.

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Usage-based billing

Billing method where the user pays a monthly charge determined by the amount of traffic (or usage) generated, rather than a flat rate. UBB may also be applied in addition to a flat monthly rate, for usage above a specified threshold.

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

User-generated content

Refers to various kinds of media content, publicly available, that are produced by end-users and distributed over the Internet.

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Video

Recording produced with any device that captures full motion and may include Audio (excluding amateur user-generated Content, which should be independently defined if to be considered in a distribution agreement for professional content).

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund

Video-on-demand (VOD)

VOD permits a customer access, via a digital cable set-top box, to browse large libraries of audio-visual content including feature length films, television programs and a variety of sporting events. A point-to-point unicast connection is set up between the customer's decoder (set-top box or PC) and the delivering streaming server. Programming can be accessed on a pay-per-view or subscription basis, or can be available for free to digital subscribers.

Source : Glossary, Canadian Radio-television and Telecommunications Commission (CRTC)

Webcast

Content that is Streamed live or delayed using the Internet on a specific online application or platform to which the End Users must be connected at the time of the Webcast.

Source : Making Sense of the Media Distribution Multiverse, Canada Media Fund