

Protect Your Patents and Trademarks

Turn to an IP Professional!

ipic.ca
ownyourIP.ca



Intellectual Property
Institute of Canada



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

Understanding the intricacies of Canadian and international laws 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”) including patents, trademarks, copyrights and industrial designs.

The road from idea to commercial product or service includes the key step of protecting the intellectual property that is 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 the only professionals permitted to act on behalf of applicants before the Canadian Intellectual Property Office (CIPO). Rigorous conditions, including a professional examination, need to be met to become a registered Canadian trademark agent.

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.





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 IP rights, included in your branding, are protectable under trademark legislation;
- Conduct the required searches to evaluate and assess whether a 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 to ensure that the benefit of trademark registration 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 will be revealed some time later;
- 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.

Where can I find a trademark agent?

Visit ipic.ca to find a list of registered trademark agents who, as members of IPIC, adhere to strict rules of professional conduct, set out in IPIC's *Code of Ethics*.

Patents

You have 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 the only professionals permitted to act on behalf of applicants before the Canadian Intellectual Property Office (CIPO). 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 application to get through the examination 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 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, in Canada and elsewhere using the agent's network of international contacts;
- 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 examination;
- Help develop strategies to maximize the value of patent protection for your invention; and
- Help you avoid costly mistakes, freeing you and your capital up to develop your invention in a hassle-free environment.

Just as you would seek the advice of an accountant for tax matters or a lawyer for legal advice, a patent agent can:

- Speak to you frankly, openly and in confidence because your communication is protected by privilege;
- Help identify if a competitor is infringing your patents; and
- Help discern whether you are infringing patents owned by others.

Where can I find a patent agent?

Visit **ipic.ca** to find a list of registered patent agents who, as members of IPIC, adhere to strict rules of professional conduct, set out in IPIC's *Code of Ethics*.



Intellectual Property
Institute of Canada

Constitution Square
360 Albert Street, Suite 550, Ottawa, ON K1R 7X7
613.234.0516

ipic.ca