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**Suppression of Parallel Importation in
the Guise of Copyright Protection**
—*Euro-Excellence Inc. v.*
Kraft Canada Inc.

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Abstract

With stiff business competition, companies often try to suppress competition in the name of the law. To prevent parallel importation, companies increasingly sue their competitors for copyright infringement for the purpose of suppressing the competition. For an issue of whether an exclusive licensee can enjoin an unauthorized importation of genuine goods to Canada for sale, the Supreme Court of Canada in *Euro-Excellence Inc. v. Kraft Canada Inc.* ruled in favor of the importer. This paper discusses the outcome of *Euro-Excellence Inc. v. Kraft Canada Inc.* and addresses key issues of “copyright holders’ legitimate economic interests” and “incidental copyrighted works to the consumer goods”. This paper further explores similar issues and cases of parallel importation in Taiwan and provides the author’s

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recommendations for future legislative reference in regulating grey market goods in Taiwan.

Keywords: Parallel Importation of Genuine Goods, Copyright Holder's Legitimate Economic Interests, Copyrighted Goods, Incidental Copyrighted Work to the Consumer Goods, Suppress Competition