



# TRADEMARKS

A **trademark** can protect letters, words, symbols, designs, tastes, textures, moving images, modes of packaging, holograms, sounds, scents, 3-dimensional shapes or colours (or a combination of these) used to distinguish your goods and services from those of others in the marketplace.

It is important because over time, a trademark comes to stand not only for the actual goods or services you sell, but also for your reputation and your brand.

Your **brand** tells your customers what they can expect from your goods or services; it sets you apart from your competitors.

Your brand represents:

- what your business stands for
- what you want your business to be
- how your business is perceived in the marketplace

 The trademark protects your brand across Canada.

 Protection is valid for 10 years and is renewable.

## Basic fees

Please see [Canada.ca/IP-fees](http://Canada.ca/IP-fees) for information about the Canadian Intellectual Property Office's fees.

## DID YOU KNOW?

- The **Nice Classification** groups goods into 34 classes and services into 11 classes. Each class has a heading that provides a general indication of the fields in which a good or service belongs. There are also explanatory notes for the class headings that provide additional information on the types of goods or services that can be included within a specific class.
- A **trademark** can be your company name, your logo or the name of your goods or services.
- A **trade name** is the name of your business. A trade name can be registered under the *Trademarks Act* only if it is also used as a trademark, meaning if it is used to identify goods or services.
- Registering your **domain name** or incorporating your business does not give you any trademark rights.
- Taking your goods and services abroad? The **Madrid Protocol** allows you to file for trademark protection in multiple countries through a single application in 1 language.

## WHAT IS YOUR BRAND?

Evaluating brand image and identifying your trademarks are important parts of your business. Your trademarks, including good or service names, slogans, logos, taglines, modes of packaging, moving images, holograms, colours, scents, tastes, textures and sounds, produce a brand image that becomes your promise to your customers.

A distinctive brand can increase customer loyalty and give you an edge over your competition.



## SECURING YOUR TRADEMARK

Five reasons to register your trademark:

- 1 It provides proof of ownership.
- 2 It gives you the exclusive right to use the trademark in Canada for 10 years.
- 3 It discourages others from using your trademark without permission.
- 4 It gives you more enforcement options.
- 5 It protects the value of your trademark.

You may wish to consider using a registered trademark agent to help you with your application.



## SELLING AND LICENSING

Increase your revenue and market share by selling or licensing your trademark to industry partners interested in benefiting from it.



## ENFORCING YOUR RIGHTS

Monitor the marketplace for any unauthorized use or imitation of your trademark. Enforcement is the responsibility of the trademark owner.

