

**POSTAL CODES AND COPYRIGHT
AND
RECENT DEVELOPMENTS IN OPEN
GOVERNMENT IN CANADA**

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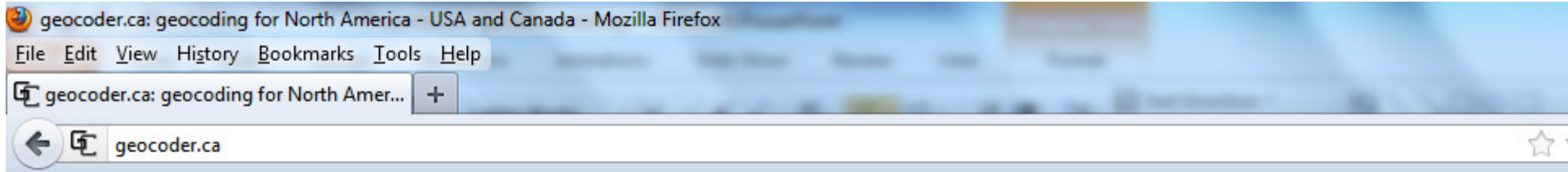


CANADA POST CORP. V. GEOLYTICA INC.

Law suit brought by CPC against Geolytica Inc. over its Geocoder product

CPC argues that Geolytica has copied its proprietary database of postal codes in whole or in substantial part in order to create its Canadian Postal Code Geocoded Dataset

Geolytica is a small business; one of its offerings is geocoder.ca



GeoCoder.ca

Location Intelligence Works

Sued! Updates from the legal front.

[Services](#) | [Products](#) | [Solutions](#) :- [Terms of Service](#) :- [Login](#) (for A

Forward Geocoding: [[Reverse Geocoding](#)] [[Geocode Street Intersections](#)] **Free Data Downloads**

Location (in Canada or USA): | or see our [XML API](#)

examples...

HTML Examples

- [Reverse geocoding of 45.4240354,-75.675941 in Canada](#)
- [Reverse Geocoding of 40.70771000786733,-74.0109443664550 in the US](#)
- [4208 GALLAGHERS, KELOWNA, BC \(by address in Canada\)](#)
- [800 6th ave, NYC, NY, 10001 \(by address in USA\)](#)
- [K1R7S8 \(by postal code\) | 10001 \(by zip code\) | 10001-0001 \(by zip+4 code\)](#)
- [patterson and metcalfe, ottawa, ontario \(by intersection\)](#)
- [Highway 401 & Yonge Toronto - hwy 400 and hwy 401 toronto](#)

XML & JSON Examples

- [Reverse geocoding of 45.4240354,-75.6](#)
- [Reverse Geocoding of 40.707710007867](#)
- [4208 GALLAGHERS, KELOWNA, BC \(b](#)
- [200 pearl st, new york, ny | JSON\(by US](#)
- [K1R7S8 | JSON\(by postal code\)](#)
- [patterson and metcalfe, ottawa, ontario |](#)
- [Highway 401 & Yonge Toronto | >JSON -](#)

More jsonp examples:

1. zip+4 code in USA: [75704-2933](#)
2. on 5 digit zip code USA: [75704](#)
3. in Canada: [K2C1N5](#)

CANADA POST CORP. V. GEOLYTICA INC.

Geocoder allows users to look up street addresses based on longitude and latitude, or to derive longitude and latitude based on address information that can include, or consist solely of, postal codes

In addition to the free look up service, it offers to users a real time geocoding port to build location aware web applications (such as a restaurant or dining guide)

CANADA POST CORP. V. GEOLYTICA INC.

Geolytica argues that its database of postal codes has been developed through crowd-sourcing; the system has used information inputted by users over a period of years in order to produced its database of postal codes

CANADA POST CORP. V. GEOLYTICA INC.

Canada Post alleges that:

- It has copyright in its database of postal codes
- The defendant is infringing its copyright by reproducing the database in whole or in substantial part, and by selling and distributing it

It seeks

- An order for delivery up or destruction of all unauthorized copies of the database
- Damages and an accounting of profits

CANADA POST CORP. V. GEOLYTICA INC.

Does copyright subsist in the CPC database?

- Is the database an “original” work within the meaning of the Copyright Act?
 - Is the database authored?
 - Is there an original selection or arrangement of data?
- If there is copyright in the database, is CPC the owner of copyright (chain of title)?

***CANADA POST CORP.
V. GEOLYTICA INC.***

If copyright subsists in the database, has Geolytica infringed that copyright?

- Is the database reproduced by Geolytica, or is there independent creation?

CANADA POST CORP. V. GEOLYTICA INC.

Geolytica also raises additional arguments

- If their database is found to be otherwise infringing, is it fair dealing for the purposes of research or private study?
- As a matter of public interest, there should be no copyright in this case because it would allow CPC to restrict the ability of Canadians to distribute, aggregate and collect postal codes
- Plaintiffs have engaged in copyright misuse by making an overbroad copyright claim that asserts an anti-competitive monopoly over the postal code system

DEVELOPMENTS IN OPEN GOVERNMENT DATA IN CANADA

**Canada's Open Government Initiative was
launched in March 2011**

**Announced intention to join Open Government
Partnership in September 2011**

**Consultation Period from December 2011 to
January 2012**

**Advisory Panel on Open Government formed in
February 2012**

**Action Plan on Open Government released in
March 2012**

3 PILLARS OF OPEN GOVERNMENT

Open Data

- Web portal created
- Greater access to public sector data in machine readable format with fewer restrictions on reuse

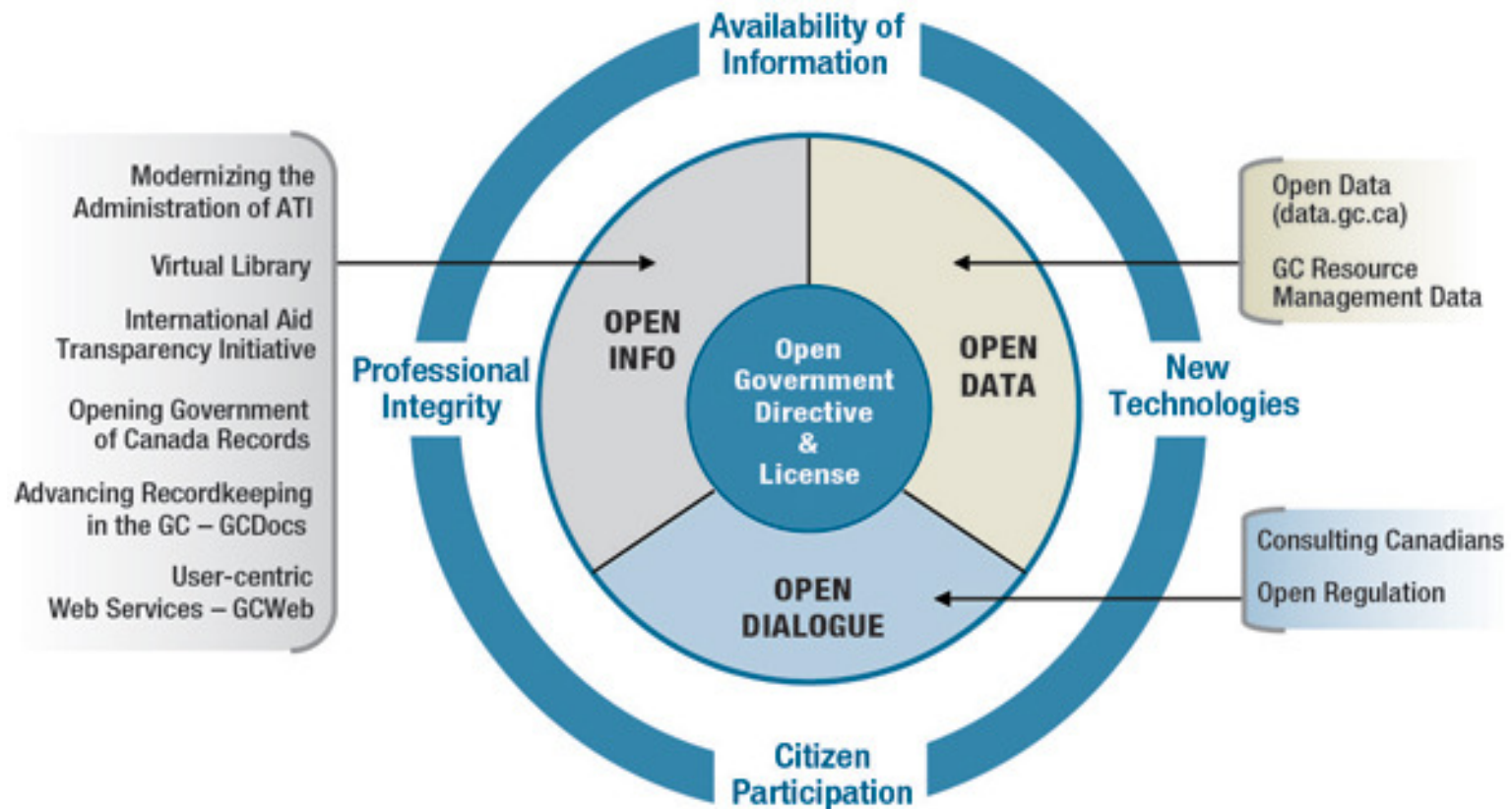
Open Information

- Proactive release of government information on an ongoing basis

Open Dialogue

- Expanding public engagement through consultations and leveraging Web 2.0

(FROM OPEN GOVERNMENT ACTION PLAN)



2 FOUNDATIONAL COMMITTMENTS

Year 1 – Directive on Open Government

- Guidance to agencies and departments on steps to follow to “maximize the availability of online information and data”
- Guidance on standards, formats

Year 1 – New universal open government licence introduced; adopted by departments and agencies by Year 2

- Goals are re-use and interoperability

OPEN DATA

Portal created: <http://www.data.gc.ca/>

Currently 273,159 data sets available through portal; 260,296 are geospatial data sets

Does not currently replace other portals such as Geobase or Geogratis

Open Data

www.data.gc.ca

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Feedback

Your feedback is



Open Data Pilot Project

The Open Data Pilot is part of the Government of Canada's commitment to open government, which is being pursued along three streams: open data, open information and open dialogue, and aims to drive innovation and economic opportunities for all Canadians.

The Open Data Pilot seeks to improve the ability of the public to find, download and use Government of Canada data. You are invited to search the catalogue, download datasets and explore the possibilities of Open Data.

[Search General Datasets](#) [Total Datasets : 12863]

Search by Keywords (e.g. weather, immigration, ...)

Search

Recently Added Data

[ONTARIO REGION NAME AND ADDRESS FILE](#)

[PACIFIC REGION NAME AND ADDRESS FILE](#)

[QUEBEC REGION NAME AND ADDRESS FILE](#)



Total Datasets : 273159

1 2 3 [Pause](#)

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Thank you!

