

Copyright Board
Canada



Commission du droit d'auteur
Canada

Ottawa, January 15, 2001

FILE: 2000-UO-TI-32

UNLOCATABLE COPYRIGHT OWNER

Non-exclusive licence issued to Abigail Richardson authorizing the musical adaptation and public performance of poems by Kathryn Munro [also known as Kathryn Tupper]

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

(1) The licence authorizes the musical adaptation for choir of the following poems by Kathryn Munro [also known as Kathryn Tupper]:

- *Now Winter Comes*
- *Noel*
- *At Christmastide*

as published by Thomas Nelson and Sons Ltd., Toronto, Ontario in 1938 in the collection entitled *New Moon*; and

the musical adaptation for tenor and piano of the following poems by Kathryn Munro [also known as Kathryn Tupper]:

- *Ghosts*
- *The Deserted House*
- *Dusk*

as published by Ryerson Press of Toronto in 1930 in the collection entitled *Under the Maple*.

(2) The licence also authorizes the public performance of the above works and the reprography of copies necessary to support such performance. This licence does not authorize the printing and sale of musical scores.

The issuance of the licence does not release the applicant from the obligation to obtain permission for any other use not covered by this licence.

- (3) The licence expires on December 31, 2014, it being understood that the works become part of the public domain beyond that date. The authorized musical adaptation, public performance and reprography of copies necessary to support such performance must therefore be completed by that date.
- (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 applicant shall reproduce the following copyright information on all copies of the adapted works:

[title of poem] by Kathryn Munro/Tupper ©[year of publication]. Used under licence issued by the Copyright Board of Canada in cooperation with the Canadian Copyright Licensing Agency (CANCOPY).

The applicant shall ensure that the author receives proper credit in all promotions and other references made to the adaptations in connection with performances authorized under this licence.

- (6) Abigail Richardson will pay the sum of \$75 per poem for a total of \$450 to the Canadian Copyright Licensing Agency (CANCOPY), who will dispose of the amount as it sees fit for the general benefit of its members. In addition, Abigail Richardson will pay to CANCOPY royalties for any performance of the adapted works. Any such royalties will be calculated in accordance with the applicable tariff of the Society of Composers, Authors and Music Publishers (SOCAN) in effect at the time of the performance, as if the author were a SOCAN member.

CANCOPY undertakes to reimburse any person who establishes, before December 31, 2019, ownership of the copyright in the works covered by this licence.

- (7) The coming into force of this licence is conditional on the filing with the Board of 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 (6) above.



Claude Majeau
Secretary General

Copyright Board
Canada



Commission du droit d'auteur
Canada

Ottawa, February 5, 2001

FILE: 2000-UO-TI-32

UNLOCATABLE COPYRIGHT OWNER

Non-exclusive licence issued to Abigail Richardson authorizing the communication to the public by telecommunication of poems by Kathryn Munro [also known as Kathryn Tupper]

Pursuant to the provisions of subsection 77(1) of the *Copyright Act*, the Copyright Board grants a licence to Abigail Richardson authorizing the communication to the public by telecommunication of the works mentioned in the licence issued to her on January 15, 2001.

All other terms and conditions are the same.

For the purpose of this licence and the licence issued January 15, 2001, the applicant is entitled to register the adapted works with the Society of Composers, Authors and Music Publishers of Canada (SOCAN). The applicant shall be entitled to register as the sole copyright owner in the adapted works and receive remuneration from SOCAN as the sole copyright owner, subject to the other conditions set out in the January 15, 2001 licence.

A handwritten signature in black ink that reads 'Claude Majeau'.

Claude Majeau
Secretary General