

Copyright Board
Canada



Commission du droit d'auteur
Canada

UNLOCATABLE COPYRIGHT OWNER
FILE 2024-UO/TI-12

Ottawa, October 23, 2024

**Non-exclusive licence issued to Bibliothèque et Archives nationales du Québec (BAnQ),
Montréal, Quebec pursuant to subsection 77(1) of the *Copyright Act***

[1] The licence authorizes, regarding the entirety of the publications from the Montreal Star and the Montreal Herald, published from October 19, 1811 to September 25, 1979 (see appendix A), the following acts:

- The reproduction in digital format of all or part of the works included in the above-mentioned periodicals;
- The communication to the public by telecommunication, for non-commercial purposes, of all or part of the works by any means whatsoever, notably in any current and future media, including on any BAnQ portal or website and on social media, provided that the source is acknowledged, that moral rights are respected and that communications are made within the framework of BAnQ's missions; and
- Granting sub-licenses to BAnQ users to use the work for non-commercial purposes, provided that the source is acknowledged and that moral rights are respected.

[2] The issuance of this license does not release BAnQ from the obligation to obtain authorization for any use not covered by this license.

[3] BAnQ is not authorized to modify the works and must respect the author's moral rights.

[4] The licence is valid only to the extent that the works are not already in the public domain and it expires when the entirety of the works have entered the public domain.

[5] The licence is non-exclusive and valid only in Canada. For other countries, it is the law of that country that applies.

[6] BAnQ will pay the sum of \$150 to anybody who establishes, in a delay of five years after the expiration of this licence, ownership of the copyright in the works covered in this licence.

[7] The copyright owner of the works included in this licence may request BAnQ to withdraw the works from its Internet portal by presenting a written notice to this effect to BAnQ. Within a

reasonable delay following the reception of this notice, but no later than 45 business days, BAnQ will remove the works from its Internet portal. Uses of the works completed prior to the withdrawal will remain subject to the licence. The copyright owner who requests the withdrawal of the works is entitled to one third of the royalties if the works are withdrawn within the year following the issuance of the licence; to two thirds of the royalties if the works are withdrawn after one year but before five years; and to the totality of the royalties after five years.

[8] BAnQ provides on its portal information relating to the limits imposed by the *Act* or the present licence regarding the uses of the works as well as the rights of users under the *Act* and any sub-licenses granted by BAnQ in accordance with this license.

[9] The coming into force of this licence is conditional on BAnQ filing with the Board a *Notice of undertaking* to comply with the conditions set out in paragraph (6) above.

Greg Gallo
A/ Secretary General

Appendix A

Montreal Herald

	Title	Numbering
1	The Montreal herald (1811)	Vol. 1, no. 1 (Oct. 19, 1811)-1879
2	Montreal herald and daily commercial gazette	(Jan. 2 1880)-vol. 77, no. 113 (May 12, 1885)
3	The Montreal daily herald and daily commercial gazette	Vol. 77, no. 114 (May 13, 1885)-vol. 81 [i.e. 80], no. 90 (Apr. 14, 1888)
4	The Montreal herald (1888)	Vol. 81 [i.e. 80], no 91 (Apr. 16, 1888)-85th year, no 101 (Apr. 29, 1892)
5	Montreal daily herald	85th year, no. 103 (May 2, 1892)- 89th year, no. 258 (Oct. 27, 1896)
6	The Herald (Montréal, Québec : 1896)	89th year, no 259 (Oct. 28, 1896)- 92nd year, no 272(Nov. 18, 1899)
7	The Montreal herald (1899)	92nd year, no. 273 (Nov. 20, 1899)- 103rd year, no. 84 (Jan. 27, 1914)
8	The daily witness	Aug. 13, 1860-July 11, 1913
9	The Daily telegraph and daily witness	Vol. 1, no. 1 (July 12, 1913)-vol. 1, no. 120 (Nov. 28, 1913)
10	The Daily telegraph (Montréal, Québec)	Vol. 1, no. 121 (Nov. 29, 1913)-vol. 2, no. 22 (Jan. 27, 1914)

The Montreal Herald and The Daily Telegraph (1914)

	Title	Numbering
11	The Montreal herald and the daily telegraph	103rd year, no. 85 (Jan. 28, 1914)- (March 29, 1919)

12	Montreal herald (1919)	(March 29, 1919)-121st year, no. 129 (March. 18, 1932)
13	Montreal daily herald (1932)	121st year, no. 130 (March 19, 1932)-133rd year, no. 308 (Oct. 21, 1944)
14	The Herald (Montréal, Québec : 1944)	134th year, no. 1 (Oct. 23, 1944)- 146th year, no. 306 (Oct. 18, 1957)

The Montreal Star

	Title	Numbering
15	The Evening star	Vol. 1, no. 1 (Jan. 16, 1869)-vol. 9, no. 88 (Apr. 14, 1877)
16	The Star (Montréal, Québec)	Vol. 9, no. 89 (Apr. 16, 1877)-vol. 12, no. 304 (Dec. 24, 1880)
17	The Montreal daily star	Vol. 13, no. 1 (Jan. 3, 1881)-vol. 83, no. 210 (Sept. 7, 1951)
18	The Montreal star	Vol. 83, no. 211 (Sept. 8th, 1951)- 89th year, no. 244 (Oct. 18, 1957)

The Montreal Herald and The Montreal Star (1957)

	Title	Numbering
19	The Montreal star and herald	89th year, no. 245 (Oct. 19, 1957)- 90th year, no. 149 (June 26, 1958)
20	The Montreal star (1958)	90th year, no. 150 (June 27, 1958)- 111th year, no. 192 (Sept. 25, 1979)