



**Thursday, December 5, 2013**

## **Landmark Copyright Claim**

A company at the centre of a far-reaching copyright claim has filed a \$172.6 million lawsuit against two oil companies.

[Geophysical Service Incorporated](#) of Calgary, which has filed claims against four Crown agencies, sued ExxonMobil Canada Ltd. and Imperial Oil in Alberta Court of Queen's Bench.

Geophysical is creator of the largest collection of marine seismic data in Canada. The company alleges its maps were given away to competitors by the [National Energy Board](#) and others in violation of the *Copyright Act*. Geophysical submitted copies of its data to regulators as a condition of being licensed to map the ocean floor.

Exxon and Imperial did not take *Blacklock's* questions. A spokesperson said it was unclear whether counsel had been served with the statement claim as of last evening, and would not comment: "It's before the courts."

In a statement of claim, Geophysical alleges Exxon and Imperial used its copyright maps of the Beaufort Sea and offshore regions of Newfoundland & Labrador without permission or licensing fee.

"GSI has suffered and continues to suffer loss and damages," the company wrote in its claim. Geophysical alleged oil companies continue to use its data "to obtain various exploration licenses, to drill wells, to obtain discovery licenses and to obtain financial benefits from all these activities."

Exxon and Mobile have not yet filed any statements of defence.

Geophysical earlier filed claims against the National Energy Board; the Canada-Nova Scotia Offshore Petroleum Board; the Canada-Newfoundland Offshore Petroleum Board; and Newfoundland's Crown-owned [Nalcor Energy Inc.](#) over unlicensed use of its seismic data.

The company also cited the Department of Natural Resources for distributing its maps and then purportedly concealing records that would confirm the fact. The allegation last July triggered a Federal Court lawsuit against Natural Resources Minister Joe Oliver by the [Office of the Information Commissioner](#).

The commissioner ruled Geophysical's complaint of concealment of records was "well-founded", and that Natural Resources Canada misapplied the *Access to Information Act* in failing to divulge documents to Paul Einarsson, chair and COO of Geophysical Service Incorporated.

Einarsson in an earlier interview said his company's treatment by regulators was akin to government-supported piracy: "It's unbelievable to me this is going in Canada."

By Staff 