

Publisher's Note

2019 – Release 1

Previous release was 2018-7

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McKeown

Fox on Canadian Law of Copyright And Industrial Designs, 4th Edition

This comprehensive statement of Canadian law and practice has been the bedrock of Canadian copyright research and argument for more than half a century.

This release features the addition of the following Copyright Board Tariffs to Appendix 1 (Canadian Copyright Legislation, Regulations, and Related Materials): SODRAC Tariff 5 (Reproduction of Musical Works in Cinematographic Works for Private Use or for Theatrical Exhibition), [Redetermination (2009-2012); Determination (2013-2016)] (September 29, 2018), CBRA – Commercial and Non-Commercial Media Monitors (2017-2019) (July 21, 2018), Retransmission of Distant Radio Signals (2014-2018) (July 14, 2018), and Re: Sound Tariff 1.B – Non-Commercial Radio Other than the Canadian Broadcasting Corporation (1998-2021) (July 7, 2018). This release features the addition of the new Industrial Design Office Practice Manual (September 27, 2018 – in force as of November 5, 2018) in Appendix 2 (Industrial Design Legislation, Regulations and Office Practices). This release features the addition to Appendix 3 (International Conventions, Treaties and Related Materials) of selected sections of United States – Mexico – Canada Agreement (USMCA) including the Preamble and Chapter 20 Intellectual Property Rights.

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Highlights

- **The Industrial Design Office Practice Manual (IDOP)** – The Manual provides information on the operational procedures and examination practices of the Industrial Design Branch. This version will replace the IDOP dated May 2, 2017, and has been updated to reflect changes to the Act and the Regulations, which will come into force on November 5, 2018. The IDOP will be updated periodically to reflect changes to the statutory, regulatory and jurisprudential framework governing industrial design rights in Canada. Many of the practices outlined in the manual were developed to support Canada’s accession to the *Geneva Act of the Hague Agreement Concerning the International Registration of Industrial* which establishes an international registration system – the Hague System – that allows industrial designs to be registered in multiple countries or jurisdictions through a single streamlined process. Other provisions have been introduced to modernize Canada’s industrial design regime by updating, clarifying and codifying aspects of the industrial design framework. The IDOP is structured in three parts: Part 1 describes how to file and prosecute industrial design applications and how the Industrial Design Office examines, registers and publishes these applications. This part is applicable to both national and Hague applications and registrations unless otherwise specified. Part 2 contains information on practices that relate solely to international registrations which designate Canada. Part 3 provides details on the transitional provisions and applicable office practices for applications filed before and registered after the coming into force of the Act and Regulations.
- **United States – Mexico – Canada Agreement (USMCA) – Chapter 20 Intellectual Property Rights – Section H: Copyright and Related Rights – Term of Protection for Copyright and Related Rights** – The length of time after a creator’s death that they maintain rights will move to 70 years from 50.