# Copyright Board Canada



## Commission du droit d'auteur Canada

### [TRANSLATION]

Ottawa, October 21, 2010

#### FILE 2010-UO/TI-16

#### UNLOCATABLE COPYRIGHT OWNERS

Non-exclusive licence issued to the *Ordre des infirmières et infirmiers du Québec*, Westmount, Quebec, authorizing the reproduction of five photographs in a brochure

Pursuant to the provisions of subsection 77(1) of the *Copyright Act*, the Copyright Board issues a licence to the *Ordre des infirmières et infirmiers du Québec* as follows:

- (1) The licence authorizes the *Ordre des infirmières et infirmiers du Québec* to reproduce, as of October 15, 2010, five photographs previously published in *Nursing Québec* and described as follows:
  - a photo of Helen D. Taylor, estimated to have been taken between 1969 and 1971, by Jay Lee Studios;
  - a photo of Sœur Valérie de la Sagesse, estimated to have been taken between 1947 and 1950, photographer unknown;
  - a photo of Margaret Wheeler, estimated to have been taken between 1958 and 1960, photographer unknown;
  - a photo of Helene Margaret Lamont, estimated to have been taken between 1963 and 1965, photographer unknown; and
  - a photo of Madeleine Jalbert, estimated to have been taken between 1967 and 1969, photographer unknown.
- (2) No more than 3000 copies will be reproduced.
- (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 issuance of this licence does not release the licensee from the obligation to obtain permission for any other use not covered by this licence.

- (5) The licence is valid until December 31, 2010. All brochures must be printed by that date. Any digital use of the photographs must also cease on that date.
- (6) The licensee will pay the sum of \$625 (or \$125/photograph) to the Society for Reproduction Rights of Authors, Composers and Publishers in Canada Visual Arts and Crafts (SODRAC), which may dispose of the amount of the royalties set by the licence as it sees fit for the general benefit of its members. SODRAC undertakes, however, to reimburse any person who establishes, before December 31, 2015, ownership of the copyright in any of the works covered by this licence.
- (7) The licensee must clearly indicate the following in its brochure:
  - "The photograph of Helen D. Taylor taken by Jay Lee Studios, as well as the photographs of Sœur Valérie de la Sagesse, Margaret Wheeler, Helene Margaret Lamont and Madeleine Jalbert, published in *Nursing Québec*, 60 ans déjà in 1980, are used under a licence issued by the Copyright Board of Canada. If you believe you have rights to the works reproduced in this brochure, please contact the Society for Reproduction Rights of Authors, Composers and Publishers in Canada Visual Arts and Crafts (SODRAC)."
- (8) The coming into force of this licence is conditional on SODRAC filing with the Board the receipt for the amount of royalties set in the licence, accompanied by an undertaking by SODRAC to comply with the conditions set out in paragraph (6) above.

Gilles McDougall

Acting Secretary General

Techn fall