



### 1. Name and surname of the respondents:

- Société du droit de reproduction des auteurs, compositeurs et éditeurs du Canada (**SODRAC**): for questions 5 to 25 and question 35



- Association des réalisateurs et réalisatrices du Québec (**ARRQ**) : for questions 19 to 25



- Bibliothèque et Archives nationales du Québec (**BAnQ**) : for questions 26 to 31.

### 2. E-mail address:

SODRAC: [alauzon@sodrac.ca](mailto:alauzon@sodrac.ca) (Alain Lauzon)

ARRQ : [caroline@arrq.quebec](mailto:caroline@arrq.quebec) (Caroline Fortier)

BAnQ : [jp.pare@banq.qc.ca](mailto:jp.pare@banq.qc.ca) (Jean-Philippe Paré)

### 3. Which ALAI National group do you represent?

ALAI Canada.

4. **If your responses relate to more countries, please list them here:**

W/O

### **Photography and Visual Arts**

Answers to questions 5 to 15 have been provided by SODRAC.

In the name of its members, SODRAC negotiates collective and individual agreements with users of their works, collects royalties and redistributes them to the rights holders it represents (authors, composers, visual arts artists and publisher in Canada). It therefore controls all reproduction of its members' works on any type of audio, audiovisual, visual or digital media, as well as the use of recordings on these media.

In collective agreements, SODRAC grants users a general use licence for which it collects a set amount or a percentage of income that it redistributes to the members' whose works were used. In individual agreements, notably, in the reproduction of pre-existing musical works in certain audiovisual productions, SODRAC generally consults rights holders when a moral right can be invoked.

5. Who are the most prominent **photo/visual art sharing platforms or visual content providers** in your region? On what other sites (including the authors' own) do photographs and other works of visual art appear?

**- photo/visual art sharing platforms**

International UGC platforms like Pinterest, Facebook, Instagram

**- visual content providers**

Commercial images banks like the **Canadian Press Images**

Public sources of images like the Library and Archives Canada image bank

**- other sites (including the authors' own) where photographs and other works of visual art appear**

authors' own websites

exhibition centers, museums and other art presenter's websites

photographers, artists organizations like the Professional Photographers of Canada  
Government (provincial and national) databases providing information on provincial and Canadian public collections of works of art

6. What practices are employed to place the author's name **in the visual content itself**, such as author's name in a corner of a photograph, mouseover (rollover effect), watermark, metadata in the file's properties, other means or author-identification, or no attribution at all? Are any of the above means standardized in your media sector?

Practices vary.

Generally, commercial providers will put information on the visual content itself (name of the author, watermark), where non-profit will display visual content without any information on the file itself, providing information aside of the visual content or using a mouseover feature to provide information on the author and copyright.

7. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

Yes, most of the time (on the visual content itself, or near the picture)

B. Standard identifier such as an ISBN (equivalent for photos or drawings)

There is no standard identifier, but some image banks, commercial or non-profit will use their own classifying nomenclature

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

Nothing systematic in that regard: there is sometime no year indicated, or there is the year of creation and/or the year of licensing when the visual content is displayed after permission has been granted by license.

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

Again, there is no systematic practice. The author's name is the most common information provided, but is the rights holder is different from the author or a given organization (like a commercial image bank or a collective society), the name of the rights holder (the person) is not disclosed.

8. Once author-identifying data is included in the digital file, does it remain there, or do third parties, such as platforms, strip it out?

It remains.

9. What practices are employed to place the author's name **in the description of the visual content on the website** (whether the author's own website or a third-party website) (outside of the content itself, such as below or above a picture, with a hyperlink to external site, with an indication of a public license, where appropriate...)? Are any of the above means standardized in your media sector? 10. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

Yes, most of the time. If not related to the picture itself, copyright protection is indicated in a notice on the webpage.

B. Standard identifier such as an ISBN (equivalent for photos or drawings)

There is no standard identifier, but there are often numbers related to the organization classifying system.

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

Year of creation, year of licensing when the visual content is displayed after permission has been granted by license.

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

For artworks : title, year of creation, collection, medium, support, dimensions

11. How do the service/platform providers named above in question 5 identify the author and in which form (questions 6-10)?

the name of the author appears on the visual content, nearby the reproduction or using a mouseover feature.

### **Music, Audiobooks, Radio**

12. Who are the most prominent **online radio broadcasters, on demand music services (both for streaming and downloading) or other similar services or platforms offering audio content, including audiobooks, podcasts etc.** in your region?

Spotify, Apple (I Tunes, Apple Music), Google play, Canadian Broadcasting corporation, Bell, Corus

13. Is there a practice to mention the author's or rightholder's name **within the audio content itself?** This may differ for radio, podcasts or audiobooks (where it is common to mention an author) and for musical services where the name may appear in the file's metadata or with the mouseover (rollover) effect. Are any of the above means standardized in your media sector?

No

14. If the means of author-identification involve information that can be visualized (as opposed to a purely audio attribution of authorship), what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol? No

B. Standard identifier such as ISRC No

C. Year of first publication? Other year(s) (if so, to what do they pertain)? No

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear? No

Spotify, Apple (I Tunes, Apple Music), Google play, Canadian Broadcasting corporation, Bell, Corus

13. Is there a practice to mention the author's or rightholder's name **within the audio content itself?** This may differ for radio, podcasts or audiobooks (where it is common to mention an author) and for musical services where the name may appear in the file's metadata or with the mouseover (rollover) effect. Are any of the above means standardized in your media sector?

No

14. If the means of author-identification involve information that can be visualized (as opposed to a purely audio attribution of authorship), what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol? **No**

B. Standard identifier such as ISRC **No**

C. Year of first publication? Other year(s) (if so, to what do they pertain)? **No**

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear? **No**

15. Once author-identifying data is included in the digital file, does it remain there, or do third parties, such as platforms, strip it out? **We don't know**

16. What practices are employed to place the author's or rightholder's name **in the description of the audio content on the website** (outside of the content itself, such as below or above a file, with a hyperlink to external site...)? Are any of the above means standardized in your media sector? **Not present**

17. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol? **No**

B. Standard identifier such as ISRC **No**

C. Year of first publication? Other year(s) (if so, to what do they pertain)? **No**

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear? **No**

18. How do the service/platform providers named above in question 10 identify the author and in which form (questions 13-17)? **Nothing**

### **Film, TV, Video**

Les réponses aux questions 19 to 25 ont été fournies à la fois par la SODRAC (décrite plus amplement à la question no 5) et par l'Association des réalisateurs et réalisatrices du Québec (ARRQ), décrite ci-dessous.

L'ARRQ s'emploie à la défense des intérêts et des droits professionnels, économiques, culturels, sociaux, moraux de tous les réalisateurs et réalisatrices du Québec en toute occasion et dans tout dossier.

The answers of ARRQ are in yellow while the answers of SODRAC are in blue.

19. Who are the most prominent **online TV broadcasters (Netflix, Tou.tv), user generated video sharing platforms (Youtube, Vimeo, Dailymotion), on demand film providers (Illico) (both streaming and downloading) or other similar services or platforms offering audiovisual content** in your region?

Answer of ARRQ : please see above.

Answer of SODRAC : CBC – Tou.tv, Bell, Corus, TVA, V interactions, You Tube, Apple, Google play, Videotron – Illico, Global, Shawn, Instagram

20. What means are employed to place the author's or rightholder's name **in the audiovisual content itself**, such as in the **opening or closing credits**, on the bottom of the window with the film, by a watermark placed over the film, metadata in the file's properties, use of the mouseover (rollover) effect etc.? Are any of the above means standardized in your media sector?

Answer of ARRQ : please see above.

Answer of SODRAC : Opening and closing credits

21. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

Answer of ARRQ : NO

Answer of SODRAC : Most of the time in the end credits

B. Standard identifier such as ISRC (music videos) or other equivalent

Answer of ARRQ : NO

Answer of SODRAC : No

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

Answer of ARRQ : YES

Answer of SODRAC : No

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

Answer of ARRQ : YES but not under the title of the right holder but under the producers's name or broadcaster's name

Answer of SODRAC : If we are talking of publishers as shareholder's, the answer is yes

22. Once author-identifying data is included in the digital file, does it remain there, or do third parties, such as platforms, strip it out?

Answer of ARRQ : It happens

Answer of SODRAC : We don't know

23. What means are employed to place the author's or rightholder's name **in the description of the audiovisual content on the website** (outside of the content itself, such as below or above a file, with a hyperlink to external site...)? Are any of the above means standardized in your media sector?

Answer of ARRQ : Variable, usually either in the description itself or on a different page

Answer of SODRAC : None

24. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

Answer of ARRQ: NO

Answer of SODRAC: No

B. Standard identifier such as ISRC (for music videos) or other equivalent

Answer of ARRQ: NO

Answer of SODRAC: No, however some may use an ISAN number.

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

Answer of ARRQ: Variable

Answer of SODRAC: No

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

Answer of ARRQ: Not as such

Answer of SODRAC: No

25. How do the service/platform providers named above in question 15 identify the author/rightholder and in which form (questions 20-24)?

*Answer of ARRQ: Same response*

*Answer of SODRAC: They don't do that, the only information is in production's end credits*

### **E-zines, E-books, Blogs, News, News Aggregators**

*Les réponses aux questions 26 à 31 ont été fournies par la Direction générale de la Bibliothèque nationale (DGBN) de Bibliothèque et Archives nationales du Québec (BAnQ) :*

*La DGBN a pour mission de rassembler et conserver de façon permanente le patrimoine documentaire québécois, constitué des documents publiés au Québec et des documents relatifs au Québec et publiés à l'extérieur.*

*Cette mission se réalise via l'acquisition de documents par dépôt légal (imprimé), dépôt volontaire (numérique), dons et achats. La DGBN est également en charge de l'attribution des numéros ISBN aux éditeurs francophones canadiens.*

*Les réponses aux questions suivantes ont donc été fournies dans le contexte de cette mission et des moyens disponibles pour la réaliser.*

26. What are the most prominent providers of **online literary content** (e.g. magazines/e-zines, e-books, blogs, news, including news aggregators) in your region and how do they identify the author or rightholder?

*Pour les livres numériques, les principaux fournisseurs sont les suivants:*

*Entrepôt du livre ANEL-DeMarque*

*Distribution Prologue*

*ADP Livres numériques*

*Pour les revues culturelles et littéraires :*

*La SODEP*

*Les mentions de droits sont exactement les mêmes que celles de l'imprimé. Un ISBN spécifique est attribué aux publications numériques, il s'agit dans la plupart des cas de la seule différence dans la description de l'ouvrage incluant la mention des droits.*

27. Is there a practice to mention the author's or rightholder's name **within the literary content itself**, such as author's name as a byline appearing together with the literary content, or disclosed via mouseover (rollover effect), watermark, metadata in the file's properties, other means or author-identification, or no attribution at all? Are any of the above means standardized in your media sector?



*Les auteurs et les mentions de droits se trouvent à l'intérieur de la publication et les auteurs et l'éditeur apparaissent également dans les métadonnées accompagnant la publication. Les métadonnées sont envoyées par fichier Onyx par le distributeur et sont ensuite transférées dans le format MARC dans la notice catalographique décrivant la publication. Elles sont finalement transférées dans notre entrepôt numérique suivant le schéma de métadonnées Dublin Core.*

28. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

*La pratique des éditeurs n'est pas uniforme. Le symbole n'apparaît pas systématiquement.*

B. Standard identifier such as an ISBN or ISSN.

*Oui dans la plupart des cas (un ISBN spécifique est attribué à la version numérique)*

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

*Oui, l'année de la première édition est mentionnée ainsi que l'année de la présente publication, si différente.*

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

*Oui dans la plupart des cas. Il faut noter que l'autoédition, de plus en plus importante, est rarement conforme aux pratiques courantes en matière de mention des droits.*

29. Once author-identifying data is included in the digital file, does it remain there, or do third parties, such as platforms, strip it out?

*La mention de l'auteur demeure à tout moment avec la publication. En tant que tierce partie, nous ajoutons de nouveaux formats à la donnée qui est au départ en Onyx : MARC et Dublin Core s'ajoutent.*

30. What practices are employed to place the author's or rightholder's name **in the description of the literary content on the website** (outside of the content itself, such as below or above a file, with a hyperlink to external site...)? Are any of the above means standardized in your media sector?

*L'auteur est une métadonnée primordiale apparaissant à plusieurs endroits: dans la publication comme telle, sur le site Web décrivant la publication, dans le fichier Onyx l'accompagnant et finalement dans la notice catalographique décrivant la publication et dans l'entrepôt numérique de BANQ. La mention d'auteur est standardisée au catalogue (MARC) et dans l'entrepôt (Dublin Core).*

31. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

*La pratique des éditeurs n'est pas uniforme. Le symbole n'apparaît pas systématiquement.*

B. Standard identifier such as an ISBN or ISSN.

*Oui.*

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

*Oui, ainsi que l'année de publication de l'édition actuelle si différente.*

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

*Oui, dans la plupart des cas.*

### **Websites as Such**

332. Is there a standardized or prevailing practice how to place the name of the author in and to the **website as such**, e.g. at the very bottom of the website, at the bottom of the window (if the page is scrolled or the window resized, the text sticks to the lower window border, elsewhere than at the bottom of the website), with a hyperlink to external site naming the actual rightholder?.

34. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

B. Standard identifier such as an ISBN .

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

### **General**

35. Can you identify substantial similarities or differences between the online and offline identification practices in your region?

When we filed a tariff in front of the Copyright Board of Canada ( administrative court for economic value of copyright) for the Online music services, we requested that the complete information on copyright owners be included in the reporting and that it should be mandatory. The CBC decided that it would not be mandatory.