Copyright Board Canada



Commission du droit d'auteur Canada

Ottawa, July 21, 2000

FILE: 2000-UO/TI-16

UNLOCATABLE COPYRIGHT OWNERS

Non-exclusive licence issued to the National Library of Canada for the digital reproduction and communication to the public of works on their Web site

Pursuant to the provisions of section 77(1) of the *Copyright Act*, the Copyright Board grants a licence to the National Library of Canada as follows:

- (1) The licence authorizes the digital reproduction and the communication to the public of the book cover illustrations of the following works on the National Library of Canada's Internet Web site at: www.nlc-bnc.ca in the exhibition entitled The Secret Self: An Exploration of Canadian Children's Literature:
 - Le Loup de Noël by Claude Aubry, illustrated by Edouard Perret and published by the Centre de psychologie et de pédagogie in 1962 (copyright in book cover owned by Edouard Perret):
 - The Guardian of Isis by Monica Hughes, illustrated by Andrew Rhodes and published by Atheneum in 1981 (copyright in book cover owned by Andrew Rhodes);
 - The Isis Pedlar by Monica Hughes, illustrator unknown and published by Methuen Books in 1983 (copyright in book cover unknown);
 - The Keeper of the Isis Light by Monica Hughes, illustrated by Terry Oakes and published by Methuen Books in 1981 (copyright in book cover owned by Terry Oakes);
 - Crisis on Conshelf Ten by Monica Hughes, illustrated by Graham Humphreys and published by Copp Clark in 1975 (copyright in book cover owned by Graham Humphreys);
 - Please Michael, That's My Daddy's Chair by Susan Elizabeth Mark and illustrated by Winnie Mertens and published by Before We are Six in 1976 (copyright in book cover owned by Winnie Mertens);

- *The Druid's Tune* by O.R. Melling and illustrated by Siobhan McCooey and published by Puffin Books in 1983 (copyright in book cover owned by Siobhan McCooey);
- Fresh Fish...And Chips by Jan Andrews, illustrated by Linda Donnelly and published by Canadian Women's Educational Press in 1973 (copyright in book cover owned by Linda Donnelly).

Issuance of this licence does not release the National Library of Canada from the obligation to obtain permission for any other use not covered by the licence.

- (2) The licence expires on December 31, 2005. The authorized digital reproduction and communication to the public via the Internet must therefore be completed by that date. Upon termination, the National Library of Canada will delete and destroy all digital files.
- (3) The works shall contain copyright credit information as follows:
 - i. © [name of copyright owner] [year of publication]. Reproduction rights obtained by licence issued by the Copyright Board of Canada in cooperation with the Canadian Copyright Licensing Agency (CANCOPY).
 - ii. The name of the illustrator of the book cover if different from the copyright owner.
- (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 National Library of Canada will pay the sum of \$250 for each work for a total of \$2,000 to the Canadian Copyright Licensing Agency (CANCOPY) who may dispose of the amount as it sees fit for the general benefit of its members. CANCOPY undertakes, however, to reimburse any person who establishes, before December 31, 2010, ownership of the copyright in any of the works covered by this licence.
- (6) The coming into force of this licence is conditional on the applicant's filing with the Board a receipt from CANCOPY for the amount of the royalty specified in the licence, accompanied by CANCOPY's undertaking to comply with the conditions set out in paragraph (5) above.

Claude Majeau
Secretary General