

**Brief submitted to The Standing Committee on Industry,  
Science and Technology with respect to  
Statutory Review of the Copyright Act**

By Donald Patriquin

PROBLEM: I have been composing and selling sheet music for well over half a century and am published by leading 'traditional' publishers in North America, chiefly Cypress Choral Music in Canada (Vancouver), and Earthsongs in the USA (Corvallis, Oregon). In addition to this I have been 'self-publishing' musical scores through A Tempo, my own un-registered company, and it here where most of the illegal use of my music has occurred, and is occurring as I write. Most of my composer colleagues have experienced some form of piracy at one time or other.

There is certainly less illegal use of printed scores today than in the past, but there is still a lot. It has taken mainly informal education to bring us to where we are today. In discussing such copying practices – mainly with choir directors, and I am one myself – I have been struck by the apparent lack of knowledge that a large number of particularly school and church choir directors have regarding what copyright actually means. School choir directors have told me that it was legal to copy non-public domain music for their students, as it was for educational use, and no admission would be charged. Likewise church musicians and even ministers have told me that they did not have to pay for music for religious services, a practice which I have, on occasion related to stealing, which generally struck a resonant chord.

RECOMMENDATION: That information be sent by the Canadian Copyright Board to every educational and religious institution in Canada using easy to understand language, explaining

- a. Why it is illegal for anyone, including educational institutions, to copy non-public domain music, and
- b. What possible consequences might be for this practice. To this end, there have been many 'exemplary' lawsuits which could be cited.

Bottom line: If students are asked to use illegally copied music, this sends them the message that copying music – in any format – is acceptable. Education, and that is essentially what I am recommending, must occur in places of learning.

I recognize that there is little factual information in the foregoing, but there is one important piece of factual information which the Canadian Copyright Board itself can supply, which is the answer (yes or no) to the question: Is there more which the Canadian Copyright Board can and will do in terms of educating public users of copyrighted material such as music and other printed documents?

Thank you,

Donald Patriquin