

Pharma in brief - Canada

CETA tracker: Significant amendments to the *Patent Act* affecting pharmaceuticals nearly in force

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: March 7, 2017 – Bill C-30 passes second reading in Senate and is referred to Senate's Standing Committee on Foreign Affairs and International Trade

Major reforms to Canada's *Patent Act* are coming as the Canadian Parliament moves one step closer to ratifying the Comprehensive Economic and Trade Agreement (**CETA**). On March 7, 2017, Bill C-30 (the *Act* intended to implement CETA into Canadian law) passed its second reading in the Senate, placing it in the final stages of the legislative process. Recent media reports indicate the European Union's trade chief expects that Canada will ratify CETA within weeks.¹

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.

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](#)

Footnote

¹ <http://globalnews.ca/news/3324454/canada-eu-to-ratify-free-trade-pact/>

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

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