

42870028

Publisher's Note
2021 — Release 4
Previous release was 2021-3

From Your Library:	
<input type="checkbox"/>	_____

Robic

Canadian Copyright Act Annotated

This publication is a comprehensive reference work that provides guidance through annotation of the Act along with interpretation of case law and authorities. Special attention is given to software issues, the Copyright Board, and the interface between industrial designs, designs protected by copyrights and those not protected because of their functionality.

This release features several revisions and updates to Sections 2.11, 4, 6 and a Compilation of the Recent Canadian Copyright Cases Decided in 2020.

Highlights

- **Term of Copyright — Case Law — Canada** — The term “author” is not defined in the Copyright Act, but it undoubtedly refers to a natural person. Copyright subsists for “the life of the author, the remainder of the calendar year in which the author dies, and a period of fifty years following the end of that year”: *P.S. Knight Co. Ltd v. Canadian Standards Association*, 2018 CarswellNat 7612 (F.C.A.; 2018-12-07) Gleason J. [affirming 2016 FC 294 F.C.; 2016-03-08) and 2016 FC 387 (F.C.; 2016-04-07); leave to appeal to the Supreme Court of Canada refused 2019 CarswellNat 2072 (S.C.C.; 2019-05-23).].

THOMSON REUTERS CANADA®

Customer Support

1-416-609-3800 (Toronto & International)
1-800-387-5164 (Toll Free Canada & U.S.)
Fax 1-416-298-5082 (Toronto)
Fax 1-877-750-9041 (Toll Free Canada Only)
Email CustomerSupport.LegalTaxCanada@TR.com

- **Term of Copyright — Case Law — Canada** — Having regard to that history, is it nevertheless possible for a different interpretation to be made with respect to that story based upon the work of Ms. Montgomery, which is no longer subject to copyright protection by virtue of the lapse of time from the original publication. The Anne brand is however still subject to protection with respect to various trademarks.: *Sullivan v. Northwood Media Inc.*, 2019 CarswellOnt 7681 (Ont. Sup. Ct.; 2019-07-18) Short, Master.
- **Term of Copyright — Case Law — Canada** — In this case, the Board has determined that copyright for the work subject to the application no longer subsists because of the following reasons: [. . .] 1. Section 6 of the Act provides that the term for which copyright shall subsist for literary works be the life of the author, the remainder of the calendar year in which the author dies, and a period of fifty years following the end of that calendar year [. . .] The author of the work, Henry Wadsworth Longfellow, passed away in 1882, which is more than 137 years ago.: *Muggeridge, Re*, File 2020-UO/TI-15