



Parody and Fair Dealing As It Is and May Be

September 16, 2011 by Bob Tarantino

The federal government has announced that it will be re-introducing [Bill C-32 \(*The Copyright Modernization Act*\)](#), which would have added "parody" as a category of fair dealing under the *Copyright Act* (Canada). In addition, the Supreme Court of Canada is set to hear at least [five copyright cases before the end of 2011](#) - an unprecedented occurrence; and of those five cases, at least two will address fair dealing.

But what of parody as fair dealing under existing law? Emir Aly Crowne Mohammed has written an immensely useful paper which addresses the topic: ["Parody as Fair Dealing in Canada: A Guide for Lawyers and Judges"](#) (Journal of Intellectual Property Law & Practice (Oxford), Vol. 4, No. 7, 2009). Other sources worth perusing are Graham Reynolds' ["Necessarily Critical? The Adoption of a Parody Defence to Copyright Infringement in Canada"](#), Giuseppina D'Agostino's ["Healing Fair Dealing - A Comparative Copyright Analysis of Canada's Fair Dealing to U.K. Fair Dealing and U.S. Fair Use"](#), and Carys Craig's ["The Changing Face of Fair Dealing in Canadian Copyright Law: A Proposal for Legislative Reform"](#).

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