

Copyright Board
Canada



Commission du droit d'auteur
Canada

[TRANSLATION]

Ottawa, September 2, 2005

FILE 2005-UO/TI-29

UNLOCATABLE COPYRIGHT OWNERS

Non-exclusive licence issued to the National Film Board of Canada authorizing the reproduction and incorporation of 11 transparencies in a documentary film

Pursuant to the provisions of subsection 77(1) of the *Copyright Act*, the Copyright Board issues a licence to the National Film Board as follows:

- (1) The licence authorizes the reproduction and incorporation, in the documentary *I can make art like Emily Carr* from the series *I can make art - Oui, je peux faire de l'art* produced by the NFB, of 11 transparencies of works by Emily Carr produced by photographer Michael Neill in 1980.

The cinematographic images of the transparencies will appear for approximately three seconds each in the six-minute film.

The licence also authorizes the performance in public or the communication to the public by telecommunication of the transparencies so incorporated and their reproduction in any medium for the purposes of distribution for private performance, as part of the exploitation of the documentary film.

The issuance of this licence does not release the licensee from the obligation to obtain permission for any other use not covered by this licence.

- (2) The licence is for a period of 20 years and expires on December 31, 2025.
- (3) The licence is non-exclusive and valid only in Canada. For other countries, it is the law of that country that applies.
- (4) The National Film Board of Canada will pay the sum of \$2497 to the Canadian Artists Representation Copyright Collective (CARCC), which may dispose of the amount of the royalties set by the licence as it sees fit for the general benefit of its members. CARCC undertakes, however, to reimburse any person who establishes, before December 31, 2030, ownership of the copyright in any of the works covered by this licence.

(5) The coming into force of this licence is conditional on the CARCC filing with the Board the receipt for the amount of the royalties set in the licence, accompanied by CARCC'S undertaking to comply with the conditions set out in paragraph (4) above.

A handwritten signature in black ink that reads "Claude Majeau". The script is cursive and fluid.

Claude Majeau
Secretary General