Canadian Copyright Term and Public Domain (PD) Flowchart

START

- **Lit:** Literary, Dramatic, Musical or Artistic work?
  - **Y:** Fixed before June 23, 2015?
    - **Y:** PD at fixation + 50 yrs; if published before copyright expires, PD at earlier of publication + 70 yrs or fixation + 100 yrs (s.23.1 & s.23.1.1)
    - **N:** PD at fixation + 50 yrs; if published before copyright expires, PD at earlier of publication + 70 yrs or fixation + 100 yrs (s.82 of Bill C-59)
  - **N:** Created before Jan 1, 1949?
    - **Y:** Crown author?
      - **Y:** PD (SC 1997, c24, s.58)
      - **N:** Created before Nov 7, 2012?
        - **Y:** Corporate Owner?
          - **Y:** Author (natural person) is the majority shareholder?
            - **Y:** PD (SC 2012, c20, s.59.1)
            - **N:** Created before Jan 1, 1962?
              - **Y:** PD at creation + 50 yrs (s.6)
              - **N:** PD at creation + 50 yrs (s.6)
        - **N:** Created before Dec 31, 1998?
          - **Y:** Additional non-Crown author?
            - **N:** Pseudonymously or anonymously published? (Unknown authors)
              - **Y:** Has one or more of the authors become known before the earlier of publication + 50 yrs, or making + 75 yrs?
                - **Y:** PD at earlier of publication + 50 yrs or making + 75 yrs (s.6.1 & s.6.2)
                - **N:** Any authors currently living?
                  - **Y:** Published, performed or communicated?
                    - **N:** Has one or more of the authors become known before the earlier of publication + 50 yrs, or making + 75 yrs?
                      - **Y:** PD at earlier of publication + 50 yrs or making + 75 yrs (s.6.1 & s.6.2)
                      - **N:** No 
                        - **N:** PD at creation + 50 yrs (s.6)
            - **N:** No 
              - **N:** Created before Jan 1, 1962?
                - **Y:** PD at creation + 50 yrs (s.6)
                - **N:** PD at creation + 50 yrs (s.6)
          - **N:** Created before Nov 7, 2012?
            - **Y:** PD on Jan 1, 2004 (s.7.4)
            - **N:** PD on Jan 1, 2004 (s.7.4)
          - **N:** Created before Dec 31, 1998?
            - **Y:** PD on Jan 1, 2009 (s.7.3)
            - **N:** PD on Jan 1, 2009 (s.7.3)
  - **N:** PD at fixation + 50 yrs; if published before copyright expires, PD at earlier of publication + 70 yrs or fixation + 100 yrs (s.23.1 & s.23.1.1)

- **S:** Sound Recording?
  - **Y:** PD at broadcast + 50 yrs (s.23.1.2)
  - **N:** PD at making + 50 yrs; if published before copyright expires, then publication + 50 yrs (s.11.1)

- **B:** Broadcast?
  - **Y:** PD at earlier of publication + 50 yrs or fixation + 100 yrs (s.23.1)
  - **N:** PD at broadcast + 50 yrs (s.23.1.2)

- **C:** Cinematographic work (film)?
  - **Y:** PD at making + 50 yrs; if published before copyright expires, then publication + 50 yrs (s.11.1)
  - **N:** PD at broadcast + 50 yrs (s.23.1.2)

**Note:** Where term of copyright expires during a given year, a work enters the public domain on January 1st of the following year.