

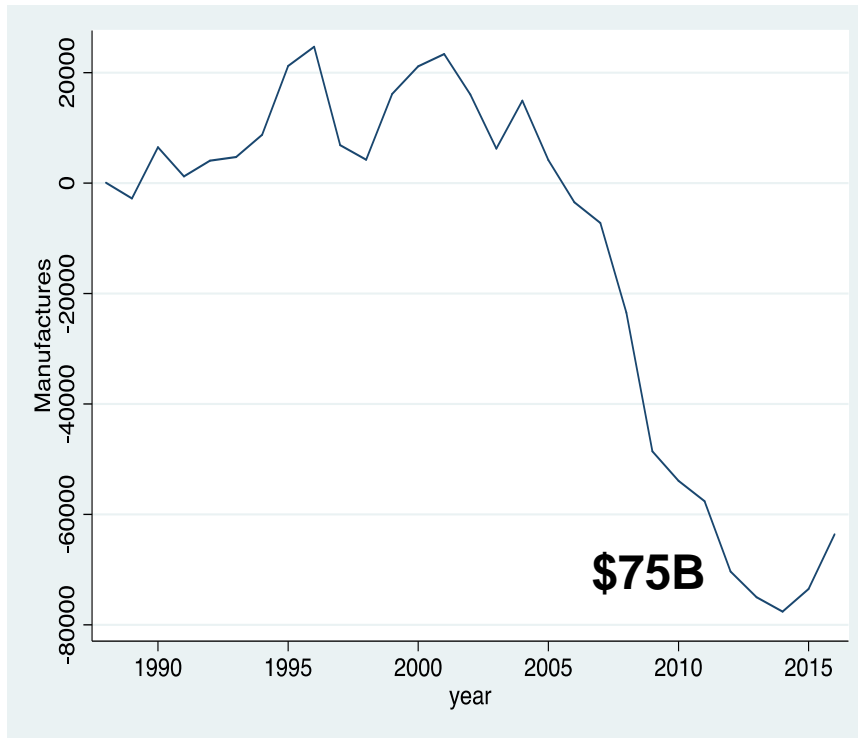
# NAFTA Modernization: Creating Jobs by Leading Innovation



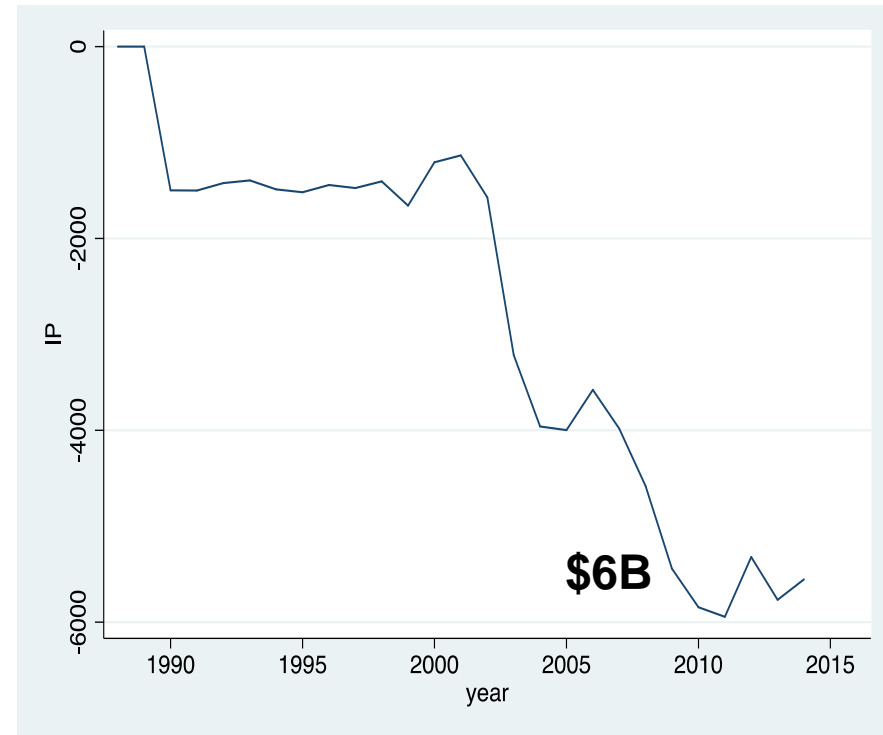
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## Canada-US Trade: Canada's Bilateral Surplus in:

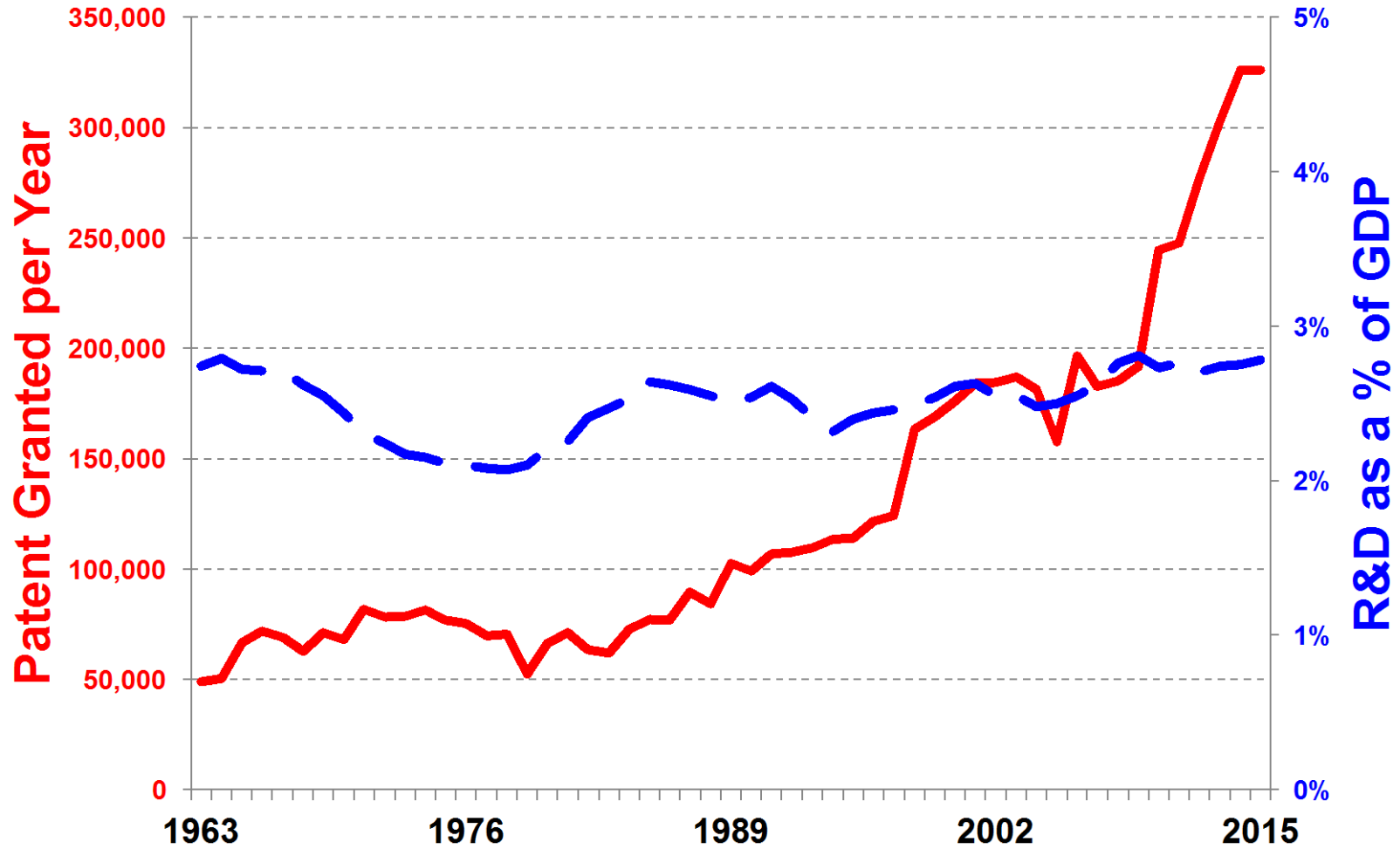
### Non-energy Manufacturing



### IP royalty payments



## The Patent Puzzle



# *Policy Flexibility vs. International Treaty*

- ❑ **Policy flexibility needed to:**
  - **Scale back IP-holder rights**
  - **Regulate new technologies.**
  
- ❑ **International treaties may limit policy flexibility.**
  
- ❑ **USTR Credibility: A threat to NAFTA?**

## ***Patents:***

***Resist U.S. attempts to extend patent life and other forms of market exclusivity:***

- No post-filing of evidence***
- No patent extensions (No 2-year CETA clause)***
- No patent restoration (regulatory delay)***
- Limits on secondary patenting***
- No pay for delay.***

## ***Biologics:***

- Data exclusivity limited to 8 years***
- Sunset clause.***

## ***Copyright:***

- No 'life+70'; Berne or just 'life'.***

## ***Digital Economy:***

- TPP is weak on data localization; cybersecurity; privacy.***

## *Other Important Issues*

- Labour mobility**
  
- Border investments to speed up goods and services.**
  
- Concessions to US?**
  - Rules of Origin
  - Softwood Lumber for improved ISDS
  - Dairy for reduced USDA subsidies
  
- Government Procurement**
  - China
  - Extend jurisdictional coverage
  - Buy America waivers
  
- Labour provisions in an Asian context**
  
- NAFTA re-invented as a living agreement**