Copyright Term and Canada’s Public Domain

When copyright in a work expires XX years after the year of the author's death ("death + XX years" in the chart below), it becomes part of the public domain on January 1st.

*Please note: this information is not intended as legal advice

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It is adapted from Kaplan-Myrth’s version “Canadian Copyright Term Flowchart” here.
Copyright Term and Canada’s Public Domain

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**Photograph?**
- Created before Jan 1, 1949?
  - Yes, Public Domain
  - No
    - Crown creator?
      - Yes
        - Created before Nov 7, 2012
          - Yes
            - Corporate creator?
              - Yes
                - Created before Jan 1, 1962
                  - Public Domain
              - No
                - Go to “Corporate creator?” (page 1)
      - No
        - Additional non-crown creator?
          - Yes
            - Published before fixation + 50 years?
              - Yes
                - Public Domain
              - No
                - Public Domain at death + 50 years
          - No
            - Published? 
              - Yes
                - Public Domain at publication + 50 years
              - No
                - Additional non-crown creator?
                  - Yes
                    - Published before fixation + 50 years?
                      - Yes
                        - Public Domain
                      - No
                        - Public Domain at death + 50 years
                  - No
                    - Not in Public Domain

**Sound Recording?**
- Fixed before Jan 1, 1985?
  - Yes
    - Crown creator?
      - Yes
        - Published before fixation + 50 years?
          - Yes
            - Public Domain at publication + 50 years
          - No
            - Public Domain
      - No
        - Published? 
          - Yes
            - Public Domain at publication + 50 years
          - No
            - Additional non-crown creator?
              - Yes
                - Published before fixation + 50 years?
                  - Yes
                    - Public Domain at publication + 50 years
                  - No
                    - Earlier of fixation + 100 or Publication + 70
              - No
                - Not in Public Domain

**Literary work?**
- See page 1.

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