



Ottawa, November 12, 2003

FILE: 2003-UO-TI-22

UNLOCATABLE COPYRIGHT OWNER

Non-exclusive licence issued to Northern Sky Entertainment Ltd., Toronto, Ontario, authorizing the use of excerpts of war letters in a television documentary

Pursuant to the provisions of subsection 77(1) of the *Copyright Act*, the Copyright Board grants a licence to Northern Sky Entertainment Ltd. as follows:

(1) The licence authorizes the use, as off-camera narration, of excerpts of the following letters in the second episode of the four-part television documentary entitled "From a Place Called War: 1939-1945" to be broadcasted by The History Television Network:

- Excerpt from the November 1942 letter written by Lieutenant Robert C. Lewin to his mother and all America;
- Excerpt from the November 11, 1942 letter written by Lieutenant John B. Doyle Jr. to his father;
- Excerpt from the November 29, 1943 letter written by Lieutenant Colonel Russell Lloyd to his wife Mary.

These letters were originally published in 1943 in *A Book of War Letters*, edited by Harry E. Maule, Random House, New York, and reprinted in 1987 under the title *Lines of Battle: Letters from American Servicemen 1941-1945*, edited by Annette Tapert, Random House: Times Books, New York.

The licence also authorizes the public performance or the communication to the public by telecommunication of the works so incorporated as part of the exploitation of the said documentary film in all Canadian markets.

(2) The licence is for a period of 5 years and expires on December 31, 2008.

(3) The licence is non-exclusive and valid only in Canada. For other countries, it is the law of that country that applies.

(4) The sole use (off-camera narration) of the excerpts will be on film and video and will not be reproduced in any derivative form or otherwise.

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.

(5) The applicant will pay the sum of \$100 per work, for a total of \$300 to Access Copyright, The Canadian Copyright Licensing Agency who will dispose of the amount as it sees fit for the general benefit of its members. Access Copyright undertakes, however, to reimburse any person who establishes before December 31, 2013, ownership of the copyright of the works covered by this licence.

(6) The coming into force of this licence is conditional on the filing with the Board of Access Copyright's undertaking to comply with the conditions set out in paragraph (5) above.

Claude Majeau
Secretary General