

Copyright Board
Canada



Commission du droit d'auteur
Canada

Ottawa, September 21, 2015

FILE: 2015-UO/TI-19

UNLOCATABLE COPYRIGHT OWNER

Non-exclusive licence issued to the Department of Canadian Heritage, Gatineau, Quebec, authorizing the reproduction and public performance of two photographs

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

- (1) The licence authorizes the reproduction and public performance of the following two photographs published in the March 1958 issue of the *Canadian Geographical Journal* in an article written by D. A. Gillies:
 - Photograph of Matt Bernard standing at the bow of a canoe, which is still under construction. The photo caption reads: Matt Bernard forming and sewing the bow of the canoe with spruce roots (photographer unknown).
 - Photograph of the completed canoe on Golden Lake. In the canoe are several people, a number of whom are paddling the canoe. The photo caption reads: The trial run on Golden Lake to test the canoe's seaworthiness. It is propelled by a crew of amateur canoe-men, with Matt Bernard as bowman and his son as steersman (photographer unknown).

The licence is granted to the extent that the works are protected by copyright.

- (2) The licence expires on the earliest of the following dates: September 30, 2035 or the date on which the works become part of the public domain.
- (3) The licence is non-exclusive and valid only in Canada. For other countries, it is the law of the country that applies.
- (4) The issuance of the licence does not release the licensee from the obligation to obtain permission for any other use not covered by this licence.
- (5) The licensee will pay the sum of \$636 (\$318 per work) to the Society for the Reproduction Rights of Authors, Composers and Publishers in Canada (SODRAC) who

may dispose of the said amount as it sees fit for the general benefit of its members. SODRAC undertakes, however, to reimburse the amount to any person who establishes, within five years of the expiry of the licence, ownership of copyright of the work covered by this licence.

- (6) The coming into force of this licence is conditional on SODRAC's filing with the Board a Notice of Receipt of Payment and Undertaking which confirms that the royalties, as specified in paragraph (5) have been received and that SODRAC undertakes to comply with the conditions set out in same.

A handwritten signature in black ink, appearing to read "Gilles McDougall". The signature is fluid and cursive, with the first name being more prominent.

Gilles McDougall
Secretary General