



Canadian Association of University Teachers
Association canadienne des professeures et professeurs d'université

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April 9, 2013

Ms. Roanie Levy
Executive Director
Access Copyright
One Yonge Street, Suite 800
Toronto, ON M5E 1E5

Dear Ms. Levy:

Thank you for your letter of March 8, 2013 providing notice of Access Copyright's Annual General Meeting and containing an invitation to the Members' Summit. After much internal discussion we have decided not to attend. This decision was prompted in large measure by your organization's decision to sue York University.

In reviewing Access Copyright's March 2013 green paper entitled "The Next Chapter," the Canadian Association of University Teachers (CAUT) was impressed by what appeared to be a nuanced understanding of the changing copyright environment and a genuine desire to redefine the role of Access Copyright in the face of new circumstances.

Our hope was that the paper would begin a transformative process, one in which innovative forms of accessing content would be developed to the benefit of researchers and educators. Our concern was that Access Copyright would not discover a new and useful role and instead would expend its last energies in fractious and unproductive litigation.

The legal action against York University indicates that our hope was misplaced and our concern prescient. As we have explained, the availability of new contractual models (specifically site licenses directly between content providers and academic institutions), modes of scholarly communication (Open Access publishing), and user rights (the *CCH* and *Alberta* decisions and Bill C-11) has had a profound impact on the utility of Access's services in the post-secondary education sector. It is now clear that Access Copyright's only plan is to try to hang on to the past. This serves no one well. We urge you in the strongest terms to withdraw your lawsuit against York University, and, instead, pursue a genuine transformation of your organization.

Yours sincerely,

James L. Turk
Executive Director

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