



Friday, June 27, 2014

Qty.	Description	Unit Price	Amount
6	Seismic shotpoint maps covering 45°30'-49°45' N; 43°-50°30' W	\$60.00	\$360.00
8 hrs.	Labour to retrieve and re-archive requested seismic sections.	\$30.00/hr	\$240.00
1	Handling charge	\$60.00	\$60.00
H.S.T. Number 12561 8664 RT0001		HST (7%)	
		HST (15%)	\$99.00
Remit in Canadian Dollars		<b>Total Due</b>	<b>\$759.00</b>

## Says Millions In Copyright Data Was Sold For \$759.00

A federal board violated the *Copyright Act* by selling millions of dollars' worth of commercial data for \$759, says a Calgary businessman litigating the case in Alberta court. The Canada-Newfoundland & Labrador Offshore Petroleum Board is accused of selling maps owned by Geophysical Services Incorporated, owner of the largest collection of marine seismic maps in the country by company estimate.

"It is absolutely unbelievable," said Paul Einarsson, Geophysical chief operating officer; "It is perverse. At every opportunity, given the choice between doing the right thing and the wrong thing, they chose to do the wrong thing."

Government files recovered by Geophysical through *Access to Information* included a receipt for the \$759 map sale with information corresponding to the company's data code, Einarsson said. The material consisted of seismic maps of the ocean floor off Newfoundland & Labrador and the Beaufort Sea dated from 1971 to 1990. Einarsson's firm had deposited the data with the petroleum board as a condition of licensing.

“In our industry they should know better,” Einarsson said in an interview. “Our competitors have been getting our data. The board directly made copies of GSI data and charged \$759 to ship it without any license.”

A board official confirmed six maps were sold to an Alberta client but issued conflicting statements on whether it rightfully owned the material. “The board has not sold any product, copyrighted or otherwise, other than our own created maps,” Sean Kelly, board spokesperson, told *Blacklock’s*. Asked to confirm the six maps were board property, Kelly clarified: “It appears to be two things – maps that we created and seismic info that is available on request.”

The sale is currently the subject of a lawsuit in Calgary Court of Queen’s Bench against the petroleum board, and a firm that purchased the maps in 1999. Geophysical Service Incorporated has filed more than \$100 million in claims – the biggest copyright case of its kind – against public agencies and private firms for distributing its maps, including the National Energy Board; Canada-Nova Scotia Offshore Petroleum Board; Crown-owned [Nalcor Energy Inc.](#) of St. John’s and the Department of Natural Resources.

“GSI is the sole owner of the seismic data,” the firm wrote in Court of Queen’s Bench documents; “In addition to being subject to copyright, the seismic materials further constitute intellectual property as they are comprised of confidential information and trade secrets belonging solely to GSI.”

Einarsson said he has filed some 400 *Access to Information* requests to date, with an estimated 90 complaints outstanding at the Office of the Information Commissioner regarding concealment of documents. The commissioner took Natural Resources Canada to Federal Court last March 27 for hiding records Einarsson said would have proved copyright piracy.

By Paul Delahanty  