

Copyright Board
Canada



Commission du droit d'auteur
Canada

[CB-CDA 2024-037]

NOTICE OF THE BOARD

Proceeding: CPCC – Private Copying Tariff (2024-2027)

May 24, 2024

Case Management Conference Summary

I. ATTENDANCE FOR CPCC:

1. Erin Finlay, Counsel for CPCC
2. Benoit Gauthier, Economic Expert
3. Lisa Freeman, Executive Director

II. ATTENDANCE FOR THE COPYRIGHT BOARD:

1. Lara Taylor, Case Manager
2. Sylvain Audet, General Counsel
3. Michelle Ela, Economist
4. Mathieu Joncas, Legal Counsel
5. Alexander Petranski, Assistant Clerk

III. SUMMARY OF THE CMC

[1] During the Case Management Conference (“CMC”) held on May 15, 2024 the case manager briefly reviewed the Board’s initiation notice (CB-CDA 2024-029), which proposed an approach to the consideration of the concept of “ordinarily used”, and explained the administrative purpose of the CMC. The case manager also discussed the limitations in addressing CPCC’s specific questions and concerns sent to the Board in reply to the initiation notice, during the CMC.

[2] CPCC sought clarification on the notice and guidance on how to structure its evidence to respond to the Board’s questions, as this would affect its budget and planning. In response, the case manager encouraged CPCC to put its best foot forward in deciding how to answer the Board’s questions.

[3] Mr. Gauthier and Ms. Ela shared their views on the strengths and weaknesses of web panel surveys and both emphasized the importance of providing thorough explanations to support conclusions. CPCC expressed interest in obtaining the Board's input on its survey methodology and design. It was noted that the Board has previously provided technical guidance in past cases and could consider doing so if CPCC formally requests technical assistance. However, any technical assistance provided by Board staff should not be interpreted as ensuring Panel endorsement of any conclusions drawn from the survey.

[4] Regarding the CPCC's questions about continuation of rights, it was confirmed that the Board lacks jurisdiction to advise on this issue and that tariffs are based on calendar years.

IV. NEXT STEPS

[5] CPCC will consult with its board of directors and experts, and shall confirm by **June 14, 2024** its plan for the proceeding schedule and the date for filing its case record.

Lara Taylor
Case Manager