

Copyright Board
Canada



Commission du droit d'auteur
Canada

Date 2010-02-12

Citation File: Media Monitoring 2009-2010

Regime Collective Administration in Relation to Rights Under Sections 3, 15, 18 and 21
Copyright Act, subsection 70.15(1)

Members Mr. Justice William J. Vancise
Mr. Claude Majeau
Ms. Jacinthe Th  berge

Statement of Royalties to be collected by CBRA for the fixation and reproduction of works and communication signals, in Canada, by commercial and non-commercial media monitors for the years 2009 and 2010

Reasons for decision

[1] Pursuant to section 70.13 of the *Copyright Act* (the "Act"), the Canadian Broadcasters Rights Agency (CBRA) filed proposed statements of royalties for the fixation and reproduction of the programs and communication signals of Canadian private broadcasters by commercial and non-commercial media monitors for the years 2009 and 2010. The proposed statements were published in the *Canada Gazette* on April 12, 2008. The Board gave notice to prospective users and their representatives of their right to object.

[2] The proposals are essentially identical to the 2006-2008 certified tariffs. The rate remains at 10 per cent of the monitor's CBRA-related gross income.

[3] No one challenged the proposed commercial tariff. The Province of Ontario and the Government of Canada filed objections to the non-commercial tariff proposal. Both ultimately withdrew their respective objection after having reached an agreement with CBRA. The tariff proposals are therefore uncontested.

[4] After discussing a few technical issues in respect of the proposals with CBRA, the Board certifies for the years 2009 and 2010 tariffs that are in essence identical to the 2006-2008 tariffs, subject to a few changes in the wording that should have little practical consequences, if any.

A handwritten signature in black ink, appearing to read "Gilles McDougall". The signature is fluid and cursive, with the first letter 'G' being particularly large and stylized.

Gilles McDougall
Acting Secretary General