

Copyright Board
Canada



Commission du droit d'auteur
Canada

[CB-CDA 2024-065]

ORDER OF THE BOARD

Matter: 71-2023-01 Totem Médias Inc. v CONNECT Music Licensing Service Inc.

August 9, 2024

[1] This Order deals with

- Totem's request to fix a date for responses to CONNECT's deficiency motion; and
- CONNECT's claims of deficiencies in relation to Totem's response to a question from the Board.

[2] I grant Totem's request and deny CONNECT's motion in respect of Totem's responses to the Board.

I. RESPONDING TO DEFICIENCY MOTIONS

[3] On August 7, 2024, CONNECT filed deficiency motions in relation to Totem's responses to interrogatory questions.

[4] On the same date, Totem requested that the Board fix a date by which Totem may respond to the deficiency motions, and that this be August 16, 2024.

[5] Totem may file any replies to CONNECT's claims of deficiencies by **Friday, August 16, 2024.**

II. CLAIMS OF DEFICIENCIES IN REGARDS TO RESPONSES TO BOARD QUESTIONS

[6] In the same document containing claims of deficient responses to interrogatory questions, CONNECT also identified purported deficiencies in Totem's response to one of the questions from the Board (Notice 2024-048 Q2).

[7] I have provided for no such step. Instead, Parties have the opportunity to reply to each others' responses to the Board's questions. In this case, this is to be done by **Monday, August 12, 2024** (Ruling 2024-049, para. 37).

[8] This permitted reply can include submissions on the completeness of the response. This does not mean, however, that such submissions are considered deficiency motions.

[9] As such, CONNECT's motion in respect of Totem's responses to the Board is denied.

Luc Martineau
Chair, Copyright Board