

last revised in a comprehensive fashion in 1935 the Copyright Act in 1921 and the Trade Marks Act in 1954.

### Pharmaceuticals

One significant revision which has taken place in the past three decades was the 1969 amendment to the Patent Act which introduced provisions concerning compulsory licenses to import pharmaceutical products. Section 41(4) of the Act, obligates the Commissioner of Patents, in most circumstances, to grant compulsory licenses (against the wishes of the rights holder) to import pharmaceuticals on payment of a 4 percent royalty (at wholesale prices) to the patent holder. The provision has given rise to the establishment of a domestic generic pharmaceutical trade and a substantial import of low cost pharmaceuticals from sources not authorized by the original rights holders. For the year 1983, it has been estimated that Canadian taxpayers (through savings on provincial drug plans) and consumers paid \$211 million less due to the compulsory licensing provision. The subject is highly charged and solarized in domestic circles and, therefore, must be approached with extreme caution. Numerous attempts at revision over the last 10 years have not been successful in terms of establishing a politically acceptable compromise between multinational subsidiaries, generic firms, consumer organizations and provincial governments.