### **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)

REPONRCR (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)** 

### ANONYMOUS WORKS

Identity of author commonly known, **6.2** 

### ANONYMOUS WORKS—Cont'd

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

### 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

First owner, 24(c)

No prejudice to other rights, 90

## BROADCASTER—Cont'd

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)**, **REPONRCR 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** 

### **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

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)** 

COPYRIGHT BOARD—Cont'd	COUNTRY
Case manager—Cont'd	Defined, 2
delegation, <b>66.504(4)</b>	Equal copyright protection notice
member, officer or employee of	certification, CCGECPN 2
Board assigned, <b>66.504(1)</b>	COURT
powers, <b>66.504(2)</b>	Defined, <b>44.1</b> (1)
Chair	, , ,
absence or incapacity, <b>66.1</b> (2)	CRIMINAL REMEDIES
duties, <b>66.1</b> (1)	Copies or plates, 42(3)
judge, a, <b>66(3)</b>	Dramatic, operatic or musical work,
Conflict of interest, <b>66.3</b>	43
Decisions (6.51)	Limitation period, 42(4)
interim decisions, <b>66.51</b>	Notice, 42(3.01)
variation, <b>66.7(4)</b> , <b>66.52</b>	Offences and punishment, 42(1)
voting, 66.5(2)	Parallel importation of books, 42(5)
Establishment, 66(1)	Possession and performance, <b>42(2)</b>
Members	Punishment, 42(2.1)
concluding matters after term expires, <b>66.5</b> (1)	Rights management information definition, <b>42</b> ( <b>3.4</b> )
deemed public service employ-	offence, infringement related to,
ees, 66(7)	42(3.2)
full or part time, <b>66(2)</b>	punishment, <b>42</b> (3.3)
prohibited employment, <b>66(6)</b>	Technological protection measure,
re-appointment, <b>66(5)</b>	circumvention of, <b>42(3.1)</b>
tenure, <b>66(4)</b>	Unauthorized recording of movie,
Notices, <b>66.71</b>	CC 432
Powers	CROWN
generally, <b>66.7</b> ( <b>1</b> )	Term of copyright, <b>12</b>
enforcement of decisions, <b>66.7(2)</b>	
make regulations, <b>66.6</b>	CULTURAL PROPERTY EXPORT
procedure, 66.7(3)	AND IMPORT ACT
Regulations, <b>66.91(1)</b>	Generally, <b>32.1</b> (1)(c)
Remuneration and expenses, <b>66.2</b>	DAMAGES
Report, <b>66.9</b>	Fraudulent or erroneous registra-
Royalties and levies, fair and equi-	tion, <b>56.1</b>
table, <b>66.501</b>	Liability for, <b>35</b> (1)
Staff, <b>66.4</b>	Profits, proof of, <b>35(2)</b>
Studies, <b>66.8</b>	DEFENDANT
Vice-chair, <b>66.1(3)</b>	Defined, 2
• • • • •	,
COPYRIGHT OFFICE	DEFINITIONS
Generally, <b>46</b>	Generally, 2
COSTS	DELIVERY
Generally, 34(3)	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 — outisde 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

## **EDUCATIONAL INSTITUTION**

—Cont'd

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

### 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)

EXCLUSIVE LICENCE—Cont'd	IMPORTATION—Cont'd
Grant of licence, 13(4)	No liability, 44.08
Order regarding importation, 44.3	Notice, 44.04(3)
FAIR DEALING	Other remedies, <b>44.12</b> (10)
Criticism or review, <b>29.1</b>	request for assistance, 44.02(1)
News reporting, 29.2	restriction, 44.05
Research or private study, 29	Power of court, 44.09, 44.12(1), 44.12(3), 44.12(9)
FEDERAL COURT	Prohibited, <b>44.01</b> ( <b>1</b> )
Jurisdiction, <b>37</b> , <b>44.1</b> (1)	Provision of information, <b>44.03</b>
Rectification of Register, 57(4)	Security required, 44.12(5)
FEES	INCIDENTAL USE
Generally, 59, CR 5(2), 6(2)(b), 7,	Generally, 30.7
9, Schedule	INDUSTRIAL DESIGNS AND
FIRST PUBLICATION	TOPOGRAPHIES
Where deemed to occur, $5(1.1)$	Generally, 63 to 64.2
FIXING	Application, <b>64(4)</b>
	Computer programs, 64.2(2)
Generally, <b>3</b> ( <b>1.1</b> )	Copyright or moral rights, <b>64.1(2)</b> ,
FREEDOM OF INFORMATION	64(3)
LEGISLATION	Definitions, 64(1)
Generally, <b>32.1</b> (1)(a)	Non-infringement re certain
IMPORTATION	designs, <b>64(2)</b> Non-infringement re useful articles
See also BOOK; PARALLEL	64.1(1)
IMPORTATION OF BOOKS	Topographies, application to,
Application for direction, <b>44.12</b> (6)	64.2(1)
Application for order, <b>44.12(1)</b> ,	INTEDINICIEMENTE OF
44.12(4)	INFRINGEMENT OF COPYRIGHT
Books, of	See also CIVIL REMEDIES,
generally, 44.2	INDUSTRIAL DESIGNS
copies made outside Canada,	AND TOPOGRAPHIES
44.11	Generally, 27(1)
copyright, 44.1	Costs of proceedings, <b>34(3)</b>
court ordered detention, 44.12(1)	Criminal remedies, generally, <b>42 to</b>
exclusive licensees and exclusive	43
distributors, 44.3	Exceptions
parallel, <b>27.1</b> , <b>42</b> ( <b>5</b> )	See INFRINGEMENT OF
Definitions, 44	COPYRIGHT — EXCEP-
Exceptions to restrictions, <b>45</b>	TIONS
Failure to commence action,	Importer, knowledge of, 27(3)
44.12(8)	Parallel importation of books, <b>27.1</b>
Liability for charges, 44.07	Performers and broadcasters,
inspection, <b>44.06</b> , <b>44.12</b> (7)	transitional, <b>32.4</b> , <b>32.5</b>

# INFRINGEMENT OF COPYRIGHT—Cont'd

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.

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

### INFRINGING—Cont'd

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)** 

### **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)

# LIBRARY, ARCHIVE OR MUSEUM—Cont'd

| WIUSEUWI—COIII

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)

### MORAL RIGHTS—Cont'd

Infringement of-Cont'd

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 telecommunication, 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)

### **OPERATIC WORK**

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

Infringement of copyright, 43(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)

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)

### **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 engrav-

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, CRIMI-NAL 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 collective 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	TELECOMMUNICATIONS
Rights of makers, 18	Communicate work by, <b>3</b> ( <b>1</b> )( <b>f</b> )
Right to make, $3(1)(d)$	Communication to public by,
Right to remuneration, 19, 20, 32.3	2.4(1.1)
Rome Convention country,	Defined, 2
19(1.1), 19(1.2)	Not public performance, 2.3
WPPT country, <b>19(1.2)</b>	TEMPORARY REPRODUCTIONS
Royalties, 19(2)	Temporary reproductions for
Term of rights, 23	technological processes, 30.71
STATUTORY BASIS	TERM OF COPYRIGHT
Generally, <b>89</b>	Anonymous and pseudonymous
SUBSTITUTED RIGHT	works
Generally, <b>60</b>	general, <b>6.1</b>
TA DIEDO	joint ownership, <b>6.1</b>
TARIFFS	Cinematographic works, 11.1
See also COLLECTIVE	Crown ownership, 12
ADMINISTRATION OF	General, 6
PERFORMING RIGHTS	Joint authorship, 9
AND COMMUNICATION RIGHTS, COLLECTIVE	Posthumous works, <b>7</b> ( <b>1</b> )
SOCIETY	TOPOGRAPHY
Approved tariffs	Defined, <b>64.2</b> ( <b>3</b> )
compliance with terms and	Non-application of Act, <b>64.2</b> (1)
conditions, <b>73.1</b>	
effect of fixing royalties, <b>73</b>	TREATY COUNTRY
Examination of agreements, <b>76 to</b>	Defined, 2
76.1	WCT country, 2(2)
Fixing of royalties in individual	WPPT country, <b>2</b> ( <b>2</b> )
cases, 71, 71.1	UCC COUNTRY
Owners can't be located, 77	Defined, 2
Proceedings barred, 73.3	UNPUBLISHED WORKS
Proposed tariffs	Generally, 2.2(4)
approval, <b>70(1</b> )	
continuation of rights, 73.2	USEFUL ARTICLE
effective period, minimum,	Defined, <b>64</b> ( <b>1</b> )
68.1(2)	UTILITARIAN FUNCTION
filing, <b>68</b>	Defined, <b>64</b> ( <b>1</b> )
form and content, 68.1(1)	WIRELESS TRANSMISSION
objection, <b>68.3</b> , <b>68.4</b>	SYSTEMS
publication and notification, <b>68.2</b>	Defined, DWTR, 1
publication of approved tariff,	Special royalty rates, 72(2)
70.1	
withdrawal or amendment, 69,	WORK
69.1	Defined, 2

## 2025 Annotated Copyright Act

## 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)