

IP roadmap

Your path to trademark registration



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Filing

Fee:
\$250 online
\$300 paper

You can start the application process by filing your application with the Canadian Intellectual Property Office (CIPO), online, by mail or fax.

A complete application must include:

- Your name and address
- Your trademark
- The goods or services associated with your trademark
- A statement of use or intent of use
- The filing fee



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Filing date issued

If everything is in order with your application, **CIPO** assigns a filing date and an application number.

Your application will be entered into the Canadian Trademarks Database.

When will I be issued a filing date?

Online application:
Within 7 business days from filing
Paper application:
Within 15 business days from filing

How much time do I have to respond?
Within 6 months of the date on the examiner's report.



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Response

You will have the opportunity to respond to the examiner's report.



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Examiner's report

If there are any issues with your application, such as confusion with an existing trademark, the examiner will let you know in their report.

When will I receive the examiner's report?
Within 7 months from the filing date.



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Examination: Checking for registrability

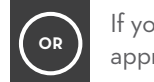
A trademark examiner will review your application to make sure that your trademark is registrable.



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Approval

If your application is approved, CIPO will send you an approval notice to let you know.



OR

Refusal

If your application is refused, CIPO will send you a report explaining the reasons why.



OR

If your application is refused, you have the right to appeal to the Federal Court of Canada.



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Advertisement

If CIPO approves your application, it will be advertised in the *Trade-marks Journal*.

This will give others the opportunity to oppose your application.

How long will others have to oppose my application?

2 months.

Opposition

Fee to oppose an application: \$750
If someone opposes your application, the Trademarks Opposition Board will let you know and you will receive a copy of the statement of opposition.

You and the party opposing your application will then have a chance to file evidence and written arguments.



If the opposition is successful, your application could be completely or partially refused. You have the right to appeal to the Federal Court of Canada.



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Allowance

If there is no opposition to your application, or if an opposition is rejected, your application will be allowed.



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Certificate of registration is issued

When the registration process is completed, CIPO will issue the official certificate of registration.



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Registration

Once your registration fee has been paid, and you have filed the declaration of use, if required, your trademark will become registered.

Need more time?

Fee: \$125

If your application was based on "proposed use", you may request an extension of time to file a declaration of use.



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Notice of allowance

Registration fee: \$200

CIPO will send you a notice of allowance and ask you to pay the registration fee.

If your application was based on intended use, you must also send in a declaration stating that use of the trademark has commenced.

When will I receive my certificate?

If the request is made online: Immediately
Otherwise:
3-4 weeks

Evidence of use

Fee for a third party to request notice: \$400
After the first 3 years of registration, the Registrar may, following a request from a third party, require that you provide proof of use of your trademark in Canada in association with the registered goods and services.



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Renewal

Fee:
\$350 online
\$400 paper
To maintain your registration, you will have to pay a renewal fee every 15 years.

Expectation: Service standards met 90% of the time