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Pharma in brief - Canada

CETA tracker: Senate passes CETA Bill C-30 to implement pharmaceutical patent reform

Treaty/Act: CETA/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*)

Date: May 11, 2017 – Bill C-30 passes third reading in Senate

The overhaul to Canada's pharmaceutical patent regime is nearly here. On May 11, 2017, the Canadian Senate passed Bill C-30 (the act intended to implement CETA into Canadian law) without amendment, the final major stage of the legislative process. Bill C-30 will become law once it receives royal assent, a formality.

As we [reported](#), CETA and Bill C-30 provide key reforms to the *Patent Act* affecting the pharmaceutical industry, including:

- [Patent term restoration](#) capped at a maximum of two years for eligible patents covering eligible products; and
- Replacement of the current summary proceedings under the *Patented Medicines (Notice of Compliance) Regulations* with full actions resulting in a final determination of patent infringement and validity. Equal access to effective appeal rights will also be provided.

We anticipate the details to be published shortly.

Are you CETA ready? Contact Norton Rose Fulbright with all your CETA questions.

Links

[Bill C-30, Third Reading \(House of Commons\)](#)

Text of the final [Comprehensive Economic and Trade Agreement](#)

For more information, please contact your IP/Life sciences or healthcare practice professional at Norton Rose Fulbright Canada LLP.
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