



Innovation, Science and  
Economic Development Canada

Innovation, Sciences et  
Développement économique Canada

Intellectual  
Property  
Strategy

Stratégie en  
matière de  
propriété  
intellectuelle

# Intellectual Property (IP) Legal Clinics Program Guide

Canada

To obtain a copy of this publication, or to receive it in an alternate format (Braille, large print, etc.), please fill out the Publication Request Form at [www.ic.gc.ca/Publication-Request](http://www.ic.gc.ca/Publication-Request) or contact:

Web Services Centre  
Innovation, Science and Economic Development Canada  
C.D. Howe Building  
235 Queen Street  
Ottawa, ON K1A 0H5  
Canada

Telephone (toll-free in Canada): 1-800-328-6189  
Telephone (international): 613-954-5031  
TTY (for hearing impaired): 1-866-694-8389  
Business hours: 8:30 a.m. to 5:00 p.m. (Eastern Time)  
Email: [ic.ipstrategy-strategieenmatieredepi.ic@canada.ca](mailto:ic.ipstrategy-strategieenmatieredepi.ic@canada.ca)

#### Permission to Reproduce

Except as otherwise specifically noted, the information in this publication may be reproduced, in part or in whole and by any means, without charge or further permission from the Department of Industry, provided that due diligence is exercised in ensuring the accuracy of the information reproduced; that the Department of Industry is identified as the source institution; and that the reproduction is not represented as an official version of the information reproduced or as having been made in affiliation with, or with the endorsement of, the Department of Industry.

For permission to reproduce the information in this publication for commercial purposes, please fill out the Application for Crown Copyright Clearance at [www.ic.gc.ca/copyright-request](http://www.ic.gc.ca/copyright-request) or contact the Web Services Centre mentioned above.

© Her Majesty the Queen in Right of Canada, as represented by the Minister of Industry, (2019).

Cat. No. lu173-8/2019E-PDF  
ISBN 978-0-660-30910-1

Aussi offert en français sous le titre *Guide pour le programme de cliniques juridiques sur la propriété intellectuelle (PI)*.

## THE IP LEGAL CLINICS PROGRAM AND THE IP STRATEGY

### THE IP LEGAL CLINICS PROGRAM

The government of Canada is providing a grant to encourage the development of IP legal clinics within Canadian law schools as part of its comprehensive [IP Strategy](#). The grant will help make pro bono or low cost IP legal services more accessible to Canadian businesses, creators, entrepreneurs and innovators. Clinics may be solely dedicated to IP or feature an IP component. Funding may be used to help establish a new clinic or to enhance the services available in an existing clinic.

Applicants are encouraged to consider proposals supporting networking and community building in university IP clinics, the sharing of experiences and best practices and the development of tools that can be shared across and adapted by institutions to meet the needs of their clinics.

### RELATIONSHIP BETWEEN THE IP LEGAL CLINICS PROGRAM AND THE IP STRATEGY

The [IP Strategy](#) is aimed at helping Canadian businesses, creators, entrepreneurs and innovators better understand, protect and commercialize their IP. IP legal clinics help further this objective by providing Canadians with more affordable access to IP education and advice.

### ELIGIBILITY

#### WHO IS ELIGIBLE FOR THE IP LEGAL CLINICS PROGRAM

Eligible recipients are law school clinics (established or developing) that are part of a provincially accredited Canadian law school. These can include those associated with registered trademark and/or patent agents or lawyers practicing IP.

## FUNDING

### AVAILABLE FUNDING

There is a total of \$200,000 in funding available per fiscal year.

Funding can only be used to support expenses incurred in the fiscal year for which funding has been provided.

Applications may be filed on an individual basis (i.e. by a single institution) or jointly (i.e. by multiple institutions working collaboratively on a project). While clinics are eligible to receive up to a maximum amount of \$100,000 each in any fiscal year, in the case of a jointly filed application the total grant may not exceed \$100,000.

### ELIGIBLE ACTIVITIES AND EXPENDITURES

#### ELIGIBLE ACTIVITIES

Eligible activities are those relating to the delivery of pro bono or low cost IP services. They may include: activities supportive of the goals of the IP Strategy, outreach to serve traditionally underrepresented IP rights holders, training, the development of best practices manuals and events such as symposia between legal clinics and experts to provide networking opportunities and increase clinic capacity.

#### ELIGIBLE EXPENDITURES

Eligible expenditures are those required to carry out the eligible activities under the IP Legal Clinics Program. They must be necessary to achieve the objectives for which program funding was granted. They may include items such as: database subscriptions; travel; and staffing (e.g. research assistant costs).

Eligible expenditures must be incurred within Canada in the fiscal year for which funding has been provided.

## INELIGIBLE EXPENDITURES

Ineligible expenditures include items such as: land and building acquisitions or leasing; renovation, construction or real estate costs; financing charges; legal fees; interest payments on loans; goods and services received through donations or in kind; property taxes; and lobbyist fees.

## THE APPLICATION PROCESS

### HOW TO APPLY

Applicants are required to submit an IP Legal Clinics Program Application Form. The form may be requested at the following address: [ic.ipstrategy-strategieenmatierejepi.ic@canada.ca](mailto:ic.ipstrategy-strategieenmatierejepi.ic@canada.ca).

The application must include:

- information on the applicant, including details on the clinic and its eligibility;
- a detailed description of the project, including, as appropriate, a work plan;
- a breakdown of project costs; and
- the amount of funding being requested.

If the legal clinic is associated with a lawyer, registered trademark agent or registered patent agent, an attestation by the lawyer or agent is required detailing the nature of their relationship with the clinic and demonstrating proof of good standing.

### DEADLINE TO APPLY

A submission deadline will be set at the beginning of each funding period. If funding remains available after the deadline has passed, a second opportunity for applications may be provided prior to the end of the fiscal year.

## ADDITIONAL INFORMATION

Submitted applications will be reviewed by a selection committee. If any additional information is required in order to complete the assessment of an application, the program will contact applicants directly.

## SELECTION CRITERIA

The Selection Committee will assess applications using a qualitative and quantitative methodology to evaluate merit, feasibility and benefits for businesses, creators, entrepreneurs and innovators.

The assessment will take into account the following factors: the extent to which the proposed project will support the IP Strategy; the applicant's management, technological and financial capabilities to carry out the project; and the applicant's post-project commitment (i.e. how the project will contribute to the sustainability of the applicant's clinic and/or clinics in other universities in the future).

Grants will be awarded on the basis of the nature of the proposed activity and will be proportionate to that activity.

## NOTIFICATION

All successful and unsuccessful applicants will be contacted in writing once the selection process has been completed. Successful applicants will then receive a grant agreement for review and signature prior to the transfer of funds.

## PAYMENT

### HOW PAYMENT WILL BE MADE

All payments under the IP Legal Clinics Program will be made in the form of a grant. If equal to or under \$50,000, payments will be made in the form of a single grant. If over 50,000, payments will be made in two installments.

## HOW LONG IT TAKES TO RECEIVE PAYMENT

Once a grant agreement has been signed and a grant recipient has provided all of the necessary financial information to effect the transfer of funds, payment will be issued in accordance with the payment schedule set out in the grant agreement.

## REPORTING REQUIREMENTS

Upon completion of the project for which funding has been awarded, grant recipients are required to submit a final report which includes proof of concept and benefits achieved.

## COMPLIANCE

Applicants will be required to confirm compliance (if applicable) with the following legislation:

- [Official Languages Act](#)
- [Canadian Environmental Assessment Act](#)
- [Lobbying Act](#)
- [M-30 - Act respecting the Ministère du Conseil exécutif](#)

## OTHER SOURCES OF GOVERNMENT FUNDING

Any funding under the IP Legal Clinics Program must respect the Canadian government's policy on total Canadian government funding and stacking limits. Grant recipients under the IP Legal Clinics Program will therefore be required to disclose any additional government financial assistance (federal, provincial, territorial or municipal) they have requested or received towards their project. Total assistance cannot exceed 100% of total project costs.

## CONTACT US

For additional information on the IP Legal Clinics Program, please contact us via email at the following address: [ic.ipstrategy-strategieenmatiereipi.ic@canada.ca](mailto:ic.ipstrategy-strategieenmatiereipi.ic@canada.ca).

