

Lockington, Elliott (SPAC/PSPC)

From: Media <media@tpsgc-pwgsc.gc.ca>
Sent: April 16, 2020 10:22 AM
To: Roy, Cecely (SPAC/PSPC); Harris, Emily (SPAC/PSPC)
Cc: Elizabeth Lindsay; Emmanuelle Gallays; Jean-François Létourneau; Media; Me'Shel Gulliver Bélanger
Subject: For MO approval - Media Response - Tier 1 / COVID-19 - Intellectual property and companies supplying PPE / The Logic

Hi Cecely and Emily,

For MO approval please.

Merci

Marc
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Media response

The Logic

Hemmadi, Murad (The Logic)

Date call received: April-08-20 at 12:40

Deadline: April-09-20 at 17:00

Tier 1 - COVID-19 - Intellectual property and companies supplying PPE

CONTEXT (for your information):

The reporter is seeking information about accessibility to intellectual property assets and licences for companies participating in retooling and whether the government is considering similar legislation to allow companies to use other forms intellectual property without infringing on intellectual property, as done through Bill C-13 in regard to the Minister of Health. The reporter has also approached ISED with a separate but related question.

VALUE STATEMENT:

The Government of Canada is collaborating with provinces and territories on an ongoing basis to identify their needs and purchase required equipment, supplies, and services to combat COVID-19.

Public Services and Procurement Canada (PSPC) is taking an aggressive approach to buying especially when it comes to personal protective equipment for frontline healthcare workers. This includes:

- Ordering ahead in bulk on behalf of provinces and territories
- Supplementing those orders by purchasing everything that is immediately available;
- Ramping up the domestic manufacturing capacity, through the Plan to Mobilize Industry to fight COVID-19, being led by Innovation, Science and Economic Development Canada.

This is over and above the efforts provinces and territories are taking to secure their own supply.

QUESTION AND ANSWER:

Q1. Is the government conducting due diligence on whether companies that are supplying it with personal protective and medical equipment, particularly those that have retooled or modified their operations in order to do so, to fight the COVID-19 pandemic have the necessary intellectual property assets or licences for those products and services?

Under normal circumstances, contractors doing business with the Government of Canada are responsible for ensuring they respect third-party intellectual property rights when performing work or providing goods and services. In light of the unprecedented situation we are currently facing with COVID-19, and the urgent need to rapidly scale up production of certain equipment, liability for intellectual property rights may be assessed on a case-by-case basis.