

Index

All references are to the Copyright Act unless preceded by the following abbreviations:

BIA (Bankruptcy and Insolvency Act)

BIR (Book Importation Regulations)

CC (Criminal Code)

CCGECPN (Certification of Countries Granting Equal Copyright Protection Notice)

CR (Copyright Regulations)

CWR (Cinematographic Works (Right to Remuneration) Regulations)

LSDSR (Local Signal and Distant Signal Regulations)

DSRSR (Definition of Small Retransmission Systems Regulations)

DSCTSR (Definition of Small Cable Transmission System Regulations)

DWTR (Definition of Wireless Transmission System Regulations)

EER (Exceptions for Educational Institutions, Libraries, Archives and Museums Regulations)

EPWRCR (Education Program, Work and Other Subject Matter Record-keeping Regulations)

LRER (Limitation of the Right to Equitable Remuneration of Certain Rome Convention Countries Statement)

RDAR (Regulations Defining Advertising Revenues)

RPN (Regulations Prescribing Networks)

PUR (Programming Undertaking Regulations)

REPNRCR (Regulations Establishing the Period Within Which Owners of Copyright Not Represented by Collective Societies Can Reclaim Retransmission Royalties)

RFLO (Reproduction of Federal Law Order)

RRCR (Retransmission Royalties Criteria Regulations)

ACCESS TO INFORMATION LEGISLATION

Generally, **32.1(1)(a)**

ADMINISTRATION

Generally, **46 to 62**

ADVERTISING REVENUES

Interpretation, **RDAR 1**

Regulations, **RDAR 2**

AGREEMENT

Effect of agreement, **74**

AGREEMENT—Cont'd

Examination and fixing of royalty,

76.1(1)

Filing with Board, **76(2)**

AGRICULTURAL OR AGRICULTURAL-INDUSTRIAL EXHIBITION OR FAIR

Generally, **32.2(2)**

ANNUAL REPORT

Generally, **CC 696.87(1)**

Tabling, **CC 696.87(2)**

ANONYMOUS WORKS

Identity of author commonly known, **6.2**
Term of copyright, **6.1(1) to (2), 6.2(1) to (2)**

ARCHITECTURAL WORK

Defined, **2**
Reproduction not infringement, **32.3(1)(b)(i), 64(3)(d)**

ARCHITECTURAL WORK OF ART

Defined, **2**

ARCHIVE

See also LIBRARY, ARCHIVE OR MUSEUM
Notice to patron, **EER 5(5), 6**

AREA OF TRANSMISSION

Defined, **LSDSR 1**

ARTICLE

Defined, **64(1)**

ARTISTIC WORK

Cinematographic work, **3(1)(e)**
Communicate by telecommunication, **3(1)(f)**
Defined, **2**
Mechanical performance, **3(1)(d)**
Present at public exhibition, **3(1)(g)**

ASSIGNMENT OF COPYRIGHT

Generally, **13(4)**
Evidence of, **53(2.1)**
Exception to infringement, **27(2)(b)**
Execution of instruments, **58**
Partial, **13(5)**
Right of action, **13(6)**
Substituted right, **60**
Waiver of moral rights, and, **14.1(3)**
When void, **57(3)**

AUTHOR

Defined, **60(3)**
Remedies for infringement of moral rights, **34(2)**

AUTHORIZE

Right to, **3(1)(in fine)**

BANKRUPTCY

Generally, **BIA 2, 67, 83, 84**
Right of unpaid supplier, perishable fruit or vegetables, **BIA 81.7**

BERNE CONVENTION

Adherence to, **91**

BERNE CONVENTION COUNTRY

Defined, **2**
Expiration of copyright before membership, **5(1.02), 5(1.03)**
Protection for older works, **5(1.01), 5(1.03)**

BLANK AUDIO TAPES, LEVY ON

Generally, **82 to 87**

BOARD

Defined, **2**

BOOK

See also PARALLEL IMPORTATION OF BOOKS
Importation of
generally, **44.2**
application, **BIR 2**
exclusive distributor, **BIR 4**
regulation, **BIR**
time, computation of, **BIR 3**
Imported books
generally, **BIR 5 to 10**
Canadian editions, **BIR 6**
leased books, **BIR 10**
remaindered books, **BIR 7**
special orders, **BIR 9**
textbooks, **BIR 8**

BREACH OF TRUST OR CONFIDENCE

Generally, **63**

BROADCASTER

Assignment of rights, **25**
Defined, **2**

BROADCASTER—Cont'd

- First owner, **24(c)**
- No prejudice to other rights, **90**
- Reciprocity, **22**
- Rights of, **21**
- Term of rights, **23**

BROADCASTING ACT

- Generally, **32.1(1)(d)**, **32.1(3)**

BUILDINGS

- Generally, **40**

**CANADA-UNITED
STATES-MEXICO
AGREEMENT**

- Defined, **2**

CHOREOGRAPHIC WORK

- Defined, **2**

CINEMATOGRAPHIC WORKS

- Adapt work as, **3(1)(c)**
- Copyright exceptions, **29.5(d)**
- Defined, **2**
- Prescribed works, **CWR**
- Remuneration, right to, **CWR**
- Unauthorized recording of, **CC 432**

CIVIL REMEDIES

- See also **DAMAGES, IMPORTATION**
- Apportionment of damages, profits, **36(4)**
- Costs, **34(3)**
- Damages, **35**
- Entitlement of owner, **34(1)**
- Injunction, when only remedy, **39**
- Jurisdiction, **37**
- Limitation period, **41**
- Moral rights, **34(2)**
- Owner made party, **36(2)**
- Owner's liability for costs, **36(3)**
- Presumptions, **34.1**
- Protection of separate rights, **36**
- Recovery of possession of copies, plates, **38**
- Right of action assignable, **13(6)**

CLERICAL ERRORS

- Generally, **61**

COLLECTIVE

**ADMINISTRATION OF
PERFORMING RIGHTS AND
COMMUNICATION RIGHTS**

- Proposed tariffs
 - continuation of rights, **73.2**
 - filing, **68**
 - form and content, **68.1(1)**
 - minimum effective period, **68.1(2)**
 - objections, **68.3**, **68.4**
 - publication and notification, **68.2**
 - withdrawal or amendment, **69**
- Royalties, mandatory filing, **67(2)**
- Special and transitional royalties
 - small cable transmission systems, **DSCTSR 1 to 3**

COLLECTIVE SOCIETY

- Agreement establishing royalties
 - entering into, **67(3)**
 - examination by Board, **76.1(1)**
 - filing with Board, **76(2)**
- Claims by owners not represented by, **75(1)**, **REPNRCR 1**
- Defined, **EPWRCR 1, 2**
- Designation, **67.1**
- Effect of fixing royalties, **73**
- Filing of proposed tariffs, **67(1)**
- Mandatory filing for certain royalties, **67(2)**
- Publication of approved tariff, **70.1(b)**
- Requests regarding repertoire, **67.2**

COLLECTIVE WORK

- Defined, **2**

COMMERCIALLY AVAILABLE

- Defined, **2**

COMMISSIONER OF PATENTS

- Control of business and officials, **52**
- Correspondence with, **CR 2 to 4, 8**

COMMISSIONER OF PATENTS

—Cont’d

Determination by, **CR 7**
Powers, generally, **47, 49**

COMMISSIONERS

Absence, incapacity or vacancy, **CC 696.76(2)**
Compensation, **CC 696.78(3)**
Diversity, **CC 696.73**
Diversity of qualifications, **CC 696.75(3)**
Expenses, **CC 696.78(2)**
Full or part-time, **CC 696.74**
Knowledge and experience, **CC 696.75(1)**
Legal qualifications, **CC 696.75(2)**
Meetings, **CC 696.79(1)**
Quorum, **CC 696.79(2)**
Reappointment, **CC 696.77(2)**
Removal, **CC 696.77(3)**
Remuneration, **CC 696.78(1)**
Role of chief commissioner, **CC 696.76(1)**
Term of office, **CC 696.77(1)**

COMMUNICATION RIGHTS

See **COLLECTIVE
ADMINISTRATION OF
PERFORMING RIGHTS
AND COMMUNICATION
RIGHTS**

**COMMUNICATIONS, ADDRESS
FOR**

Generally, **34, CR 2 to 4, 8**

COMMUNICATION SIGNAL

Defined, **2**

**COMPENSATION FOR ACTS
DONE BEFORE
RECOGNITION OF
COPYRIGHT OR MORAL
RIGHTS**

Rights and interests protected, **33.1**

**COMPENSATION FOR
RESTORATION**

Determination by Board, **78**
For acts prior to recognition
copyright or moral rights, **33**
performers and broadcasters,
32.4, 32.5

COMPILATION

Defined, **2, 2.1**

COMPUTER PROGRAMS

Defined, **2**
Encryption research, **30.62(1)**
Incorporation into integrated circuit
product, **64.2(2)**
Interoperability of computer
programs, **30.61(1)**
Limitation, **30.62(3)**
Motive of gain from rental, **2.5(2)**
Permitted acts, **30.6**
Single reproductions, **30.6**

COPIES

Destruction or delivery up of, **38(2)
to (4), 42(3), EOWOSRR
6(1)(c), 7, Sched.**
Marking of, **29.9, EER 7,
EPWOSRR 5**
Private copying, **79 to 88**
Record-keeping re
See **RECORD-KEEPING**
Recovery of possession of, **38(1)**

COPYRIGHT

Communication signal, in a, **21**
Conditions for subsistence of, **5(1)
to (1.2)**
Defined, **2**
Evidence, **53**
Extension to other countries, **5(2)**
Industrial designs and topographies
See **INDUSTRIAL DESIGNS
AND TOPOGRAPHIES**
Infringement
See **INFRINGEMENT**
No right outside of Act, **63**

COPYRIGHT—Cont'd

- Ownership
 - See OWNERSHIP OF COPY-
RIGHT
- Performer's performance, in a, **15, 26**
- Presumed, **34.1**
- Sound recording, in a, **18**
- Substituted right, **60**
- Term
 - See TERM OF COPYRIGHT
Work, in a, **3**

COPYRIGHT BOARD

- See also AGREEMENT, COLLEC-
TIVE ADMINISTRATION OF
PERFORMING RIGHTS
AND COMMUNICATION
RIGHTS, ROYALTIES,
TARIFFS
- Case manager
 - deemed direction or order of
Board, **66.504(3)**
 - delegation, **66.504(4)**
 - member, officer or employee of
Board assigned, **66.504(1)**
 - powers, **66.504(2)**
- Chair
 - absence or incapacity, **66.1(2)**
 - duties, **66.1(1)**
 - judge, a, **66(3)**
- Conflict of interest, **66.3**
- Decisions
 - interim decisions, **66.51**
 - variation, **66.7(4), 66.52**
 - voting, **66.5(2)**
- Establishment, **66(1)**
- Members
 - concluding matters after term
expires, **66.5(1)**
 - deemed public service employ-
ees, **66(7)**
 - full or part time, **66(2)**
 - prohibited employment, **66(6)**
 - re-appointment, **66(5)**
 - tenure, **66(4)**

COPYRIGHT BOARD—Cont'd

- Notices, **66.71**
- Powers
 - generally, **66.7(1)**
 - enforcement of decisions, **66.7(2)**
 - make regulations, **66.6**
 - procedure, **66.7(3)**
- Regulations, **66.91(1)**
- Remuneration and expenses, **66.2**
- Report, **66.9**
- Royalties and levies, fair and equi-
table, **66.501**
- Staff, **66.4**
- Studies, **66.8**
- Vice-chair, **66.1(3)**

COPYRIGHT OFFICE

- Generally, **46**

COSTS

- Generally, **34(3)**

COUNTRY

- Defined, **2**
- Equal copyright protection notice
certification, **CCGECPN 2**

COURT

- Defined, **44.1(1)**

CRIMINAL INTEREST RATE

- Non-application
 - agreement or arrangements, **CC 347.01(1)**
 - offers or arrangements, **CC 347.01(2)**
 - regulations, **CC 347.01(3)**

CRIMINAL REMEDIES

- Copies or plates, **42(3)**
- Dramatic, operatic or musical work,
43
- Limitation period, **42(4)**
- Notice, **42(3.01)**
- Offences and punishment, **42(1)**
- Parallel importation of books, **42(5)**
- Possession and performance, **42(2)**
- Punishment, **42(2.1)**

CRIMINAL REMEDIES—Cont’d

- Rights management information definition, **42(3.4)**
- offence, infringement related to, **42(3.2)**
- punishment, **42(3.3)**
- Technological protection measure, circumvention of, **42(3.1)**
- Unauthorized recording of movie, **CC 432**

CROWN

- Term of copyright, **12**

CULTURAL PROPERTY EXPORT AND IMPORT ACT

- Generally, **32.1(1)(c)**

DAMAGES

- Fraudulent or erroneous registration, **56.1**
- Liability for, **35(1)**
- Profits, proof of, **35(2)**

DEFENDANT

- Defined, **2**

DEFINITIONS

- Generally, **2**

DELIVERY

- Defined, **2**

DESIGN

- Defined, **64(1)**

DISABILITIES, PERSONS WITH

- Copyright owner cannot be located, **32.01(5)**
- Definitions, **32.01(8)**, **32.02**
- Marrakesh Treaty country, **32.01(3)**
- Not Marrakesh Treaty country, **32.01(3.1)**
- Print disability — outside Canada, **32.01(1)**
- Regulations, **32.01(7)**
- Reports, **32.01(6)**
- Royalty, **32.01(4)**
- Work available in country, **32.01(2)**

DISTANT SIGNAL

- Defined, **31(3)(a.1)**, **LSDSR 2(2)**
- Retransmission of, **31(2)**

DRAMATIC WORK

- Adapted to cinematographic work, **3(1)(e)**
- Change or suppression of title or author, **43(2)**
- Communicate by telecommunication, **3(1)(f)**
- Conversion of, **3(1)(b)**
- Defined, **2**
- Infringement of copyright, **43(1)**
- Mechanical performance, **3(1)(d)**
- Tangible object, **3(1)(j)**

DUTIES

- Defined, **44.1(1)**

EDUCATIONAL INSTITUTION

- Defined, **2**, **EPWRCR 1**
- Destruction of copy, **ERWRCR 7**
- Exceptions, **EER**
- Literary collections, **30**
- Marking of copies, **29.9**, **EER 7**, **EPWRCR 5**
- News and commentary, **29.6**, **EPWRCR 2**
- Non-infringing activities, **29.4**, **30.3**, **30.4**, **45**
- Performances, **29.5**
- Posting of notice, **EER 8**
- Record-keeping requirements
See **RECORD-KEEPING**
- Reproduction of broadcast, **29.7**, **EPWRCR 2**
- Unlawful reception, **29.8**

EMPLOYEE AS AUTHOR

- Generally, **13(3)**

ENGRAVING

- Defined, **2**
- Issue of not deemed publication, **2.2(2)**

EPHEMERAL RECORDINGS

Generally, **30.8, 30.9**

EQUITABLE REMUNERATION

Limitation of right to, **LRER 1 to 4**

**ESTABLISHMENT AND
MANDATE**

Commission established, CC
696.71(1)

Composition, CC **696.71(2)**

Head office, CC **696.71(3)**

Mandate, CC **696.72**

**EVERY ORIGINAL LITERARY,
DRAMATIC, MUSICAL AND
ARTISTIC WORK**

Defined, **2**

EVIDENCE

Admissibility, **53(3)**

Certificate of diplomatic/consular
officer, **58(3)**

Certificate of registration, **53(2) to
(2.2)**

Register of Copyrights as, **53(1)**

Seal of court, **58(3)**

EXCLUSIVE DISTRIBUTOR

Defined, **2**

Order regarding importation, **44.3**

Regulations establishing criteria,
2.6

EXCLUSIVE LICENCE

Defined, **2.7**

Effect of grant, **13(7)**

Grant of licence, **13(4)**

Order regarding importation, **44.3**

FAIR DEALING

Criticism or review, **29.1**

News reporting, **29.2**

Research or private study, **29**

FEAR OF DOMESTIC VIOLENCE

Appearances, CC **810.03(2)**

Conditions, firearms, CC **810.03(7)**

FEAR OF DOMESTIC VIOLENCE

—Cont'd

Conditions in recognizance, CC
810.03(6)

Duration extended, CC **810.03(4)**

Generally, CC **810.03(1)**

Recognizance order, CC **810.03(3)**

Refusal, enter into recognizance,
CC **810.03(5)**

Safety and security of informant,
CC **810.03(11)**

Surrender, CC **810.03(8)**

Variance of conditions, CC
810.03(10)

Warrant of committal, form, CC
810.03(12)

FEDERAL COURT

Jurisdiction, **37, 44.1(1)**

Rectification of Register, **57(4)**

FEES

Generally, **59, CR 5(2), 6(2)(b), 7,
9, Schedule**

FIRST PUBLICATION

Where deemed to occur, **5(1.1)**

FIXING

Generally, **3(1.1)**

**FREEDOM OF INFORMATION
LEGISLATION**

Generally, **32.1(1)(a)**

IMPORTATION

See also BOOK; PARALLEL
IMPORTATION OF BOOKS

Application for direction, **44.12(6)**

Application for order, **44.12(1),
44.12(4)**

Books, of

generally, **44.2**

copies made outside Canada,
44.11

copyright, **44.1**

court ordered detention, **44.12(1)**

IMPORTATION—Cont'd

- Books, of—Cont'd
 - exclusive licensees and exclusive distributors, **44.3**
 - parallel, **27.1, 42(5)**
- Definitions, **44**
- Exceptions to restrictions, **45**
- Failure to commence action, **44.12(8)**
- Liability for charges, **44.07**
 - inspection, **44.06, 44.12(7)**
- No liability, **44.08**
- Notice, **44.04(3)**
- Other remedies, **44.12(10)**
 - request for assistance, **44.02(1)**
 - restriction, **44.05**
- Power of court, **44.09, 44.12(1), 44.12(3), 44.12(9)**
- Prohibited, **44.01(1)**
- Provision of information, **44.03**
- Security required, **44.12(5)**

INCIDENTAL USE

- Generally, **30.7**

INDUSTRIAL DESIGNS AND TOPOGRAPHIES

- Generally, **63 to 64.2**
- Application, **64(4)**
- Computer programs, **64.2(2)**
- Copyright or moral rights, **64.1(2), 64(3)**
- Definitions, **64(1)**
- Non-infringement re certain designs, **64(2)**
- Non-infringement re useful articles, **64.1(1)**
- Topographies, application to, **64.2(1)**

INFRINGEMENT OF COPYRIGHT

- See also **CIVIL REMEDIES, INDUSTRIAL DESIGNS AND TOPOGRAPHIES**
- Generally, **27(1)**
- Costs of proceedings, **34(3)**

INFRINGEMENT OF

COPYRIGHT—Cont'd

- Criminal remedies, generally, **42 to 43**
- Exceptions
 - See **INFRINGEMENT OF COPYRIGHT — EXCEPTIONS**
- Importer, knowledge of, **27(3)**
- Parallel importation of books, **27.1**
- Performers and broadcasters, transitional, **32.4, 32.5**
- Plates, **27(4)**
- Public performance for profit, **27(5)**
- Secondary infringement, **27(2)**
- Secondary infringement — exportation, **27(2.11)**

INFRINGEMENT OF COPYRIGHT — EXCEPTIONS

- Agricultural exhibition or fair, **32.2(2)**
- Computer programs, **30.6**
- Designs, **64(2) to (4)**
- Disclosure of personal information, **32.1(1)(b)**
- Disclosure of records, **32.1(1)(a)**
- Educational institutions, **29.4 to 30, 30.4**
- Ephemeral recordings, **30.8, 30.9**
- Fair dealing, **29 to 29.2**
- Incidental inclusion, **30.7**
- Libraries, archives or museums, **30.1 to 30.3**
- Library and Archive of Canada, **30.5**
- Miscellaneous, **32.2**
- News reporting or summary, **32.2(1)(c), 32.2(1)(e)**
- No motive of gain, **29.3**
- No right to equitable remuneration, **32.3**
- Persons with perceptual difficulties, **32**

INFRINGEMENT OF COPYRIGHT — EXCEPTIONS—Cont'd
 Public reading or recitation, **32.2(1)(d)**
 Religious, educational or charitable objects, **32.2(3)**
 Retransmission, **31**
 Statutory obligations, **32.1**
 Use by author, **32.2(1)(a)**

INFRINGING
 See also INFRINGEMENT OF COPYRIGHT
 Defined, **2**

INJUNCTION
 Copyright infringement, on, **34(1)**
 Moral rights infringement, on, **34(2)**
 Only remedy, when, **39**

INSOLVENCY
 Generally, **BIA 2, 67, 83, 84**

INTEGRATED CIRCUIT PRODUCT
 Copyright or moral rights, **64.2(2)**
 Defined, **64.2(3)**

INTEROPERABILITY
 Diagnosis, maintenance and repair, **41.121**
 Limitation, information, **41.12(6)**
 Limitation, technology, **41.12(5)**

IRREGULARITIES
 Generally, **61**

JURISDICTION
 Federal Court, **37, 44.1(1)**
 Importation, **44.1**
 Provincial courts, **37**
 Superior courts, **44.1(1)**

LECTURE
 Defined, **2**

LEGAL REPRESENTATIVES
 Defined, **2**

LEVY ON BLANK AUDIO TAPES
 Generally, **82 to 87**

LIBRARY, ARCHIVE OR MUSEUM
 Communication by telecommunication, **30.01(3)**
 Copying works deposited in archive, **30.21**
 Defined, **2**
 Exceptions, **EER**
 Meaning of a lesson, **30.01(1)**
 Non-infringing activities, **30.1 to 30.5, 45**
 Posting of notice, **EER 8**
 Record-keeping requirements
 See RECORD-KEEPING
 Research or private study, **30.2(1)**
 Royalties, **30.03(2)**
 Stamping of copied works, **EER 7**
 Within educational institutions, **30.4**

LIBRARY AND ARCHIVES OF CANADA
 Generally, **30.5**

LICENCE
 Evidence of, **53(2.2)**
 Execution of instruments, **58**
 Issued by Board, **77(1)**
 Registration of, **57(1)**
 When void, **57(3)**

LIMITATION PERIOD
 Civil remedies, for, **41**
 Copyright
 See TERM OF COPYRIGHT

LITERARY WORK
 Adapted to cinematographic work, **3(1)(e)**
 Communicate by telecommunication, **3(1)(f)**
 Defined, **2**
 Mechanical performance, **3(1)(d)**
 Tangible object, **3(1)(j)**

LOCAL SIGNAL

Defined, **31(3)**, **LSDSR 2(1)**
Retransmission of, **31(2)**

MAKER

Defined, **2**, **2.11**

MINISTER

Defined, **2**, **44.1(1)**

MORAL RIGHTS

Application, **17.2(1)**
Defined, **2**, **14.1(1)**, **17.1(1)**
Effect of waiver, **17.1(4)**
General, **14(1)**
Infringement of
 generally, **28.1**
 remedies, **34(2)**
 transitional rights, **32.4 to 33**
No assignment of, **14(2)**, **17.1(2)**
No waiver by assignment, **17.1(3)**
Succession, **14.2(2)**, **14.2(3)**,
 17.2(2)
Term of, **14.2(1)**, **17.2(1)**
Waiver of, **14(2) to (4)**

MUSEUM

See **LIBRARY, ARCHIVE OR MUSEUM**

MUSICAL WORK

Adapt to cinematographic work,
 3(1)(e)
Change or suppression of title or
 author, **43(2)**
Communicate by telecommunica-
 tion, **3(1)(f)**
Defined, **2**
Infringement of copyright, **43(1)**
Mechanical performance, **3(1)(d)**
Rent out sound recording, **3(1)(i)**
Tangible object, **3(1)(j)**

NETWORKS

Network services, **31.1**
Prescribed, **RPN 1**

NEW MEDIA RETRANSMITTER

Defined, **31(1)**

NEWSPAPERS

Generally, **EER 2**

NEWS REPORTING OR SUMMARY

Generally, **32.2(1)(c)**, **32.2(1)(e)**

NON-DRAMATIC WORK

Conversion of, **3(1)(c)**
Tangible object, **3(1)(j)**

OFFENCES TENDING TO CORRUPT MORALS

Child sexual abuse, exploitation
 material
 accessing, **CC 163.1(4.1)**
 definition, **CC 163.1(1)**
 distribution, **CC 163.1(3)**
 making, **CC 163.1(2)**
 possession, **CC 163.1(4)**

OPERATIC WORK

Change or suppression of title or
 author, **43(2)**
Infringement of copyright, **43(1)**

ORDER RESTRICTING PUBLICATION

Sexual abuse, exploitation material,
 CC 672.501(1)

OWNERSHIP OF COPYRIGHT

Assignment and licences, **13(4)**
Assignment of right of action, **13(6)**
Author as first owner
 general, **13(1)**
 limitation, **14**
Communication signal, in a, **24(c)**
Course of employment, **13(3)**
Evidence of, **53(2)**
Partial assignment, **13(5)**
Performer's performance, **24(a)**
Presumptions, **34.1**
Sound recording, **24(b)**
Unable to locate owner, where, **77**

PARALLEL IMPORTATION OF BOOKS

- Criminal remedy, **42(5)**
- Exclusive distributor
 - deemed to derive interest, **27.1(4)**
 - defined, **2**
- Importation, **27.1(1)**
- Prescribed notice, **27.1(5)**
- Regulations, **27.1(6)**
- Secondary infringement, **27.2(2)**

PERCEPTUAL DISABILITY

- Defined, **2**
- Exemption from levy on blank audio tapes, **86**
- Non-infringing activities, **32**

PERFORMANCE

- Defined, **2**

PERFORMER'S PERFORMANCE

- Assignment of rights, **25**
- Copyright in, **15 to 17**
- Defined, **2**
- No prejudice to other rights, **90**
- Ownership, **24(a)**
- Publication, **15(4)**
- Reciprocity, **22**
- Right to remuneration, **19, 20, 32.3**
- Term of rights, **23**

PERFORMERS' RIGHTS

- WTO countries, **26**

PERFORMING RIGHTS

- See COLLECTIVE
ADMINISTRATION OF
PERFORMING RIGHTS
AND COMMUNICATION
RIGHTS

PERIODICALS

- Generally, **EER 2**

PHOTOGRAPH

- Defined, **2**
- Issue of not deemed publication, **2.2(2)**

PHOTOGRAPH—Cont'd

- Term of copyright, **9**

PLAINTIFF

- Defined, **2**

PLATE

- Defined, **2**
- Destruction or delivery up of, **38(2) to (4), 42(3)**
- Recovery of possession of, **38(1)**

POSTHUMOUS WORKS

- Term of copyright, **7(1)**
- Transitional provision, **7(3)**

POWERS, DUTIES AND FUNCTIONS

- Accessibility, **CC 696.8**
- Duty to adopt certain policies, **CC 696.83(2)**
- Outreach, **CC 696.81**
- Policies, **CC 696.83(1)**
- Powers, **CC 696.84(1)**
- Publication of decisions, **CC 696.82(2)**
- Security requirements, **CC 696.85**
- Supports to applicants in need, **CC 696.84(2)**
- Transparency, **CC 696.82(1)**

PREMISES

- Defined, **2**

PRIVACY LEGISLATION

- Generally, **32.1(1)(b)**

PRIVATE COPYING

- Generally, **79 to 88**

PROGRAMMING UNDERTAKING

- Generally, **2.4(2), PUR 2**

PSEUDONYMOUS WORKS

- Term of copyright, **6.1, 6.2**

PSEUDONYMOUS WORKS OF

- Generally, **6.2(1)**
- Term of copyright, **9**

PUBLICATION

- Consent of owner, **2.2(3)**
- Defined, **2.2(1)**
- Issue of photographs and engravings, **2.2(2)**

PUBLIC READING OR RECITATION

- Generally, **32.2(1)(d)**

RECIPROCITY

- Protection preserved, **5(7)**
- With non-Rome Convention countries, **22**

RECORD-KEEPING

- Application of legislation, **30.4, EER 3, 4(2)**
- Content of records, **EER 4(1), 5(1)**
- Copying for purpose of, **30.1(1)(d)**
- Creation of records, **EER 4(1), 5(1)**
- Destruction of copy, **EPWRCR 7**
- Duties re
 - archive, **30.2, 30.21, 30.4, EER**
 - educational institution, **29.9, 30.4, EPWRCR 6**
 - library or museum, **30.2, 30.4, EER**
- Making records available, **EER 4(5) to (7), 5(4) to (5)**
- Marking of copies, **29.9, EER 7, EPWRCR 5**
- Regulatory powers re, **29.9(2), 30.2(6)(c)**
- Retention of records, **EER 4(3) to (4), EPWRCR 9, 5(2) to (3)**
- Sending information record, **EPWRCR, 7**
- Stamping of copies, **EER 7**

REGISTER OF COPYRIGHTS

- As evidence, **53**
- Contents, **54(1)**
- Indices, **54(4)**
- Inspection, **54(5)**
- Rectification, **57(4)**
- Single entry sufficient, **54(3)**

REGISTRAR OF COPYRIGHTS

- As Acting Commissioner, **47**
- Authority to sign, **49**
- Other duties, **50**
- Provided for, **48**

REGISTRATION

- Generally, **54 to 58**
- Application for
 - contents, **CR 5(1), 55(2), 56(2)**
 - who may make, **55(1), 56(1)**
- Assignment or licence, of, **CR 6, 57**
- Copyright in works, who may apply, **55(1)**
- Copyright other than works, who may apply, **56(1)**
- Determination by Commissioner, **CR 7**
- Evidence, as, **53**
- Fees, **59, CR 5(2), Schedule**
- Former registration effective, **54(6)**
- Recovery of damages, **56.1**
- Subsisting copyright, **54(7)**

REGULATIONS

- Generally, **62**
- Copyright Board, issued by 66.6 fees, **59**
- Issuing policy directions, **66.91(1)**
- Parallel importation of books, **27.1(6)**
- Time, regarding, **66.91(2), 66.91(3)**

RELEASE

- Defined, **44.1(1)**

REMEDIES

- See **CIVIL REMEDIES, CRIMINAL REMEDIES**
- Educational institution, **38.1(6)(d)**
- Infringements for non-commercial purposes, **38.1(5)(d)**
- Prohibition, **41.1(1)**
- Statutory damages, **38.1**
- Technological protection measure, **42(3.1)**

RENTAL

Computer program, **2.5(2), 3(1)(h)**
 Sound recording, **3(1)(i)**
 What constitutes, **2.5**

REPRODUCTION OF FEDERAL LAW

Generally, **RFLO**

RETRANSMISSION

Definitions, **31(1)**
 Distant signal, of
 filing of proposed tariffs, **68**
 payment of royalties, **31(2)(d)**
 Non-infringement, **31(2)**
 Regulations, **31(1)**
 Royalties, criteria for determining,
 RRCR 2

RETRANSMITTER

Defined, **31(1)**

REVIEW OF ACT

Generally, **92**

ROME CONVENTION

Adherence to, **91**

ROME CONVENTION COUNTRY

Defined, **2**
 Infringement, transitional rights,
 32.4
 Limitation to right to equitable
 remuneration, **LRER 1 to 4**

ROYALTIES

Claims by non-members, **75**
 Community systems, **72(3)**
 Effect of agreement, **74**
 Effect of fixing, **73, 73.5**
 Effect of paying, **72(4)**
 Fixing in individual cases, **71, 71.1**
 Owners not represented by collec-
 tive societies, of, **75,**
 REPONRCR 1
 Retransmission royalties, criteria
 for determining, **RRCR 2**

ROYALTIES—Cont'd

Small cable transmission system,
 70(3), DSCTSR 1 to 3
 Small retransmission systems, **70(4)**
 Special royalty rates, **72(1)**
 Unable to locate owner, where, **77**
 Wireless transmission systems,
 72(2)

SCULPTURE

Defined, **2**
 Reproduction not infringement,
 32.2(1)(b)(ii)

SIGNAL

Defined, **31(3)**

SMALL CABLE TRANSMISSION SYSTEM

Defined, **DSCTSR 2 to 4**
 Preferential royalty rate for, **70(3)**
 Regulations, **70(7)**

SMALL RETRANSMISSION SYSTEMS

Defined, **DSRSR 2 to 4**
 Preferential royalty rate for, **70(4)**
 Regulations, **70(7)**

SOUND RECORDING

Assignment of rights, **25**
 Conditions
 Canada, **20(1)**
 Rome Convention country,
 20(1.1)
 exception, **20(2)**
 WPPT Country, **20(1.2)**
 exception, **20(2.1)**
 Copyright, **18(1.1)**
 Copyright conditions, **18(2)**
 Deemed publication
 Canada, **19.1**
 WPPT country, **19.2**
 Defined, **2**
 First owner, **24(b)**
 No prejudice to other rights, **90**
 Reciprocity, **22**

SOUND RECORDING—Cont’d

Rights of makers, **18**
Right to make, **3(1)(d)**
Right to remuneration, **19, 20, 32.3**
 Rome Convention country,
 19(1.1), 19(1.2)
 WPPT country, **19(1.2)**
Royalties, **19(2)**
Term of rights, **23**

STATUTORY BASIS

Generally, **89**

SUBSTITUTED RIGHT

Generally, **60**

TARIFFS

See also COLLECTIVE
 ADMINISTRATION OF
 PERFORMING RIGHTS
 AND COMMUNICATION
 RIGHTS, COLLECTIVE
 SOCIETY
Approved tariffs
 compliance with terms and
 conditions, **73.1**
 effect of fixing royalties, **73**
Examination of agreements, **76 to**
 76.1
Fixing of royalties in individual
 cases, **71, 71.1**
Owners can’t be located, **77**
Proceedings barred, **73.3**
Proposed tariffs
 approval, **70(1)**
 continuation of rights, **73.2**
 effective period, minimum,
 68.1(2)
 filing, **68**
 form and content, **68.1(1)**
 objection, **68.3, 68.4**
 publication and notification, **68.2**
 publication of approved tariff,
 70.1
 withdrawal or amendment, **69,**
 69.1

TELECOMMUNICATIONS

Communicate work by, **3(1)(f)**
Communication to public by,
 2.4(1.1)
Defined, **2**
Not public performance, **2.3**

TEMPORARY REPRODUCTIONS

Temporary reproductions for
 technological processes, **30.71**

TERM OF COPYRIGHT

Anonymous and pseudonymous
 works
 general, **6.1**
 joint ownership, **6.1**
Cinematographic works, **11.1**
Crown ownership, **12**
General, **6**
Joint authorship, **9**
Posthumous works, **7(1)**

TOPOGRAPHY

Defined, **64.2(3)**
Non-application of Act, **64.2(1)**

TREATY COUNTRY

Defined, **2**
WCT country, **2(2)**
WPPT country, **2(2)**

UCC COUNTRY

Defined, **2**

UNPUBLISHED WORKS

Generally, **2.2(4)**

USEFUL ARTICLE

Defined, **64(1)**

UTILITARIAN FUNCTION

Defined, **64(1)**

**WIRELESS TRANSMISSION
SYSTEMS**

Defined, DWTR, **1**
Special royalty rates, **72(2)**

WORK

Defined, **2**

WORK—Cont'd

Unpublished, **2.2(4)**

WORK OF JOINT AUTHORSHIP

Cases of joint authorship, **9**

Defined, **2**

Pseudonymous, **6.2(1)**

WORK OF SCULPTURE

Defined, **2**

WTO MEMBER

Defined, **2**

Expiration of copyright before
membership, **5(1.02), 5(1.03)**

Infringement, transitional rights,
32.4

Performers' rights, **26**

Protection for older works, **5(1.01),
5(1.03)**