



8 April 2019

(19-2220)

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**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English/French

**NOTIFICATION OF LAWS AND REGULATIONS
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

CANADA: CANADIAN PATENT ACT

Notifying Member	CANADA
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Details of the notified legal text

Title	Canadian Patent Act
Subject matter	Patents (including plant variety protection)
Nature of notification	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
Link to legal text	https://members.wto.org/crnattachments/2018/IP/CAN/18_2976_00_e.pdf
Notification status	<input type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input checked="" type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	IP/N/1/CAN/18, IP/N/1/CAN/P/13
Brief description of the notified legal text	
<p>Canadian Patent Act, as amended by Bill C-30, An Act to implement the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States and to provide for certain other measures.</p> <p>Bill C-30 amends the Patent Act, under new sections 104 to 134, to make available a Certificate of Supplementary Protection (CSP) for eligible new medicinal ingredients or new combinations of medicinal ingredients that are contained in human and veterinary drugs, following expiry of an eligible patent. The rights of a CSP match those of the patent as they apply to a medicinal ingredient or combination in a drug, with a few exceptions.</p> <p>Bill C-30 also amends section 55.2(4) of the Patent Act to allow the Governor in Council to make regulations that will ensure that disputes brought under the Patented Medicines (Notice of Compliance) Regulations, which constitute Canada's pharmaceutical patent linkage regime, provides litigants with an equivalent and effective right of appeal.</p> <p>(See also "Other information" below)</p>	
Language(s) of notified legal text	English, French

Entry into force	21 September 2017; Bill C-30 received Royal Assent on 16 May 2017, and entered into force on 21 September 2017.
Other date	Adoption: 16 May 2017

Notification details

Submission date of notification	25 May 2018
Other information	Bill C-30 amends the Patent Act Bill C-30: http://www.parl.ca/DocumentViewer/en/42-1/bill/C-30/royal-assent Patent Act (as amended) : http://laws-lois.justice.gc.ca/eng/acts/P-4/FullText.html
Agency or authority responsible	Innovation, Science and Economic Development Patent Policy Directorate 235 Queen Street Ottawa, Ontario K1A 0H5 Canada Telephone: 343-291-2686