



CANADIAN PRIVATE COPYING COLLECTIVE
SOCIÉTÉ CANADIENNE DE PERCEPTION DE LA COPIE PRIVÉE
150 Eglinton Ave. East, Suite 403
Toronto, Ontario M4P 1E8
416 486 6832
1 800 892 7235
416 485 3064 [FAX]
www.cpcc.ca

For Immediate Release

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Federal Court Grants CPCC's Request for a Stay of Decision

(Toronto) The Federal Court of Appeal has granted the Canadian Private Copying Collective (CPCC) a partial stay of their December 2004 decision that concluded that the Copyright Board of Canada, the body responsible for setting the private copying levies, did not have the jurisdiction to impose a levy on memory permanently embedded in digital audio recorders. The stay was requested of the Federal Court pending CPCC's application for leave to appeal to the Supreme Court of Canada.

The stay will allow CPCC to retain approximately \$4.1 million in levies collected on memory permanently embedded in digital audio recorders since December 2003, until the Supreme Court decides whether or not to hear the case and if so, until the appeal process is completed.

"We are grateful for the partial stay of the decision" declares Claudette Fortier, Chair of the CPCC Board of Directors. "Retaining the collected monies is the only workable solution. When a decision is issued, the collected levies, including the interest on the amount held by CPCC, will either be distributed to rights holders or reimbursed to those manufacturers and importers who remitted the levies to the CPCC."

The private copying levy provides significant remuneration to songwriters, music publishers, recording artists and musicians, and record companies for the use of their work. The levy is derived from the private copying provisions of the Copyright Act implemented in 1998 in recognition of the fact that Canadians copy without authorization hundreds of millions of tracks of recorded music for their own private use.

The Canadian Private Copying Collective (CPCC) is a non-profit agency charged with collecting and distributing private copying royalties. Established in 1999, CPCC is a collective of collectives that represent music authors, music publishers, recording artists, musicians and record companies.

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For more information contact:

Alison Thompson
CPCC
tel. (416) 486-6832, ex. 221
email: athompson@cpcc.ca