

Government Report on The IP Regime in Canada

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Agenda

- Background of the Report
- Content of the Report (the good and the bad)
- What may be of interest to FICPI

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Background

- Conducted by The Standing Committee on Industry, Science and Technology (aka “INDU”)
- Hearings held between May 2012 and February 2013
- Report of the Committee issued in March 2013
- Purpose was to enable Government of Canada to assess the following policy concerns
 - Are patents serving Canadians well
 - Are foreign IP regimes more important than that of Canada
 - How well are SMEs served
 - Does Canada need to examine how IP is administered or enforced
- Report meant to propose recommendations to Government of Canada about how to improve the IP regime in order to improve innovation and productivity

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The Content

- Interplay between innovation and IP, and importance of effective IP regime central to study
- Report recognizes competitiveness of the Canadian marketplace is highly correlated to IP protection in Canada
- Serious desire to improve the IP regime in Canada
- Encouraging recommendations
 - Identify ways to strengthen IP rights and reduce time to grant IP rights
 - Increase awareness of importance of IP among researchers and SMEs
 - Strengthen border protection – combat counterfeiting and piracy
 - Restrict scope of official marks to prevent abuse

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The Content (con...)

- The quality of the analysis in the Report was low
- Included some basic inaccuracies
- The private IP profession was underrepresented
- Some recommendations “out of the blue” – e.g. ratify various International treaties ASAP
- Some recommendations silly – e.g. review geographical distribution of registered patent agents
- Some recommendations taken word for word from special interest groups

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Of Interest to FICPI

- Example of governments taking a closer look at IP regimes
- The private profession was underrepresented
- Familiar themes:
 - Correlations between innovation, productivity, and IP
 - Importance of patent quality
 - Increasing efficiency (e.g. time to get rights registered)
 - Harmonization
 - Accessibility of IP regime to SMEs
 - Strengthen border protection to combat counterfeiting and piracy

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Thank You

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