

Protect your Patents and Trademarks



Turn to an IP Professional!

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INTELLECTUAL PROPERTY INSTITUTE OF CANADA
INSTITUT DE LA PROPRIÉTÉ INTELLECTUELLE DU CANADA



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

Understanding the intricacies of Canadian and international law governing intellectual property 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, trademark agents and lawyers practising in all areas of intellectual property ("IP") law including patents, trademarks, copyright and industrial design.

The road from idea to commercial product or service includes the key step of protecting the intellectual property that are inherent to innovation. IP professionals assist clients in developing strategies and growing businesses by protecting their IP rights in Canada and elsewhere.

Whether you are considering a go-to-market plan for a new product, taking your brand global, or acquiring another business, IP professionals can help – particularly if you consult with them early on in the process.

Trademarks

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

What is a trademark agent?

In Canada, trademark agents are registered before the Canadian Intellectual Property Office (CIPO) and are the only professionals permitted to act on behalf of clients before CIPO. All trademark agents must pass a rigorous examination that tests both knowledge and understanding of trademark law and principles. In this way, clients can be sure that they are being properly represented.

What do trademark agents do?

Trademark agents assist their clients in obtaining and protecting their brands and logos. They know where to look and what to assess to determine whether your trademark will land you in hot water, and they can guide you through the twists and turns of the registration process.

With so many Canadian businesses launching their brands in markets worldwide, trademark agents provide valuable insights into strategies for protecting brands in all markets, including best practices for licensing and enforcing rights online and elsewhere.





What can a trademark agent do for me?

Filing an application to register your trademark involves numerous judgment calls and legal determinations that call for an agent's experience and training.

A trademark agent will:

- Identify what bundle of IP rights are included in your branding that are protectable under both trademark and copyright legislation;
- Conduct the required searches to evaluate and assess whether the mark of interest is available to use and register in Canada;
- Submit a strong initial application that can help avoid unnecessary costs and delays; and
- Help you develop strategies to maximize the value of your brand asset and ensure that the benefit of registering your trademark is realized.

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

- Prevent you from making mistakes during the registration process that may not reveal themselves for some time down the road;
- Help you develop international trademark rights by leveraging their network of trusted local counsel or agents in your key markets; and
- Help you to get the broadest protection possible.

Once the application has been filed, a trademark agent can:

- Help you respond to enquiries and objections raised by the Trademarks Branch or other parties; and
- Advise you on the best strategies to protect your rights after registration. This can range from marketing materials to packaging, and from licensing to online sales.

Where can I find a trademark agent?

Most trademark agents are members of IPIC. Visit **ipic.ca** to find a list of registered trademark 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 registered by the Canadian Intellectual Property Office (CIPO) and are the only professionals permitted to act on behalf of clients before CIPO 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 submissions that describe and claim inventions to the Patent Branch. They argue the merits of the claimed invention when the application is examined and continue refining the applications to get a client's application through the registration process successfully. 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:

- Conduct a search to determine whether your invention is patentable and evaluate the scope of protection which may be obtained for your invention, both in Canada and elsewhere;
- 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 Branch during future examination;
- Help develop strategies to maximize the value of your invention; and
- Help 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;
- 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.

Where can I find a patent agent?

Most patent agents are members of IPIC. Visit **ipic.ca** to find a list of registered patent agents.

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