

effective dispute-settlement mechanisms. Furthermore, non-discriminatory treatment of Canadians is ensured in IP areas covered by the Paris, Berne and UPOV conventions, to which Canada belongs, to the extent that EC member states are members of these conventions and thus required to grant national treatment as provided under these treaties.

The question of reciprocity, however, raises some technical difficulties for Canada to the extent that the EC is not a "country". While the issue of plant breeders' rights serves as a case in point, similarities exist with planned efforts at greater multilateral patent and trademark harmonization under the auspices of the WIPO. In Canada, the Plant Breeders' Rights Act extends reciprocal protection to nationals of countries that provide protection substantially equal to the protection afforded by Canadian legislation. Technical problems, however, may exist in extending Canadian PBR protection to "EC nationals" on the basis of the EC eventually becoming a party to the UPOV Convention, given that some member states, namely Portugal, Luxembourg and Greece, are not parties to the Convention and do not have national PBR systems. Consequently, if Canadian PBR protection cannot be extended to "EC nationals", plant breeders in those EC countries without national PBR systems would be most affected.

Canadian owners of intellectual property will be able to benefit from the EC's efforts to create a Community intellectual property regime in preparation for the completion of the single market. The harmonization of member states' national systems and the creation of Community-level legislation will offer Canadian innovators greater certainty over the protection available for their intellectual property by establishing uniformity in the procedures, rights and remedies throughout the Community. Canadians will also benefit from the creation of Community instruments, such as the CP and CTM, to the extent that they offer the administrative simplification of "one-stop shopping". Nevertheless, the option of applying for national protection in a given member state(s) remains available should Canadians desire protection at the local, rather than Community, level.

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