



24 January 2020

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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: PATENT RULES

Notifying Member	CANADA
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Details of the notified legal text

Title	Patent Rules
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://ip-documents.info/2020/IP/CAN/20_0529_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/P/10, IP/N/1/CAN/10
Brief description of the notified legal text	
<p>Canada's new Patent Rules (SOR/2019-251) have repealed and replaced Canada's previous Patent Rules (SOR/96-423). This regulatory change follows from the amendments made to Canada's Patent Act in 2014 (under Bill C-43) and 2015 (under Bill C-59), which were necessary in order to implement the Patent Law Treaty ("PLT").</p> <p>Some notable changes to the Patent Rules, in addition to those necessary to ensure their compliance with the PLT, include time-limited restrictions on correcting obvious errors in granted patents, a reduction of the deferred examination period from 5 years from the filing date to 4 years from the filing date, and a reduction from 42 months to 30 months for as-of-right Canadian national entry for Patent Cooperation Treaty international applications.</p>	
Language(s) of notified legal text	English and French
Entry into force	30 October 2019
Other date	

Notification details

Submission date of notification	17 January 2020
Other information	Patent Rules: https://laws-lois.justice.gc.ca/eng/regulations/SOR-2019-251/page-1.html Patent Act: https://laws-lois.justice.gc.ca/eng/acts/p-4/FullText.html
Agency or authority responsible	Innovation, Science and Economic Development Canada Canadian Intellectual Property Office, Patent Branch 50 Victoria Street Place du Portage, Phase I Gatineau, Quebec K1A 0C9 Canada Telephone: 819-997-2949

* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.