

Copyright Board
Canada



Commission du droit d'auteur
Canada

UNLOCATABLE COPYRIGHT OWNER

FILE 2023-UO/TI-07

Ottawa, August 17, 2023

Non-exclusive licence issued to Rebecca Jenkins, Vancouver, British Columbia, authorizing the reproduction and communication to the public by telecommunication of a film

[1] Pursuant to the provisions of subsection 77(1) of the *Copyright Act*, the Copyright Board issues a licence to Rebecca Jenkins as follows:

[2] The licence authorizes the reproduction and communication to the public by telecommunication of the film “Bye Bye Blues” for distribution through various means including, but not limited to, television (free, pay, cable, satellite, etc.) and Internet, in Canada.

[3] The licence is valid from September 1, 2023 to August 31, 2033.

[4] The licence is non-exclusive and valid only in Canada. For other countries, it is the law of the country that applies.

[5] 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.

[6] For the purpose of this licence, the licensee is considered as the distributor of the film.

[7] The licensee will pay the Producers Audiovisual Collective of Canada (PACC) a distribution fee of 50 percent of the licensee's gross receipts resulting from the distribution of the film.

[8] The licensee will be responsible for negotiating and paying residuals.

[9] Distribution expenses, including residuals, will be borne by the licensee.

[10] Accounting statements and payment will be made annually to PACC within 60 days of the end of each calendar year.

[11] PACC may audit the licensee's records at any time during the term of the licence and for two years following the expiry of the licence. The right to conduct an audit will be transferable to the copyright owner if located.

[12] The licensee may enter into an agreement with a sub-distributor provided it does so under the same terms as those set out in the licence. The licensee will impose on any such sub-

distributor the obligations that are incumbent to the licensee pursuant to the licence; the licensee will remain liable to PACC. The licensee will instruct its sub-distributor to direct accounting statements and payments directly to PACC. Any costs related to the entering into of a sub-distribution agreement will be borne by the licensee; for more clarity, there will be no deduction from PACC's distribution fee as a result of a sub-distribution agreement.

[13] PACC may dispose of those amounts as it sees fit for the general benefit of its members. PACC undertakes to reimburse any person, who establishes, before August 31, 2038, ownership of the copyright in the work covered in this licence.

[14] The coming into force of this licence is conditional on the licensee filing with the Board a *Notice of Undertaking* to comply with the conditions set out in paragraph (7) above signed by the licensee and PACC.

Esther Bonin
A/Senior Clerk
/for
Lara Taylor
Secretary General