Innovation, Science and Economic Development Canada
Canadian Intellectual Property Office

Innovation, Sciences et Développement économique Canada
Office de la propriété intellectuelle du Canada

IP roadmap

Your path to **trademark** registration through the Madrid System: Filing with the **World Intellectual Property Organization**

This roadmap shows you the steps to apply for trademark protection in multiple countries through one application and to pay fees in one currency through a single transaction with the World Intellectual Property Organization (WIPO).

1 Filing

The **designation fees for Canada** are paid to the International Bureau of WIPO in Swiss francs when the international application is filed (use WIPO's online fee calculator at www.wipo.int/madrid/en/fees/calculator.jsp).

When your application for international registration includes a request to extend protection of the trademark to Canada, the International Bureau will forward your request to the Registrar of Trademarks at the Canadian Intellectual Property Office (CIPO). This request is referred to as a protocol application.

2 Filing date issued

The filing date of a protocol application is assigned automatically and is the date of the international registration or the date of subsequent designation, as applicable.

3 Examination: checking for registrability

A trademark examiner will review your application to make sure that your trademark is registrable.

4 Examiner's report

A total provisional refusal will be issued if the trademark is not considered to be registrable in Canada or if certain requirements in the protocol application are missing.

This total provisional refusal includes all of the objections listed in the examiner's report and will be sent to the International Bureau, with a copy sent to the applicant or their Canadian trademark agent, if one has been appointed.

When will I receive the total provisional refusal (examiner's report)?
Within 15 to 18 months from the filing date

5 Response

You will have the opportunity to respond to any of the examiner's concerns.

How much time do I have to respond?
6 months after the total provisional refusal (examiner's report)

6 Approval

If your application is approved, CIPO will send you a formal notice of approval.

OR

Refusal

If your application is refused, CIPO will send you a report explaining why. You have the right to appeal to the Federal Court of Canada.

7 Advertisement

If CIPO approves your application, it will be published in the *Trade-marks Journal* on CIPO's website.

This will give others the opportunity to oppose your application.

Opposition

If someone opposes your application, the Trademarks Opposition Board will let you know and you will receive a copy of the statement of opposition.

You and the party opposing your application will then have a chance to file evidence and written arguments.

If the opposition is successful, your application could be completely or partially refused. You have the right to appeal to the Federal Court of Canada.

How long will my application be advertised?
2 months.

8 Registration

If a protocol application has met all of the requirements for protection under Canadian legislation and if no opposition has been filed or a decision has been made in favour of the applicant, CIPO will issue a certificate of registration and send a statement of grant of protection to the International Bureau.

When will I receive my certificate?
20 days

9 Renewal

Renewal fees are paid in Swiss francs directly with the International Bureau (use WIPO's online fee calculator).

The Registrar will record the renewal of any international registration designation Canada receives from the International Bureau.

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