

Copyright Board
Canada



Commission du droit d'auteur
Canada

Ottawa, April 3, 2013

FILE: 2013-UO/TI-02

UNLOCATABLE COPYRIGHT OWNER

Non-exclusive licence issued to KV 265, Chicago, Illinois, authorizing the use of a literary work in public performances

Pursuant to the provisions of subsection 77(1) of the *Copyright Act*, the Copyright Board grants a licence to KV 265, as follows:

- (1) The licence authorizes the use, in public performances of a combined symphonic and film work, of the literary work entitled "The Legend of the Northern Lights" written by Walt Terry and published by Gage Publishing in 1965.

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

- (2) The licence is valid provided that the applicant's representative, Anne (Phillip) Barlow or her successors, is not the copyright owner.
- (3) The licence expires on April 30, 2018. The use must therefore be completed by that date.
- (4) The licence is non-exclusive and valid only in Canada. For other countries, it is the law of that country that applies.
- (5) The applicant undertakes to pay the sum of \$10.00 for every performance to any person who establishes, before May 1st, 2023, ownership of the copyright in the work covered in this licence.
- (6) The copyright owner can terminate the licence by presenting a written notice to this effect to the applicant. The applicant will cease using the work for the uses granted in this licence, no later than 30 days after the receipt of the notice. The copyright owner who terminates the licence is still entitled to the royalties described in paragraph (5).
- (7) The coming into force of this licence is conditional on the licensee filing with the Board an undertaking to comply with the conditions set out in paragraph (5) above.

A handwritten signature in black ink, appearing to read 'Gilles McDougall'.

Gilles McDougall
Secretary General