

NOTICE TO MEMBERS

CLASS ACTION ABOUT COPYRIGHT

COPIBEC v. UNIVERSITÉ LAVAL

IF YOU ARE:

- the **author** of a literary, dramatic or artistic work published in Canada or elsewhere in the world (or that author's heir as long as the author was not deceased prior to January 1, 1964);
- the **publisher** of such a work or a person authorized to represent a copyright owner in Canada;
- or a natural or legal person (individual or legal entity) domiciled or residing outside Canada such as a **reproduction rights organization or copyright collective** that is authorized to represent the copyright owners for such a work;

AND that work was reproduced, made available or communicated to the public, in particular to students, by Université Laval and its employees **without permission** between June 1, 2014 and February 8, 2017

THEN YOU ARE A MEMBER OF THE DESIGNATED CLASS (GROUP) AND YOU CAN BENEFIT FROM THIS CLASS ACTION

WHAT IS THE PURPOSE OF THE CLASS ACTION?

The class action, which was filed in Quebec City and authorized on February 8, 2017 by the Quebec Court of Appeal, is intended to establish that Université Laval and its employees, as part of their teaching and research activities, infringed the patrimonial and moral rights recognized under the *Copyright Act* by reproducing copyrighted literary, dramatic and artistic works, making them available and communicating them to the public without permission from the copyright owners or their representatives, by failing to identify the creators of the work and by infringing the integrity of the work.

HOW CAN YOU BENEFIT?

The goal of the class action is to ensure that all class members receive financial compensation for the reproduction of their works by the employees of Université Laval and for the infringement of the authors' moral rights.

HOW CAN YOU PARTICIPATE IN THE CLASS ACTION?

You do not have to take any steps to participate in the class action. You have the right to seek intervenor status in the class action but you may only support the representative. As a class member, you do not have to pay any legal fees or costs.

HOW CAN YOU OPT OUT OF THE CLASS ?

If you do not want to be a member of the class, you have to send the Clerk of the Superior Court for the district of Québec a written notice confirming that you wish to opt out of the class. The notice must be sent **no later than October 16, 2017** to the following address: Superior Court Registry, Palais de justice de Québec, 300, boulevard Jean-Lesage, Québec, Quebec, Canada, G1K 8K6.

In general, only persons who want to bring their own individual legal action, at their own cost, should consider opting out of the class action. A model notice is available on the website listed below.

WHO WILL REPRESENT THE CLASS?

The *Société québécoise de gestion collective des droits de reproduction* (Copibec) and the authors Guy Marchand and Jean Frédéric Messier have been appointed by the Court to represent the class members.

FOR MORE INFORMATION

This notice is a summary of the complete Notice to Members which can be viewed on the websites indicated below. The judgment authorizing the class action, as well as the originating application, are also available on those sites. In addition, for more information you can contact:

Copibec

<http://www.copibec.ca/en/class-action-against-universite-laval>

Phone: 514-288-1663 or 1-800-717-2022

actioncollective@copibec.ca

or the Legal Counsel:

Daniel Payette

47 rue Wolfe, Lévis, Quebec, Canada, G6V 3X6

Phone: 418-837-2521

cabinetpayette@videotron.ca

You can also consult the:

Class action registry

<https://services.justice.gouv.qc.ca/dgsj/rrc/Accueil/Accueil.aspx>

THE FRENCH VERSION OF THIS TEXT HAS BEEN APPROVED BY THE COURT. IN THE EVENT OF A DISCREPANCY BETWEEN THIS ABRIDGED NOTICE AND THE COMPLETE FRENCH NOTICE TO MEMBERS, THE LATTER SHALL PREVAIL.