



September 29, 2017

Department of Innovation, Science and Economic Development
Department of Canadian Heritage
Copyright Board of Canada
Via cbconsultations@canada.ca

RE: Consultation on Options for Reform to the Copyright Board of Canada

The copyright system in Canada has not provided for equitable and non-discriminatory remuneration opportunities for owners of U.S. television stations with distant signal retransmissions in Canada, as intended under the original provisions of the U.S.-Canada Free Trade Agreement and the North American Free Trade Agreement (NAFTA).

The U.S. TV Coalition supports Canada amending section 31 of the *Copyright Act* as part of measures under a modernized NAFTA to implement consent to retransmission of broadcasting television station digital signals. These measures, including amendments to *the Broadcasting Act*, will deliver fair trade and complement the new Creative Canada digital policy.

Canadian TV subscribers demand and benefit from retransmitted digital signals and programming from U.S. TV stations, including vital local news, weather, entertainment and sports programming. Cross-border broadcasting is part of our diversity and shared communities of interests.

Accurate and complete data is essential for the fair administration and remuneration on digital signal importation and retransmission practices, including Canadian viewership and subscriber data for retransmitted conventional American TV services. Copyright allocations to U.S. border stations were retroactively adjusted and resulted in an unfair collective liability of \$7.4 million.

Providing for consent and compensation on digital TV signal retransmissions, as well as equitable and non-discriminatory remuneration opportunities under copyright on distant signal retransmissions, are part of an improved NAFTA moving forward.

Thank you for this opportunity to submit these comments.

Sincerely,

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