



Canadian publishers welcome settlement between Laval University and Copibec

TORONTO, ONTARIO—(June 21, 2018)—The Association of Canadian Publishers (ACP) congratulates Copibec and Laval University on reaching an amicable resolution to their longstanding dispute over unlicensed copying of copyright-protected materials. Laval ended its licensing agreement with Copibec in 2014, which prompted the copyright collective to bring forward the suit against the university on behalf of publishers and creators.

In place of the Copibec licence Laval had implemented its own copying guidelines, which are similar to those adopted by post-secondary and K-12 schools outside of Québec, including York University. In hearing the case of *Access Copyright v. York University*, York's copying guidelines were carefully examined by the Federal Court of Canada, which ruled in July 2017 that the guidelines are unfair and do not meet the Supreme Court's test for fair dealing. Despite clear guidance from the Court, these guidelines remain in place in universities, colleges and schools outside of Québec, and the education sector continues to ignore mandatory tariffs set by the Copyright Board. The widespread adoption of the guidelines has resulted in an annual loss to Canadian publishers and creators of \$30 million in licensing revenues alone, plus immeasurable damage to the market for sales of Canadian educational resources.

"We are very encouraged by news of Copibec and Laval's settlement, which shows that negotiation can lead to positive outcomes for both educators and rightsholders, without the financial and other costs of litigation," said ACP President Glenn Rollans. "Canadian publishers remain ready and willing to negotiate collective licences with Canadian educational institutions across the country, and we will respect decisions of the Copyright Board."

ACP is optimistic that this settlement will motivate the Canadian education sector to return to collective licensing, which presents an economical, practical, efficient and fair way to ensure easy access to the whole world of copyright-protected works for instructors, researchers and students, while ensuring copyright holders are compensated. Further, the association hopes this settlement will encourage the Government of Canada and provincial governments outside of Québec to use their power and influence toward encouraging this outcome.

The ACP is the national voice of Canada's independent English-language book publishers. The ACP supports its 115 members in creating an economically sustainable Canadian-owned and -controlled publishing industry. Visit www.publishers.ca for more information about the association's programs and mandate.

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