

Legal/b.Barrière/ts.

FILE COPY

5582-U-40

4270-40	40
131	

Mr. Sicotte

CONFIDENTIAL

February 13, 1956.

Treaty Section

4270-40
5582-U-40

Our Conversation of February 9 last

Ratification of the Universal Copyright Convention of
September 6, 1952.

The Universal Copyright Convention done at Geneva was signed by Canada September 6, 1952 on the date the Convention was opened for signature.

2. According to Press Release UNESCO/1955 of February 8, 1956, 18 Countries have ratified the Convention. (According to the Canada Treaty Register the Press Release computation includes the countries which acceded the Convention as well as those which ratified it).

3. Both Files 5582-U-40 and 4270-40 have been searched as far back as September 1952 and it does not appear that ratification of the Convention was ever seriously considered.

4. In a letter, dated December 11, 1952 (File 4270-40), the High Commissioner asked to be informed "on the development of Canadian policy with regard to this Convention." Our reply, dated December 24, 1952, mentions mainly that "the Canadian Government hopes to undertake soon the revision of its Copyright Act."

5. In a memo to File 4270-40 dated March 24, 1954, Information Division reports on a meeting held the previous day in the assistant Under-Secretary's office where it was agreed that "the Department of the Secretary of State should be urged to take a greater interest ... in order that the ... possible ratification of the Universal Copyright Convention might be clarified."

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6. In July 1955, Mr. Roch Pinard asked Mr Pearson whether consideration could be given as to the possibility of Canada denouncing the Berne Convention concerning the International Union for the Protection of Literary and Artistic Works. (SEE your memo of July 21, 1955 to Mr W.A. MacKay and Mr Pearson's letter of July 27 to Mr Pinard) on File 4270-40).

It should be noted that the Universal Copyright Convention of 1952 is not a revision of the Berne Convention of September 9, 1886, as revised several times in the subsequent years, the last revision being dated January 1, 1951. However, the 1952 Convention refers to the Berne Convention in Article XI (2), Article XVII and the Appendix Declaration. Canada signed the 1948 Convention; she has not yet ratified it and has not signed the 1951 Convention. Both Conventions are related at least so far as their subject matter is concerned and should perhaps be considered together.

Treaty section.

DEPARTMENT OF EXTERNAL AFFAIRS

MEMORANDUM

(copy for File No: 5582-25-40)

Security ... Unclassified

Date March 24, 1954

File No.		
4270 U		
5582-25-40		
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FROM: Information Division

REFERENCE:

SUBJECT: International Copyright Convention (Paris 1866)
Universal Copyright Convention (UNESCO 1952)

Messrs. Macdonnell, Newton, Burbridge, Werahof and Row attended a meeting on this subject in the Assistant Under-Secretary's office on March 23, 1954. It was agreed that Legal Division should assume primary responsibility for these subjects and that the pertinent files should be transferred from Information Division to Legal Division.

2. Mr. Werahof suggested that all questions of copyright, patents, etc., should be centralized in one division of the Department and the consensus of opinion at the meeting was that the subjects are of such a technical nature that Legal Division would be in a better position to co-ordinate Canadian policy in conjunction with the Department of the Secretary of State. Legal Division would consult Information Division and other divisions of the Department when necessary.

3. It was also agreed that the Department of the Secretary of State should be urged to take a greater interest in these questions and invite the Director of the International Office of the Berne Union to come to Canada after his visit to the United States in April, 1954, in order that the whole question of Canadian representation on the Permanent Committee of the Berne Union and possible ratification of the Universal Copyright Convention might be clarified

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The Secretary of State

326
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