

Copyright Board
Canada



Commission du droit d'auteur
Canada

[TRANSLATION]

Ottawa, November 26, 2008

FILE 2007-UO/TI-40

UNLOCATABLE COPYRIGHT OWNERS

Non-exclusive licence issued to the Canadian Broadcasting Corporation, Montréal, Quebec, for the reproduction of three musical works (excerpts) in a television program

Pursuant to the provisions of subsection 77(1) of the *Copyright Act*, the Copyright Board issues a licence to the Canadian Broadcasting Corporation (CBC) as follows:

- (1) The licence authorizes the CBC to reproduce the excerpts from the following musical works, interpreted by Michel Louvain in the television program entitled *Michel Louvain – Célébration* originally produced and broadcast by *Radio-Canada* in 1983, so as to allow the program to be rebroadcast on *ARTV* as of October 2007:
 - *Lison* (25-second excerpt) by John Borelli, Dorothy E. Evans and Fanny Morin [Dorothy E. Evans and Fanny Morin cannot be located];
 - *Je t'ai donné tout mon amour* (31-second excerpt) by Dorothy E. Evans and Alfred Maltais; and
 - *Si tu voulais* (57-second excerpt) by Jean-Louis Faguet.
- (2) The licence also authorizes the CBC to authorize *ARTV* to reproduce and, to the extent that the works do not form part of SOCAN's repertoire, to communicate the works to the public by telecommunication for the purposes set out above.

The issuance of this licence does not release the licensee from the obligation to obtain permission for any other use not covered by this licence, including the use of the works performed at the time of broadcasting of the original program in 1983.
- (3) The licence is retroactive to the date of the first reproduction made for the purposes set out in paragraph 1. It expires on October 31, 2008.
- (4) The licence is non-exclusive and valid only in Canada. For other countries, it is the law of that country that applies.

(5) The CBC will pay the following royalties to the Society for Reproduction Rights of Authors, Composers and Publishers in Canada (SODRAC), which may dispose of the amount of the royalties set by the licence as it sees fit for the general benefit of its members. SODRAC undertakes, however, to reimburse any person who establishes, before October 31, 2013, ownership of the copyright in any of the works covered by this licence:

- *Lison*: \$167 (or 2/3 of \$250)
- *Je t'ai donné tout mon amour*: \$250
- *Si tu voulais*: \$250

(6) The coming into force of this licence is conditional on SODRAC filing with the Board the receipt for the amount of royalties set in the licence, accompanied by an undertaking by SODRAC to comply with the conditions set out in paragraph (5) above.



Claude Majeau
Secretary General