

Archived Content

Information identified as archived on the Web is for reference, research or recordkeeping purposes. It has not been altered or updated after the date of archiving. Web pages that are archived on the Web are not subject to the Government of Canada Web Standards. As per the [Communications Policy of the Government of Canada](#), you can request alternate formats by [contacting us](#).

Contenu archivé

L'information archivée sur le Web est disponible à des fins de consultation, de recherche ou de tenue de dossiers seulement. Elle n'a été ni modifiée ni mise à jour depuis sa date d'archivage. Les pages archivées sur le Web ne sont pas assujetties aux normes Web du gouvernement du Canada. Conformément à la [Politique de communication du gouvernement du Canada](#), vous pouvez obtenir cette information dans un format de rechange en [communiquant avec nous](#).

Anti-Counterfeiting Trade Agreement (ACTA)

Thank you for offering the opportunity to comment upon Canada's interests in developing an ACTA.

My comments will be a reiteration of comments made earlier to the Standing Committee on Science, Industry & Technology (INDU) as well as to the members of SECU and the respective Ministers, and other Members of Parliament.

The Electrical Industry in Canada through the offices of our Industry Association, Electro-Federation Canada (EFC) have identified a serious and dangerous counterfeiting activity involving circuit breakers in this Country. Since this issue is global in nature, I urge Department of Foreign Affairs and International Trade to ensure that any measures developed with our international partners, encompass the circuit breaker situation in particular.

There are two streams by which this danger presents itself.

Entrepreneurs salvage used, questionable circuit breakers from demolition activity and proceed to clean, tamper and relabel them. This, despite provisions of the Canadian Electrical Code prohibiting the practice, and sell them as new. The IP Rights of the original manufacturer as well as the certification organizations attesting to the integrity of the products are trampled by these actions, to say nothing of the immense liabilities transferred to those organizations by the counterfeiting. The IPR theft is minor compared to the life and property threatened by this counterfeiting. This is an international issue insofar as raw material crosses the US-Canadian border and is used by the entrepreneurs in both countries to prepare their dangerous offerings.

The second stream is the entry of counterfeit product (circuit breakers) into Canada for distribution, sale and installation in our electrical infrastructure. Since these products are difficult to differentiate from the authentic product, it becomes critical that they be stopped at the ports of entry. That enforcement is absent today because CBSA have no mandate.

Please entertain my comments for inclusion in the upcoming negotiations. Should additional explanation or materials be required, just ask.

Yours truly,

Brian Savaria
Burlington, Ontario