

NOTE: Some material on this webpage comes from external sources and is published in the language and format received.
To obtain a copy of a document and for any questions or comments, contact us by email at registry-greffe@cb-cda.gc.ca.

Totem Médias Inc. v CONNECT Music Licensing Service Inc.

[Procedural information](#)

[Key Dates](#)

[Case Documents](#)

[List of Exhibits](#)

[Decisions](#)

Procedural Information and Key Dates

Procedural Information

| | |
|--------------------|--|
| Proceeding Number | 71-2023-01 |
| Status | Under Consideration |
| Hearing Type | Written |
| Collective Society | CONNECT Music Licensing Service Inc. (CONNECT) |
| User | Totem Médias Inc. (Totem) |
| Case Manager | Justice Luc Martineau |

Key Dates

| | |
|---------------------------------|----------------------------|
| Initiation Date | 2023-05-05 |
| Schedule of Proceedings | 2024-03-22 |
| Final Submissions Filing Date | To be determined |
| Deadline for Rendering Decision | To be determined |
| Decision Date | To be determined |

[Back to top](#)

| Proceeding Documents | | | | |
|-----------------------------|---------------|-----------------|---|----------------------|
| # | Document Type | Party | Description | Date (yyyy-mm-dd) |
| 1 | Email | Totem | Filing s. 71 Application | 2023-05-05 |
| 1.1 | Letter | Totem | s.71 Application - Public | 2023-05-05 |
| 1.2 | Letter | Totem | s.71 Application - Highly Confidential | 2023-05-05 |
| 1.3 | Letter | Totem | Licence – Highly Confidential | 2023-05-05 |
| 2 | Email | Copyright Board | Acknowledgment of receipt | 2023-05-05 |
| 3 | Email | CONNECT | Responding to application | 2023-05-12 |
| 4 | Email | Copyright Board | Issuing Ruling CB-CDA 2023-026 | 2023-05-19 |
| 4.1 | Ruling | Copyright Board | CB-CDA 2023-026 EN | 2023-05-19 |
| 5 | Email | CONNECT | Requesting extension to file comments | 2023-06-14 |
| 6 | Email | Copyright Board | Issuing Ruling CB-CDA 2023-035 | 2023-06-14 |
| 6.1 | Ruling | Copyright Board | CB-CDA 2023-035 EN | 2023-06-14 |
| 7 | Email | CONNECT | Filing comments on Ruling CB-CDA 2023-035 | 2023-06-30 |
| 7.1 | Letter | CONNECT | Comments on Ruling CB-CDA 2023-035 | 2023-06-30 |
| 8 | Email | CONNECT | Requesting confirmation of receipt | 2023-07-13 |

| | | | | |
|------|--------|-----------------|---|------------|
| 9 | Email | Totem | Filing reply submissions | 2023-07-14 |
| 9.1 | Letter | Totem | Reply submissions to CB-CDA 2023-035 | 2023-07-14 |
| 9.2 | Letter | Totem | Reply submissions to CB-CDA 2023-035 | 2023-07-14 |
| 10 | Email | CONNECT | Requesting leave to file a reply to Totem | 2023-07-19 |
| 11 | Email | Totem | Requesting the right to reply to submissions from CONNECT | 2023-07-20 |
| 12 | Email | CONNECT | Further requesting leave to file a brief reply to Totem | 2023-07-20 |
| 13 | Email | Copyright Board | Issuing Ruling CB-CDA 2023-046 | 2023-09-08 |
| 13.1 | Ruling | Copyright Board | CB-CDA 2023-046 EN | 2023-09-09 |
| 14 | Email | CONNECT | Requesting to file brief outline | 2023-09-14 |
| 15 | Email | Copyright Board | Issuing Ruling CB-CDA 2023-048 | 2023-09-18 |
| 15.1 | Ruling | Copyright Board | CB-CDA 2023-048 EN | 2023-09-18 |
| 16 | Email | Copyright Board | Hearing preparation | 2023-09-26 |
| 17 | Email | CONNECT | Requesting to adjourn | 2023-09-26 |
| 18 | Email | Copyright Board | Proposed two hearing dates | 2023-09-27 |
| 19 | Email | CONNECT | Confirming availability | 2023-09-27 |
| 20 | Email | Totem | Confirming availability | 2023-09-27 |
| 21 | Email | CONNECT | Suggesting date for outline oral argument | 2023-09-27 |
| 22 | Email | Copyright Board | Issuing Ruling CB-CDA 2023-050 | 2023-09-28 |
| 22.1 | Ruling | Copyright Board | CB-CDA 2023-050 EN | 2023-09-28 |
| 23 | Email | CONNECT | Filing outline of Oral Argument | 2023-10-17 |
| 23.1 | Letter | CONNECT | Outline of Oral Argument | 2023-10-17 |
| 24 | Email | Totem | Filing outline of Oral Argument | 2023-10-17 |
| 24.1 | Letter | Totem | Outline of Oral Argument | 2023-10-17 |
| 25 | Email | Copyright Board | Hearing preparation | 2023-10-18 |

| | | | | |
|------|--------|-----------------|--|------------|
| 25.1 | Letter | Copyright Board | Housekeeping rules | 2023-10-18 |
| 26 | Email | Totem | Request to add counsel for hearing | 2023-10-18 |
| 27 | Email | Copyright Board | Hearing preparation to extended parties | 2023-10-18 |
| 27.1 | Letter | Copyright Board | Housekeeping rules | 2023-10-18 |
| 28 | Email | CONNECT | Request to add counsel at the hearing | 2023-10-18 |
| 29 | Email | Copyright Board | Hearing preparation to extended parties | 2023-10-18 |
| 29.1 | Letter | Copyright Board | Housekeeping rules | 2023-10-18 |
| 30 | Email | Copyright Board | Issuing Ruling CB-CDA 2023-057 | 2023-11-15 |
| 30.1 | Ruling | Copyright Board | CB-CDA 2023-057 EN | 2023-11-15 |
| 31 | Email | All parties | Response to Ruling CB-CDA 2023-057 | 2023-11-21 |
| 32 | Email | Copyright Board | Proposed new dates for case management | 2023-11-23 |
| 33 | Email | Totem | Availability for case management conference | 2023-11-23 |
| 34 | Email | CONNECT | Availability for case management conference | 2023-11-24 |
| 35 | Email | Copyright Board | Confirmed date for case management | 2023-11-28 |
| 36 | Email | Copyright Board | Issuing Order CB-CDA 2023-060 | 2023-11-29 |
| 36.1 | Order | Copyright Board | CB-CDA 2023-060 EN | 2023-11-29 |
| 37 | Email | Copyright Board | Sending Zoom link to the parties | 2023-12-07 |
| 38 | Email | Copyright Board | Issuing Order CB-CDA 2023-066 | 2023-12-14 |
| 38.1 | Order | Copyright Board | CB-CDA 2023-066 EN | 2023-12-14 |
| 39 | Email | CONNECT | Requesting 1 week adjournment | 2024-01-25 |
| 40 | Email | Copyright Board | Issuing Order CB-CDA 2024-005 | 2024-01-25 |
| 40.1 | Order | Copyright Board | CB-CDA 2024-005 EN | 2024-01-25 |
| 41 | Email | Totem, CONNECT | Requesting an extension of time to file Joint Statement of Facts and Joint Statement of Issues | 2024-02-02 |
| 42 | Email | Copyright Board | Issuing Order CB-CDA 2024-006 | 2024-02-05 |
| 42.1 | Order | Copyright Board | CB-CDA 2024-006 EN | 2024-02-05 |

| | | | | |
|------|------------|-----------------|---|------------|
| 43 | Email | Totem, CONNECT | Filing Joint Statement of Facts, Joint Statement of Issues, Request for Confidentiality Order and draft Confidentiality Order | 2024-02-06 |
| 43.1 | Attachment | Totem, CONNECT | Joint Statement of Facts - Public | 2024-02-06 |
| 43.2 | Attachment | Totem, CONNECT | Joint Statement of Facts - Confidential | 2024-02-06 |
| 43.3 | Attachment | Totem | Exhibits (A to X) | 2024-02-06 |
| 43.4 | Attachment | Totem, CONNECT | Joint Statement of Issues | 2024-02-06 |
| 43.5 | Attachment | Totem | Requesting the issuance of a Confidentiality Order | 2024-02-06 |
| 43.6 | Attachment | Totem | Draft Confidentiality Order | 2024-02-06 |
| 44 | Email | Copyright Board | Providing Zoom link to the parties for the case management conference | 2024-02-08 |
| 45 | Email | Copyright Board | Issuing Order CB-CDA 2024-015 | 2024-02-21 |
| 45.1 | Order | Copyright Board | Confidentiality Order CB-CDA 2024-015 EN | 2024-02-21 |
| 46 | Email | Copyright Board | Issuing Order CB-CDA 2024-016 | 2024-02-23 |
| 46.1 | Order | Copyright Board | CB-CDA 2024-016 EN | 2024-02-23 |
| 47 | Email | CONNECT | Requesting a modified schedule | 2024-03-20 |
| 48 | Email | Copyright Board | Issuing Notice CB-CDA 2024-021 | 2024-03-22 |
| 48.1 | Notice | Copyright Board | CB-CDA 2024-021 EN | 2024-03-22 |
| 49 | Email | CONNECT | Filing of motion for leave to file economic expert evidence | 2024-03-26 |
| 49.1 | Attachment | CONNECT | Motion for leave – Confidential | 2024-03-26 |
| 49.2 | Attachment | CONNECT | Motion for leave – Public | 2024-03-26 |
| 50 | Email | Copyright Board | Issuing Ruling CB-CDA 2024-025 | 2024-04-08 |
| 50.1 | Ruling | Copyright Board | CB-CDA 2024-025 EN | 2024-04-08 |
| 51 | Email | Copyright Board | Advising parties to submit case record with | 2024-04-22 |

| | | | | |
|------|------------|-----------------|---|------------|
| | | | TitanFile | |
| 51.1 | Attachment | Copyright Board | Guidelines for Interacting with the Board via TitanFile | 2024-04-22 |
| 52 | Email | CONNECT | Inquiry regarding the submission of the case record | 2024-04-23 |
| 53 | Email | Copyright Board | Providing clarification with regards to submissions | 2024-04-24 |
| 54 | Email | CONNECT | Acknowledgment of receipt | 2024-04-24 |
| 55 | Email | Totem | Filing the case record | 2024-04-24 |
| 56 | Email | CONNECT | Filing the case record | 2024-04-24 |
| 57 | Email | CONNECT | Advising that copies of the case record have been sent by courier | 2024-04-25 |
| 58 | Email | Copyright Board | Acknowledgment of receipt | 2024-04-25 |
| 59 | Email | Copyright Board | Issuing Notice CB-CDA 2024-032 | 2024-05-01 |
| 59.1 | Notice | Copyright Board | Notice CB-CDA 2024-032 EN | 2024-05-01 |
| 60 | Email | Totem | Filing the response to CONNECT's Statement of Case | 2024-05-14 |
| 61 | Email | CONNECT | Filing the response to Totem's Statement of Case | 2024-05-14 |
| 62 | Email | Copyright Board | Requesting paper copies of case documents from Totem | 2024-05-17 |
| 63 | Email | Totem | Advising that paper copies of the case documents will be filed | 2024-05-17 |
| 64 | Email | Copyright Board | Advising that Registry did not receive paper copies | 2024-05-17 |
| 65 | Email | CONNECT | Advising that paper copies of the case documents to arrive by EOD | 2024-05-17 |

| | | | | |
|------|------------|-----------------|---|------------|
| 66 | Email | Copyright Board | Registry to be on-site until 5:00 p.m. | 2024-05-17 |
| 67 | Email | Copyright Board | Advising that case documents received at the Board | 2024-05-17 |
| 68 | Email | Totem | Filing leave to file witness statement and etc. | 2024-05-29 |
| 68.1 | Attachment | Totem | Leave to file witness statement and etc. – Publique | 2024-05-29 |
| 68.2 | Attachment | Totem | Leave to file witness statement and etc. – Confidential | 2024-05-29 |
| 69 | Email | Totem | Filing letter regarding cross-examinaton, expert evidence and revised witness statement | 2024-05-29 |
| 69.1 | Letter | Totem | Letter regarding cross-examinaton, expert evidence and revised witness statement | 2024-05-29 |
| 70 | Email | CONNECT | Filing motion for leave to file expert evidence, Interrogatories and Cross-Examination | 2024-05-29 |
| 70.1 | Letter | CONNECT | Motion for leave to file expert evidence – Public | 2024-05-29 |
| 70.2 | Letter | CONNECT | Motion for leave to file expert evidence – Confidential | 2024-05-29 |
| 70.3 | Letter | CONNECT | Motion for interrogatories and cross-examination – Public | 2024-05-29 |
| 70.4 | Letter | CONNECT | Motion for interrogatories and cross-examination – Confidential | 2024-05-29 |
| 71 | Email | Totem | Filing the response to CONNECT's Motion for Leave | 2024-06-05 |
| 71.1 | Attachment | Totem | Response to CONNECT's Motion for Leave | 2024-06-05 |
| 72 | Email | CONNECT | Filing the response to Totem's Motion for Leave | 2024-06-05 |
| 72.1 | Attachment | CONNECT | Response to Totem's Motion for Leave - Public | 2024-06-05 |

| | | | | |
|------|------------|---------|---|------------|
| 72.2 | Attachment | CONNECT | Response to Totem's Motion for Leave - Confidential | 2024-06-06 |
|------|------------|---------|---|------------|

[Back to top](#)

Decisions

| Citation | Document | Date (yyyy-mm-dd) |
|----------|----------|----------------------|
| | | |
| | | |

[Back to top](#)