



Ottawa, July 28, 2020

**FILE 2020-UO/TI-08**

**UNLOCATABLE COPYRIGHT OWNER**

**Application by Vincent Beaulne, Montréal, Québec, received on July 7, 2020 for the reproduction of the poem “La veille maison” by Blanche Lamontagne**

The Copyright Board finds that the application does not meet the requirements of section 77 of the *Copyright Act* (the “Act”).

In this regard, subsection 77(1) of the Act states that

[w]here, on application to the Board by a person who wishes to obtain a licence to use

- (a) a published work,
- (b) a fixation of a performer’s performance,
- (c) a published sound recording, or
- (d) a fixation of a communication signal

in which copyright subsists, the Board is satisfied that the applicant has made reasonable efforts to locate the owner of the copyright and that the owner cannot be located, the Board may issue to the applicant a licence to do an act mentioned in section 3, 15, 18 or 21, as the case may be.

The Board has determined that copyright for the work subject to the application no longer subsists because of the following reasons:

1. The work « La veille maison » by Blanche Lamontagne has been published in 1920;
2. The Act provides that copyright for literary works subsists for the duration of the author’s life, the remainder of the calendar year in which the author dies, and a period of fifty years following the end of that calendar year (sec. 6 LR (1985), ch. C-42);
3. The author passed away on May 25, 1958, more than 60 years ago;
4. The work has been part of the public domain since January 1, 2009.

Given that the work is now part of the public domain, the Copyright Board cannot issue a licence.

A handwritten signature in black ink, appearing to be 'Lara Taylor', written in a cursive style.

Lara Taylor  
Secretary General