

Copyright Board  
Canada



Commission du droit d'auteur  
Canada

Ottawa, April 30, 2010

**FILE: 2009-UO/TI-22**

## **UNLOCATABLE COPYRIGHT OWNERS**

### **Non-exclusive licence issued to the University of Athabasca for the digital reproduction and communication to the public of community newspapers**

Pursuant to the provisions of subsection 77(1) of the *Copyright Act*, the Copyright Board grants a licence to the University of Athabasca as follows:

- (1) The licence authorizes the digital reproduction and the communication to the public of the complete contents of the following community newspapers, in their original format, published between the dates shown, for non-commercial purposes only and subject to the limitations set out in this licence:
  - *Novosti* (1944-1948) - Croatian
  - *Vaba Estlane* (1952-1987) - Estonian
  - *Liekki* ((1944-1973) - Finnish
  - *Canadian Uutiset* (1919-1927 / 1982-1987) - Finnish
  - *Isien Usko* (1936-1978) - Finnish
  - *Vapaus Sana* (1921-1930 / 1932-1977 / 1979) - Finnish
  - *Viikkosanomat* (1975-1986) - Finnish
  - *Kanadai Magyarasae* (1951-1977) - Hungarian
  - *Magyar Elet* (1957-1997) - Hungarian
  - *Zwilazkowiec Alliancer* (1933-1987) - Polish
  - Serbian Herald (1946-1948) - Serb
  - Edmonton Ukrainian News (1928-1971) - Ukrainian
  - *Vilne Slovo* (1934-1977) - Ukrainian
  - *Jedinstvo* (1948-1970) - Yugoslavian
  - *Nasa Novine* (1971-1986) - Yugoslavian
  - *Bavarijas Latviesu Vestnesis* (1945-1946) - Latvian
  - *Brivais Latveitis* (1948-1949) - Latvian
  - *Liaudies Balsas* (1937-1976) - Lithuanian
- (2) The licence applies only to issues that are not part of the public domain when this licence is issued.
- (3) The licence does not authorize

- a) the reproduction of individual works;
  - b) the translation of the publications.
- (4) 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.
  - (5) The licence expires in respect of each issue at the time the issue joins the public domain.
  - (6) The licence is non-exclusive and valid only in Canada. For other countries, it is the law of that country that applies.
  - (7) The licensee shall pay \$5,000 to Access Copyright, The Canadian Copyright Licensing Agency, who may dispose of this amount as it sees fit for the general benefit of its members. Access Copyright undertakes, however, to reimburse 6 ¢ per page to any person who establishes, within five years of an issue joining the public domain, ownership in that issue. Should the total amount of claims exceed the licence fee, each claim shall be reduced on a pro rata basis.
  - (8) The licensee shall ensure that the following notices are prominently displayed on the web site:  
  
“Some of the content shown is used under a non-exclusive licence issued by the Copyright Board of Canada in cooperation with Access Copyright, pursuant to subsection 77(1) of the *Copyright Act*.”  
  
“A user may not reproduce or otherwise use any of the content found on this website unless the contemplated use is authorized by the *Copyright Act* or the content is in the public domain.”
  - (9) The owner of copyright in an issue is entitled to end the licence with respect to future uses of that issue.
  - (10) The coming into force of this licence is conditional on Access Copyright filing with the Board a notice of receipt which confirms that the royalties, as specified in paragraph (7) above, have been received and that Access Copyright undertakes to comply with the conditions set out in same.



Gilles McDougall  
A/Secretary General