

Leaflet Patents in Canada

Duration

The patent has a duration of 20 years from the date of filing of the application, provided that annual fees are paid in due time.

Compulsory use

There is no requirement for the owner of a patent to work the invention. However, after 3 years have elapsed from the date of issue of the patent a third party may apply for the grant of a compulsory license alleging that the patent right has been abused, for example, by failure to meet demand for articles covered by the patent in Canada on reasonable terms or by refusal to grant a license on reasonable terms.

Marking

Articles protected by the patent may be marked by "Canadian Patent No" (followed by the patent number) or by "Patented". But marking is not mandatory and has no implications for awarding compensation in case of past infringement.

License

Exclusive licenses in Canada must be registered. We recommend that you contact us if you intend to grant an exclusive license under your patent in Canada.