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| March 10, 2022 |
| *Your File*  TM 202059-1 |
| *Our File*  637539  *Registration Number*  TMA390,439 |
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| BORDEN LADNER GERVAIS LLP  Bay Adelaide Centre, East Tower  22 Adelaide St. West  TORONTO  ONTARIO M5H 4E3 | | |
| Attention: Jennifer Ponton | | |
| RE: | Trademark: | CANADIAN ESKIMO ART & DESIGN |
|  | Applicant: | Inuit Art Foundation |

Receipt of the correspondence dated November 9, 2021 is acknowledged.

This examiner's report concerns the above identified registration. A proper response must be received by this office by September 10, 2022. All correspondence respecting this registration must indicate the name of the registered owner and either the registration number or the number of the application that resulted in the registration.

The goods identified in bold below appear to be improperly classed according to the Nice Classification.

(20) Carvings made by Inuit of Canada, principally in **stone** and ivory, but also in wood, bone and antlers.

Please consider the following:

* Carvings made by Inuit of Canada, principally in stone (Class 19)

In support of the forgoing, the registrant’s attention is directed to the following goods that appear in Class 19 of *CIPO’s Goods and Services Manual:*

* desktop statuary made of stone, concrete or marble
* figurines of stone
* statues of stone

For further guidance on grouping your goods or services according to the classes of the Nice Classification, please see the *Goods and Services Manual* available on the CIPO website.

Any comments you may wish to submit in writing will be considered.

In view of the number of classes in respect of the goods or services listed in the registration at the time of renewal, the registered owner will be required to pay an additional $636.25 to cover the prescribed renewal fee for five additional classes. Once the classification of the goods or services has been accepted and finalized, confirmation of the final listing together with a client proof sheet will be provided. An Adjusted Renewal Fee Notice will also issue providing the registered owner with a deadline to pay any additional class fees (if applicable).

The registered owner is requested to take note of subsection 44.1(4) of the *Trademarks Act* which states that “Any question arising as to the class within which any goods or services are to be grouped shall be determined by the Registrar, whose determination is not subject to appeal”.

Yours truly,



Melissa Ryan

Examination Section

819-213-2114

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