



PROTECT YOUR PATENTS
AND TRADE-MARKS

Turn to a
Professional!



Are your trade-marks and inventions actually yours?

ARE THEY WELL PROTECTED?

Intellectual property (IP) can be one of your most valuable assets.

Understanding the intricacies of Canadian and international law governing IP can be daunting.

Maximize your opportunities. Avoid costly mistakes.

Consult an IP professional.

The Intellectual Property Institute of Canada (IPIC) is a professional association of patent agents, trade-mark agents and lawyers practising in all areas of IP law.

IPIC's member IP professionals can help you develop a strategy that will make the most of your IP.

“A trade-mark agent provides a very cost effective service that protects the intellectual property of Kinnikinnick Foods in the international marketplace and substantially reduces the risk of Kinnikinnick incurring costs by inadvertently infringing on the intellectual property of others.”

Lynne Bigam, Legal Counsel

Kinnikinnick Foods Inc.

Trade-marks

You came up with a great name—something that will catch on and make your products or services stand out from the crowd. Capturing that spark of genius, however, and turning it into a success story requires a lot of hard work and planning. A registered trade-mark agent can be an invaluable source of help and guidance.



What is a trade-mark agent?

In Canada, trade-mark agents are registered before the Canadian Intellectual Property Office (CIPO). Trade-mark agents may or may not be lawyers. If an agent is a lawyer, two years of training under the guidance of a registered trade-mark agent must be completed before becoming a registered agent. If an agent is not a lawyer, in addition to the two year period under supervision of a registered trade-mark agent, the candidate must pass an examination that tests knowledge and understanding of trade-mark law and principles.

What do trade-mark agents do?

Trade-mark agents prepare and file trade-mark applications, handle objections from the Canadian Trade-mark Office or others about the registration of international marks, appear before the Trade-mark Opposition Board and advise on proper protection of trade-marks in Canada and abroad. They know where to look and what to assess to determine whether your trade-mark will land you in hot water, and they can guide you through the twists and turns of the registration process.

What can a trade-mark agent do for me?

Filing an application to register your trade-mark involves numerous judgment calls and legal determinations that call for an agent's experience and training. A trade-mark agent will:

- Submit a strong initial application that can help avoid unnecessary costs and delays; and
- Help you develop strategies to maximize the value of your trade-mark and ensure that the benefit of registering your trade-mark is realized.

Trade-mark registration procedures are complex. It is important to clear your right before spending time, effort and costs on an extensive marketing campaign featuring the mark. A trade-mark agent will:

- Prevent you from making mistakes during the registration process that may not reveal themselves for some time down the road;
- Conduct the required searches to evaluate and assess whether the mark of interest is available to use and register in Canada;
- Help you develop international trade-mark rights; and
- Help you to get the broadest protection possible.

Once the application has been filed, a trade-mark agent can:

- Help you respond to enquiries and objections raised by the Trade-marks Office or other parties; and
- Advise you on the best strategies to protect your rights after registration.

Where can I find a trade-mark agent?

Most IP Professionals are members of IPIC.

Visit www.ipic.ca to find a list of registered trade-mark agents.

Patents

You spent a great deal of time, effort and knowledge developing a new and innovative product. Before disclosing your invention to anyone, retain a registered patent agent to help you through the process of protecting it.



What is a patent agent?

In Canada, patent agents are members of a professional body; they are registered before the Canadian Intellectual Property Office (CIPO) and specialize in this very unique area of intellectual property protection. Rigorous conditions, including a professional examination, need to be met to become a registered Canadian patent agent.

What do patent agents do?

Patent agents prepare the applications that describe and claim inventions and submit them to the Patent Office. They argue the merits of the claimed invention when the application is examined. Patent agents are the only professionals empowered to represent applicants before the Canadian Patent Office. A patent agent can provide invaluable counsel regarding the protection of your invention in an effort to maximize the value of your patent and create the broadest protection for your invention.

What can a patent agent do for me?

Filing and prosecuting a patent application is very complex. A patent agent can:

- Ensure that your invention is properly described and claimed when the application is filed to reduce the risk that it may be refused by the Patent Office during future examination; and
- Help you avoid costly mistakes, allowing you to develop your invention in a prosperous environment.

Just as you seek the advice of an accountant for complicated tax matters or a lawyer to draft a commercial agreement, a registered patent agent can:

- Maximize the opportunities provided by your invention;
- Conduct a search to determine whether your invention is patentable and evaluate the scope of protection which may be obtained for your invention;
- Help discern whether you are infringing patents owned by others; and
- Help you sell, license or use your patent as an asset to negotiate funding.

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