

Copyright Board
Canada



Commission du droit d'auteur
Canada

Ottawa, September 26, 2007

FILE: 2007-UO/TI-31

UNLOCATABLE COPYRIGHT OWNER

Non-exclusive licence issued to Pearson Education Canada, Don Mills, Ontario, authorizing the reproduction of an image of a painting by Hal Ross Perrigard

Pursuant to the provisions of subsection 77(1) of the *Copyright Act*, the Copyright Board grants a licence to Pearson Education Canada as follows:

- (1) The licence authorizes the reproduction of an image of the painting *The Virtue of the Tree Annedda* by Hal Ross Perrigard (1891-1960) used in Arthur Doughty's book titled "Under the lily and the rose: a short history of Canada for children" published in 1928 by Modern Press, Ottawa.

The image will be reproduced in the Grade 6 educational textbook "Explorer Ships". No more than 10,000 copies shall be reproduced.

- (2) The licence expires when the work joins the public domain. Based on the evidence, this will occur on January 1, 2011.
- (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 the licence does not release the licensee from the obligation to obtain permission for any other use not covered by this licence.
- (5) The licensee will pay the sum of \$176 to the Canadian Artists' Representation Copyright Collective (CARCC) who will dispose of the amount as it sees fit for the general benefit of its members. CARCC undertakes, however, to reimburse any person who establishes within five years of the date at which the work joins the public domain, ownership of the copyright of the work covered by this licence.
- (6) The coming into force of this licence is conditional on the filing with the Board of CARCC's undertaking to comply with the conditions set out in paragraph (5) above.

Handwritten signature of Claude Majeau in cursive.

Claude Majeau
Secretary General