

17. Sometime prior to June 2011, unknown to Canada Post and without its consent, the Defendant appropriated the CPC Database and made unauthorised reproductions of the Plaintiff's database, in whole or in substantial part, in the course of developing, updating, distributing and selling datasets which the Defendant has offered for sale and as complementary downloads to the public (the "Defendant's Unlicensed Datasets").
18. The Defendant's Unlicensed Datasets include a GIS dataset product offered under the name *Canadian Postal Code Geocoded Dataset* (the "CPCG Dataset") which is advertised to contain "891,896 unique postal codes" and which effectively reproduces the Canada Post CPC Database in whole or in substantial part. Through the Defendant's website, customers may download the CPCG Dataset for a fee. The Defendant purports to grant the purchaser an unrestricted license to use the CPCG Dataset. The Defendant further purports on its website to restrict any redistribution or resale of any data downloaded from the Defendant's website thereby appropriating the CPC Database and treating it as proprietary to the Defendant.
19. The Defendant also continues to expose by way of trade the infringing database by providing online services allowing the user to consult the Defendant's Unlicensed Dataset to obtain Postal Codes corresponding to specific municipal addresses or positional coordinates.
20. The Defendant, without consent, has produced, reproduced, distributed, exposed, exhibited in public, offered for sale or rental, and has authorized or caused the production, reproduction, distribution, exposition, exhibition in public, offering for sale or rental the Plaintiff's CPC Database and substantial parts thereof.
21. By reason of the acts of the Defendants as set out herein, the Defendant has infringed the Plaintiff's rights in the CPC Database, contrary to section 27(1) and 27(2) of the *Copyright Act*.
22. Canada Post provided the Defendant with express notice of Canada Post's rights, with the demand that the Defendant cease its activities forthwith. Notwithstanding these