

Copyright Board
Canada



Commission du droit d'auteur
Canada

Ottawa, July 30, 2009

FILE: 2009-UO/TI-07

UNLOCATABLE COPYRIGHT OWNERS

Non-exclusive licence issued to the National Film Board of Canada authorizing the use of portions of a book cover artwork created by Elizabeth Jensen

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

- (1) The licence authorizes the use of portions of the book cover artwork from the book "Waiting for the Parade" created by Elizabeth Jensen. The book was written by John Murrell and published by Talon Books in 1979.

The portions will be used in the short 4-minute animated film entitled "The Real Place" produced by the National Film Board of Canada. The film will be packaged in the animation compilation Blu-Ray release entitled Animation Express, to be sold on DVD by the National Film Board of Canada.

No more than 10,000 copies of the DVD shall be produced.

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 expires on August 1, 2014. All DVDs must be produced by that date.
- (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 licensee shall ensure that the following credit is prominently presented:

"Book cover artwork from the book *Waiting for the Parade* created by Elizabeth Jensen. Used with permission under a non-exclusive licence issued by the Copyright Board of Canada in co-operation with The Canadian Copyright Licensing Agency."
- (5) The National Film Board of Canada will pay \$100 to Access Copyright, The Canadian Copyright Licensing Agency. Access Copyright may dispose of the said amount as it sees

fit for the general benefit of its members. It undertakes, however, to reimburse the amount to any person who establishes, before August 1, 2019, ownership of copyright of the work covered by this licence.

- (6) The coming into force of this licence is conditional on Access Copyright filing with the Board the receipt of the amount of the licence and its undertaking to comply with the conditions set out in paragraph (5) above.



Claude Majeau
Secretary General