

13.1.8 CDS Rule Amendment Notice – Technical Amendment to CDS Procedures – Intellectual Property Procedures

THE CANADIAN DEPOSITORY FOR SECURITIES LIMITED (CDS)

TECHNICAL AMENDMENTS TO CDS PROCEDURES

INTELLECTUAL PROPERTY

NOTICE OF EFFECTIVE DATE

A. DESCRIPTION OF THE RULE AMENDMENT

Background

CDS recently amended its Participant Rules to clarify the nature of the intellectual property rights that subsist in the information transmitted to and from CDS in the course of CDS's provision of its Services to Participants. The amended Participant Rules outline the limits of CDS's claims to the intellectual property rights in certain of the Services and further clarify the permitted and prohibited uses of information received by Participants in the course of using such Services.

The proposed amendments to the CDS User Guide entitled *Participating in CDS Services* are consequential amendments required due to the above-mentioned changes to the CDS Participant Rules.

The Procedures marked for the amendments may be accessed on the CDS website at:

<http://www.cds.ca/cdshome.nsf/Pages/-EN-Documentation?Open>

Description of Proposed Amendments

The proposed amendments to CDS Procedures add a new defined term "CDS Works". CDS Works includes software and networks related to Services (such as CDSX), as well as a list of identified and generic compilations of information that CDS aggregates and creates (such as Bulletins). CDS Trademarks and Other Marks are also identified.

B. REASONS FOR TECHNICAL CLASSIFICATION

The amendments proposed pursuant to this Notice are considered technical amendments as they are consequential amendments intended to implement the existing Rule in respect of CDS's intellectual property.

C. EFFECTIVE DATE OF THE RULE

Pursuant to Appendix A ("Rule Protocol Regarding The Review And Approval Of CDS Rules By The OSC") of the Recognition and Designation Order, as varied and restated on July 12, 2005, CDS has determined that these amendments will be effective on November 1, 2006.

D. QUESTIONS

Questions regarding this notice may be directed to:

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