

## CANADIAN INTELLECTUAL PROPERTY OFFICE

## 2019-2020 ANNUAL **REPORT**

PATENTS
TRADEMARKS
INDUSTRIAL DESIGNS
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## Message from the CEO



Konstantinos Georgaras Chief Executive Officer (interim)



As our fiscal year came to an end, we witnessed, along with the rest of the world, the global impacts of COVID-19. The Canadian Intellectual Property Office (CIPO) worked in earnest and in deep collaboration with clients, with the intellectual property (IP) professional community and with international counterparts to ensure that the IP system remained operational and resilient through the onslaught of the pandemic. The dedication of CIPO staff was exemplary.

Beyond the COVID-19 response, the 2019–2020 fiscal year was a year of great accomplishment. After 5 years of preparation and hard work, Canada completed its accession to 5 international IP treaties and became fully connected to the global IP system. In 2015, CIPO set out to connect Canada's IP system to the world through accession to 5 international IP treaties: the Hague Agreement, the Madrid Protocol, the Singapore Treaty, the Nice Agreement and the Patent Law Treaty (PLT). Canada was the first country to implement all 5 treaties within the span of a single year, as well as the first to accede to the Madrid Protocol, the Singapore Treaty and the Nice Agreement on the same day. These treaties will help Canadians get high-quality IP rights more easily in multiple countries and markets and attract investment to Canada. They position CIPO as a premier international IP office and further our efforts to make Canada a world-

leading centre for innovation.

In 2019–2020, Canada continued to be a constructive voice within the World Intellectual Property Organization (WIPO) and to collaborate with other IP offices to strengthen the global IP system, promote international harmonization, advance international cooperation and support IP capacity building in developing countries.

Providing quality and timely IP rights is CIPO's raison d'être and our first priority. We introduced a number of online services related to the new treaties, continued to streamline processes and found ways to improve timeliness while maintaining our focus on quality.

As IP experts in Canada, we helped innovators and businesses understand the value of their IP and protect their competitive advantage in Canada and abroad. With the help of our partners, our IP awareness and education program reached start-ups and small and medium-sized enterprises (SMEs) within key growth sectors and underrepresented groups.

IP is a knowledge-based business.
Our highly skilled and diverse
workforce is the foundation of our
success. In the past year, we continued
to recruit the best and the brightest
as part of a multi-year patent and
trademark examiner recruitment
campaign.

I am proud of CIPO's contribution to Canada's national IP Strategy, our constant focus on providing clients with quality and timely IP rights, and our contribution to the global IP system as we carried out in 2019–2020 the priorities established in our Five-Year Business Strategy 2017–2022.



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## About CIPO

CIPO is a special operating agency of Innovation, Science and Economic Development Canada (ISED) and is responsible for the administration and processing of IP in Canada. We have more than 1,000 employees and operate under a revolving fund authority. Our accountabilities are maintained through this annual report to Parliament, an annual private sector financial audit and our client service standards.

## Areas of activity



#### **Patents**

A patent is a legal right to prevent others from making, using or selling an invention for up to 20 years. The invention can be any of the following:

- a product (e.g. a door lock
- a chemical composition (e.g. a chemical composition used in lubricants for door locks)
- a machine (e.g. a machine that makes door locks)
- a process (e.g. a method for making door locks)
- an improvement on any of these



## **Trademarks**

A trademark is used to distinguish the goods or services of a person or an organization from those of others. It can be any of the following, or a combination thereof: words, designs, tastes, textures, moving images, modes of packaging, holograms, sounds, scents, 3-dimensional shapes and colours.

A registered trademark provides exclusive rights to use the mark for 10 years (a term that is renewable) and protects it under law from misuse by others.



## Industrial designs

An industrial design comprises the visual features of shape, configuration, pattern or ornament, or any combination of these features applied to a finished article. In other words, it is about how something looks. An industrial design registration provides exclusive rights for up to 15 years and protects a product's unique appearance.





## Copyright

Copyright is the exclusive legal right to produce, reproduce, sell, license, publish or perform any of the following, as long as it is an original:

- · a literary work
- · an artistic work
- · a dramatic work
- · a musical work
- · a sound recording
- · a communication signal
- · a performance

Unlike other IP rights, a copyright subsists in an original work from the moment it is created. Generally, copyright protection lasts for the lifetime of the author, plus 50 years after their death. In Canada, a certificate of registration of copyright is evidence that copyright exists and that the person registered is the owner.



## Geographical indications

A geographical indication is used on a product (i.e. wine, spirits, agricultural products and food) that has a specific geographical origin and possesses qualities or a reputation attributable to that origin. The term of protection for a geographical indication is indefinite.

## **Business priorities**

CIPO's Five-Year Business
Strategy 2017–2022 articulates
a clear vision of how we can
contribute to Canada's
innovation and economic
success, lays out the results
we seek to achieve for our
clients and shows where we
want to be as an organization.



## Advance innovation

Through a modern IP framework and active international collaboration



## Deliver quality and timely IP rights

Based on modern, efficient and quality-based services and processes



## Build IP awareness and education

By equipping innovators in Canada with the IP knowledge they need to succeed



## Offer a modern service experience

Through e-enabled services and a strong customer focus



## Foster an agile and high-performing organization

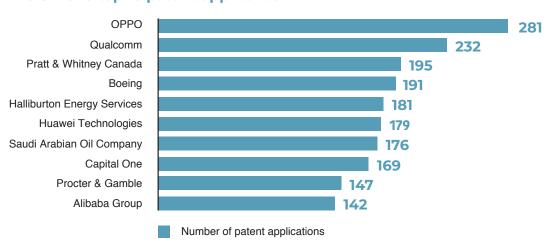
By investing in our staff and our workplace and managing our business with probity

## 2019–2020 by the numbers

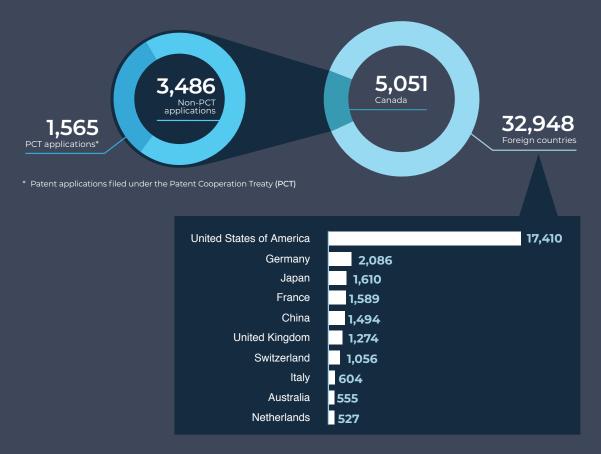
### **Patents**

37,999 applications	3%	$\downarrow$
Number of applications by sector		
► Chemistry: 12,679	3%	$\downarrow$
▶ Electrical engineering: 6,655	6%	$\uparrow$
▶ Instruments: 6,319	3%	$\downarrow$
Mechanical engineering: 8,040	3%	$\downarrow$
Other fields: 4,306	12%	$\downarrow$
28,209 requests for examinations	6%	$\downarrow$
21,005 grants	9%	$\downarrow$
↑ Increase from 2018–2019		

#### 2019-2020 top 10 patent applicants



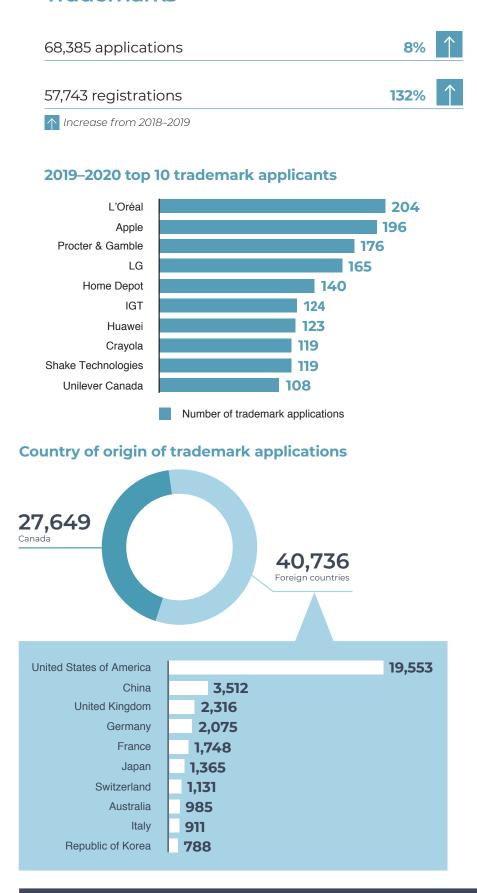
### **Country of origin of patent applications**



CIPO received **2,310** International Searching Authority applications and **175** International Preliminary Examination Authority applications.



## **Trademarks**



## Use of the Madrid Protocol

Between June 17, 2019, and March 31, 2020, Canada was designated in over **15,527** international trademark applications filed through the Madrid System. As an Office of origin, CIPO received **453** applications for international registrations.

## **Trademarks oppositions**

#### 654 oppositions

- ▶ 90% resolved through settlement negotiations between parties
- 99 opposition decisions rendered

18%



#### 702 requests for expungement (section 45)

10%



- ▶ 90% of trademarks automatically expunged since no evidence of use was filed by the registered owner
- > 74 section 45 decisions rendered

22%



↑ Increase from 2018–2019

Decrease from 2018–2019

## **Industrial designs**

7,408 applications



5,343 registrations

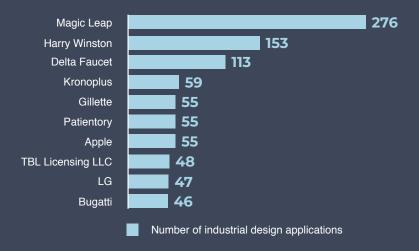


↑ Increase from 2018–2019

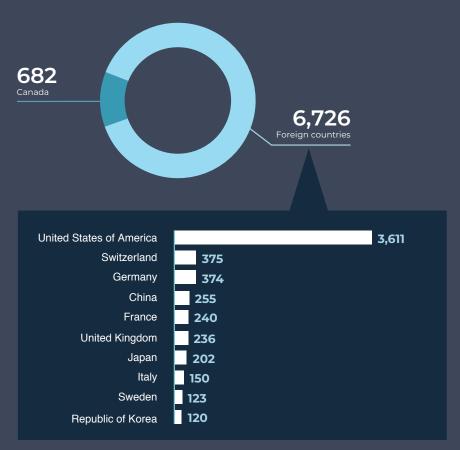


Decrease from 2018–2019

### 2019-2020 top 10 industrial design applicants



### Country of origin of industrial design applications



Figures for industrial design applications do not include designs filed at WIPO that have not yet been received in Canada.

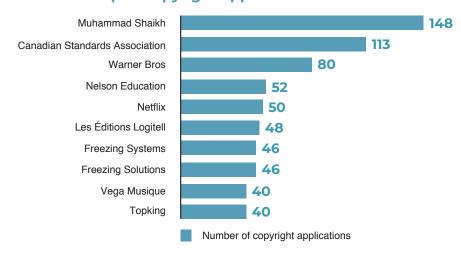
## Use of the Hague Agreement

Canada has been designated in over 1,845 international industrial design applications under the Hague Agreement; the applications contain over 12,021 designs.

## Copyright

8,753 registrations	5%	$\downarrow$
▶ Literary: 3,877	1%	$\downarrow$
Artistic: 1,232	<b>27</b> %	$\downarrow$
▶ Dramatic: 1,309	5%	$\downarrow$
► Musical: 790	3%	$\downarrow$
<ul> <li>Combination of literary, artistic, dramatic or musical: 862</li> </ul>	0.4%	$\downarrow$
► Sound Recording: 444	8%	$\downarrow$
▶ Performance: 216	454%	$\uparrow$
► Communication signal: 23	15%	$\uparrow$
↑ Increase from 2018–2019		

### 2019-2020 top 10 copyright applicants







## Advance innovation

In a global economy that is increasingly focused on innovation and intangible assets, CIPO must ensure that Canada's IP system is modern and connected. CIPO is active on the international stage, advancing Canada's domestic and international interests, and is attentive to the trends that shape the future of our IP system. We foster innovation by making it easier for businesses and innovators to protect and realize the benefits of their creations in Canada and abroad and by making IP data and research available to innovators.

## Connecting Canada's IP system to the world

Five years ago, Canada began the process of acceding to 5 international IP treaties to connect Canada's IP system to the world. In 2019-2020, CIPO implemented 4 of these treaties, namely the Madrid Protocol, the Singapore Treaty, the Nice Agreement and the PLT. These treaties—along with the Hague Agreement Concerning the International Registration of Industrial Designs, which came into force in November 2018—make it easier for Canadian innovators and businesses to acquire high-quality IP rights in multiple countries and markets and for non-Canadians to file for IP protection in Canada. These new conditions will benefit Canadian businesses as they look to enter or expand their presence in international markets. They will also attract foreign investments to Canada and facilitate international competitiveness and trade.

The implementation of these IP treaties required amendments to the Industrial Design Act, the Trademarks Act and the Patent Act, and the adoption of new Industrial Design Regulations, Trademarks Regulations and Patent Rules—changes that represent some of the most important reforms to Canada's IP regime in decades. Canada's newly modernized IP framework will allow us to keep pace with leading international standards and benchmarks and will provide important benefits for businesses.

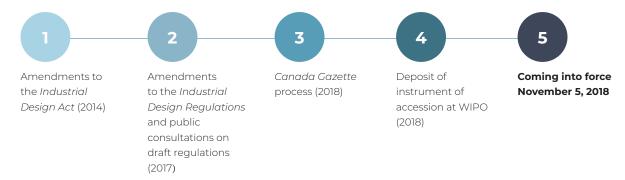
CIPO has already observed significant uptake of the new treaty provisions. In 2019–2020, Canada was designated in over 1,845 international industrial design applications containing over 12,021 designs. On our first day as a member of the Madrid Protocol, Canada was designated in 96 international trademark applications, the highest single-day total for any member country. By March 31, 2020, Canada had been designated in over 15,527 international trademark applications filed through the Madrid System. As an Office of origin, CIPO received 453 applications for international registration.



## CIPO's path to IP treaty implementation

#### **Hague Agreement**

The **Hague Agreement Concerning the International Registration of Industrial Designs** is an international registration system that allows applicants to file for industrial design protection in 90 countries through a single international application filed with WIPO, using a single currency.



#### **Madrid Protocol, Singapore Treaty and Nice Agreement**

The **Madrid Protocol** is an international registration system that allows applicants to file for trademark protection in 122 countries through a single international application filed with WIPO, using a single currency.

The **Singapore Treaty** is a trademark law treaty that aims to make national trademark registration systems more user friendly and reduce business compliance costs for trademark owners.

The **Nice Agreement** governs an international system used to categorize goods and services for the purpose of registering trademarks.



#### **Patent Law Treaty**

The Patent Law Treaty aims to harmonize and streamline patent administrative procedures among national IP offices. It addresses issues such as the provision of notifications to avoid the loss of rights, representation before the IP office and red tape reduction.



## Collaborating with our international partners

From September 30 to October 9, 2019, CIPO led a Canadian delegation at the Fifty-Ninth Series of Meetings of the Assemblies of the Member States of WIPO (General Assemblies) in Geneva. This provided a platform for CIPO to advance Canada's domestic and international IP interests within the context of major WIPO governance decisions and to engage with our international counterparts in bilateral and multilateral meetings.

As a member of the Vancouver Group comprising the IP offices of Canada, Australia and the United Kingdom we shared information and experiences on issues that are common and relevant to our mid-sized IP offices. We also participated in a plenary session with other member states of Group B+, seeking to promote and facilitate progress on the international harmonization of substantive patent law. We reached an agreement to review the goals and objectives of harmonization and identify related initiatives that might offer maximum benefit to users and offices

Over the past few years, CIPO joined economists from other national IP offices to draft and publish the Guidelines to using evidence from research to support policymaking, which were launched at the General Assemblies and are an

important milestone in promoting evidence-based policy-making.

On the margins of the General Assemblies, we met with members of the International Trademark Association Expert Group for the "IP Office of the Future" project. The Expert Group is composed of 7 current and 5 former heads of IP offices, including CIPO's Commissioner of Patents, Registrar of Trademarks and Chief Executive Officer. The project will culminate with the development of an independent report that presents a thought-provoking and holistic reflection on what an IP office might look like in the future.

In July 2019, CIPO participated in the 30th session of WIPO's Program and Budget Committee (PBC). The purpose of the PBC is to ensure that WIPO has the necessary resources to deliver on its objectives. In 2017, Canada was elected as one of the 53 PBC member states for the period from October 2017 to October 2021.

CIPO is an active member of WIPO's Committee on Development and Intellectual Property (CDIP), which seeks to develop and enhance the global IP system. During the 24th session of the CDIP, which was held in Geneva in November 2019, the committee unanimously adopted a project proposal from Canada, Brazil, Indonesia, Poland and the United Kingdom to develop a handbook and other reference materials to support member states in the elaboration of project proposals for the consideration of the CDIP.

In September 2020, the term of office of WIPO's current Director General will come to an end. Canada has a strong interest in the election of the new Director General, and CIPO—along with other Government of Canada departments—has engaged with candidates and other like-minded countries in assessing the candidates' qualifications. WIPO's Director General is an important figure in multilateral negotiations and is highly involved in guiding developments to the international IP filing system. CIPO was a member of Canada's delegation to the WIPO Coordination Committee responsible for the election and exercised its right to vote in March 2020.

CIPO is a signatory to 14 memoranda of understanding (MOUs) with other countries and organizations that promote cooperation and improve the functionality of the international IP system. Through these MOUs, CIPO fosters and maintains bilateral relations with our international counterparts to promote collaboration, strengthen the Canadian IP regime and enhance Canada's position in the international IP ecosystem. In January 2020, we renewed our MOU with the Mexican Institute of Industrial Property.

The Intellectual Property Rights
Experts Group (IPEG) of the Asia-Pacific
Economic Cooperation provides a forum
for the exchange of information and
best practices on IP administration and
policy in the Asia-Pacific Region. During
the IPEG meeting held in Santiago,
Chile, in February 2019, CIPO and other
members of the Canadian delegation
gave presentations on a number of
topics, including Canada's accession
to international IP treaties, Canada's IP
strategy, and economic research and
trends.



CIPO's Commissioner of Patents, Registrar of Trademarks and Chief Executive Officer, Johanne Bélisle, and the Chief Executive of the Intellectual Property Office of Singapore, Daren Tang, during a bilateral meeting at WIPO's General Assemblies. In March 2020, Mr. Tang won the nomination for the post of Director General of WIPO and is scheduled to take office on October 1, 2020.

CIPO is designated by WIPO as one of 23 International Searching Authorities and International Preliminary Examining Authorities under the PCT. In February 2020, CIPO hosted the annual Meeting of International Authorities (MIA) under the PCT and its associated Quality Subgroup, during which initiatives that shape the future of the PCT and improve the quality of international search and examination reports were discussed.



Annual MIA under the PCT

Since 1997, CIPO has organized, in collaboration with WIPO, an annual executive workshop for senior IP officials from developing and least developed countries. This workshop seeks to strengthen the governance capacity of IP offices by offering tools and techniques to face future challenges as well as providing a first-hand experience of the nature and scope of Canada's IP expertise. The 2019 CIPO-WIPO Executive Workshop was organized around the theme of Women in IP, sparking discussion on the role of women in innovation and IP.

#### **CIPO-WIPO Executive Workshop**

From June 3 to 7, 2019, CIPO hosted the 22nd Executive Workshop on the Application of Management Techniques in the Delivery of Intellectual Property Services. We welcomed representatives—half of whom were women—from 12 IP offices around the world, including delegates from Botswana, Cuba, Egypt, Gambia, Lesotho, Malawi, Nigeria, Trinidad and Tobago, Tunisia, Tanzania, and Zimbabwe, as well as a Ghanaian national representing the African Regional Intellectual Property Organization (ARIPO).



In November 2019, CIPO was invited to share its expertise at the ARIPO's Forty-Third Session of the Administrative Council and Council of Ministers in Liberia. CIPO presented on the Government of Canada's work to promote IP and innovation and facilitated a design-thinking workshop on developing an effective national IP strategy.



The ARIPO's Forty-Third Session of the Administrative Council and Council of Ministers in Liberia

## Connecting with our domestic stakeholders

By maintaining a dialogue with domestic stakeholders, CIPO gives clients an opportunity to provide feedback and contribute to the strengthening of Canada's IP framework—a framework that promotes innovation and economic development.

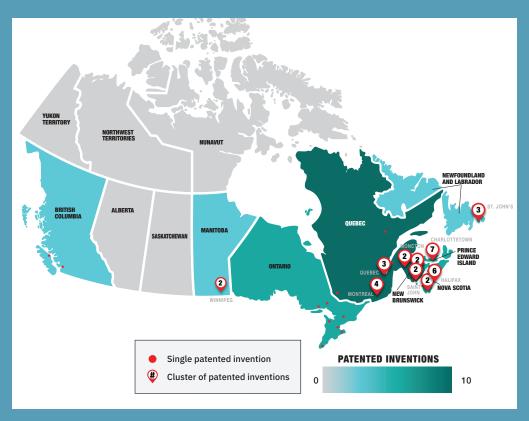
In September 2019, CIPO participated in the 93rd Annual Conference of the Intellectual Property Institute of Canada and presented an update on CIPO's projects and activities. We took part in a number of fora and roundtable discussions with stakeholders that represent the interests of IP rights holders in Canada, exchanging information, ideas and points of view on improving Canada's IP framework.

## Advancing IP research

CIPO's IP analytics capacity continues to evolve. Over the past year, our data scientists focused on finding efficiencies by automating data cleansing and sorting tasks, which previously required manual intervention. For example, they automated the creation of geographic maps of patenting activity across Canada. The robustness of our methodology in locating institutions and inventors based on the information included in the patent data has improved such that we can accurately determine whether a specific entity falls within a census metropolitan area as determined by Statistics Canada. This is only one way we are applying data science to improve our IP analytics reports to give decision makers a broad, yet accurate perspective of the patent landscape so they can understand the who, what and where of innovative activity in specific targeted sectors.

In March 2020, we partnered with the Conference Board of Canada to co-host the third annual IP research workshop. This full-day workshop focused on research around the themes of IP, scaling up and innovation. The event attracted over 150 participants from federal departments and agencies, other IP offices, the private sector, leading law firms and academia.

As part of Budget 2018, Statistics Canada administered a survey on IP awareness and use. CIPO, in collaboration with our partners at ISED, provided valuable input to the survey, which sought to identify how Canadians—including groups that have traditionally been less likely to use IP, such as women and Indigenous entrepreneurs—understand and use IP. The results of the survey will help improve targeted education and awareness initiatives to better meet the needs of Canadians.



CIPO contributes to innovation by providing innovators and policy-makers with the latest IP research and trends. The IP Canada Report is an annual publication that presents trends in IP usage by Canadians, both in Canada and around the world, and research conducted by CIPO and other partner organizations. This year's edition examined the relationship between IP awareness and use and the business activities of SMEs. As part of our annual industry snapshot, the report also examined patenting in agrifood and fish processing.

Geographical clusters of patenting related to processing in the fishing industry (IP Canada Report 2019)



## Deliver quality and timely IP rights

Delivering quality and timely IP rights is at the core of our business and is our most important priority. In an economy that is increasingly based on intangible assets, timely and quality IP rights give innovators and businesses the certainty and confidence they need to invest in their ideas and bring them to market.

## Increasing efficiency while maintaining a focus on quality

Over this past year, we amalgamated our Trademarks Branch and our Copyright and Industrial Design Branch to better serve clients who have portfolios encompassing various IP rights. This approach, practised by many other IP offices, will facilitate the integration of modern work tools and create efficiencies in examination and processing times. We also established new quality procedures and processes for trademark and industrial design examination and increased our quality objectives from 80% to 90% with respect to accuracy in applying the acts, regulations and supporting office practices. Within the next year, we will continue to engage with stakeholders on quality, with the objective of further increasing our examination quality to 95%.

In 2017, our Patent Branch obtained certification with the International Organization for Standardization standard for quality management (ISO 9001:2015). Our certification was renewed in March 2020 after a successful audit of our quality management system. Our Patent Examination Interview Service, which was first piloted in 2017, has now been expanded to all divisions in the Patent Branch. This service facilitates communication between clients and examiners, resulting in faster resolution of issues and better client service. We also identified efficiencies in our work distribution processes that will make turnaround times more consistent for patent examinations across patent fields. For example, we established examiner pools that allow examiners to share their work on, and knowledge about, specific files.

Every day, CIPO receives and processes an average of 1,250 emails, letters and faxes from clients. The Incoming Correspondence Unit was created in 2015 to centralize and optimize the processing of this correspondence for all lines of business. By managing correspondence centrally, CIPO was able to reduce turnaround times for processing incoming correspondence by 85%.

In 2019–2020, we established clear timeliness standards for all services for which we charge a fee and published them on the CIPO website. These service standards reinforce our accountability and increase predictability for clients. Beginning in April 2021, clients will be eligible for a remission of part of their fees if CIPO fails to meet its service standards.

## Improving our work tools

In 2019, CIPO launched a new IP document and file management system, a foundational step in improving our operations and equipping employees with the tools they need. This electronic repository system is designed to give our mobile workforce access to documents and give clients electronic access to IP case file documentation. Following this initiative, CIPO established the goal of digitizing its expanding portfolio of 1.8 million trademark files, and 45% of them were digitized by March 2020.

CIPO sends hundreds of letters and emails a day to inform clients of important status changes and deadlines regarding their IP rights. In 2019–2020, our Patent Branch introduced a new tool to fully automate the general letters and notices that are sent to clients, reducing the need to manually create, send and track them. This automation reduces the risk of error and improves operational efficiency while limiting extra costs.

Canada's accession to the PLT in 2019 brought many changes to the procedures and requirements for obtaining a patent. CIPO updated its Manual of Patent Office Practice (MOPOP) to reflect these changes and took the opportunity to expand on other administrative aspects related to granting a patent. The revised MOPOP was released a month in advance of the implementation of the PLT, allowing our clients to understand and prepare for the changes before they occurred. Since Canada's accession to the Singapore Treaty, the Madrid Protocol and the Nice Agreement, updates have been made to the existing Trademarks Examination Manual to reflect the changes in our examination procedures. Additional resources, such as the Madrid Examination and Procedures Manual, have also been created for trademarks filed with WIPO for international registration.



## **Turnaround times**

#### **Patents**

In 2019–2020, CIPO received 37,999 patent applications and granted 21,005 new patents. In recent years, CIPO has succeeded in reducing patent turnaround times, bringing us in line with our international counterparts. The average turnaround time—the time between a client's request for examination and the moment a patent is granted—was 31.1 months, down from 32 months in 2018–2019 and 33.6 months in 2017–2018.

The Patent Appeal Board provides an independent review of rejected patent applications. In the past year, the Patent Appeal Board received 71 rejected patent applications, down from 101 in 2018–2019. On average, the turnaround time for issuing a decision on an appeal was 30.1 months, up from 24.9 months the previous year. To increase efficiencies and reduce turnaround times, the Patent Appeal Board implemented an action plan, which includes a pilot project where certain rejected applications are reviewed by a single board member instead of 3.

#### **Trademarks**

In recent years, CIPO has seen a steady increase in trademark applications. In 2019–2020, we received 68,385 trademark applications, including 14,008 Madrid Protocol applications. This is an increase of 8% from the previous year in the total number of applications filed. CIPO also registered 57,743 trademarks, an increase of 132% from 2018–2019. The higher volume of new applications filed, together with our efforts to improve quality and implement 3 international trademarks

treaties, resulted in longer turnaround times for the overall pendency from filing to registration (35.3 months in 2019–2020, compared with 29.8 months the previous year). With the recruitment of new examiners and the introduction of better work tools in 2019, CIPO is positioning itself to reduce the turnaround times and decrease its inventory.

The Trademarks Opposition Board hears cases where an opponent objects to the registration of a trademark or requests that a trademark registration be expunged. In 2019-2020, the Trademarks Opposition Board received 654 oppositions and 702 requests for expungement, which is fewer than the previous year (801 oppositions and 786 requests for expungement). On average, 2.5% of advertised trademarks are opposed, and 90% of oppositions get resolved through settlement negotiations between parties. As for trademark expungements, on average, 90% of those requested are expunged without a formal proceeding because the registered owner does not file evidence of use.

### **Industrial designs**

In 2019-2020, CIPO received 7,408 industrial design applications, including 1,845 Hague Agreement applications. We registered 5,343 industrial designs, a decrease of 4% from 2018-2019. Turnaround times from filing to registration were slightly longer than in the previous year (13.7 months in 2019–2020 compared with 12.7 months in 2018-2019). In the near future, we expect a return to lower turnaround times as we adjust to the new industrial design regime and gain efficiencies from our newly amalgamated Trademarks and Industrial Designs Branch.



## Build IP awareness and education

Through awareness and education, CIPO helps
Canadian businesses and entrepreneurs leverage
their IP. Over the past year, we expanded our digital
offerings and developed new resources with our
partners to target high-growth, export-ready and
high-potential SMEs in key growth sectors
and under-represented groups.

## Improving IP literacy

In 2019–2020, CIPO held more than 120 seminars and webinars—attended by more than 1,400 participants—on a range of topics such as IP foundations, IP strategy, IP commercialization and the protection of IP in other countries. Leveraging the expertise of our partners, we also developed new seminars on IP enforcement with the Canadian Bar Association, on IP and traditional knowledge and cultural expressions with the Centre for International Governance Innovation, and on the interoperability between IP and standards with the Standards Council of Canada. We also collaborated with Sustainable Development Technology Canada and co-developed IP information on the expedited process for clean technology patent applications and on the differences between patents and trade secrets.

Furthermore, we worked with Agriculture and Agri-Food Canada and the Canadian Food Inspection Agency to launch 2 new resourcesa fact sheet and a roadmap—on plant breeders' rights (PBR). Finally, we collaborated with the Institut de médiation et d'arbitrage du Québec and the Alternative Dispute Resolution Institute of Canada to develop content on alternative dispute resolution.

Building on the success of our existing IP seminars and webinars, we launched an e-learning series to provide core knowledge on the different types of IP rights. Canadian businesses and innovators now have access to engaging and on-demand information about patents, trademarks, industrial designs and copyright. Additionally, to help SMEs and innovators better understand IP and incorporate it into their business strategy, we launched a new, content-rich online IP strategy assessment tool that provides users with access to a tailored guide to what they should consider when developing their IP strategy.

We added a number of new tools to CIPO's IP Toolbox, including "Doing business abroad" guides for Australia, Japan and Mexico, a fact sheet on IP and clean technologies, and the aforementioned fact sheet and roadmap for PBR. We also added new online resources on IP asset management, IP valuation and alternative dispute resolution.







Looking to export? CIPO launched 3 new guides for Australia, Japan and Mexico as part of the "Doing business abroad" series on our IP Toolbox web page.

These guides contain a wealth of information, tips and links to help entrepreneurs secure their IP rights in foreign countries.

## Raising IP awareness through partnerships

Through more than 50 partnerships and collaborations with federal and provincial governments, business associations, incubators, intermediaries and academia, CIPO's IP awareness and education program promotes the strategic use of IP among SMEs in key growth sectors. In 2019–2020, we signed MOUs with

long-standing collaborators, including Global Affairs Canada's Trade Commissioner Service and Startup Canada. We also formalized new collaborations with Corporations Canada, the Department of National Defence, the Standards Council of Canada and Natural Resources Canada.

As part of an ongoing effort to expand our presence in innovation-focused networks, CIPO participated in more than 375 events across Canada, consisting of conferences, trade shows and training events such as seminars and webinars. We also met one-on-one with more than 850 entrepreneurs to answer their IP questions and provide tailored IP resources.

CIPO also participated in 2 workshops for Indigenous peoples: the Practical Workshop on Intellectual Property, Traditional Knowledge and Traditional Cultural Expressions for Countries from the Arctic Region, held in Iqaluit and organized by WIPO and the Government of Canada; and the Workshop on Indigenous Traditional Knowledge, Traditional Cultural Expressions, and Intellectual Property held in Montréal and organized by McGill University's Centre for Intellectual Property Policy and ISED.

#### Reach for Gold: IP and Sport

As part of World IP Day, CIPO hosted a panel and networking reception in the National Capital Region, where partners, stakeholders and IP leaders discussed the importance of IP in sports—an economic sector with global reach.



Panelist Blaine Hoshizaki, Director of the Neurotrauma Impact Science Laboratory at the University of Ottawa, speaks about IP and sports.

In partnership with Global Affairs Canada, we participated in the United Nations' Girls in ICT Day event, "Driving female entrepreneurship and social impact through Information and Communications Technology," where more than 150 young women learned about IP. We also participated in 2 International Women's Day activities organized by Startup Canada and the Indo-Canada Chamber of Commerce.

We also worked actively to train our partner organizations' staff on IP and the important role IP plays in today's knowledge-based economy. We held more than 22 training sessions and, in the process, trained more than 650 intermediaries who directly support innovative SMEs. Organizations that received the training include ISED (Innovation Superclusters Initiative, Economic Strategy Tables), the National Research Council of Canada (Industrial Research Assistance Program), the Department of National Defence (Innovation for Defence Excellence and Security [IDEaS] program), the Standards Council of Canada and Global Affairs Canada (Trade Commissioner Service).

To further our reach, we embedded our IP tools and resources on the digital platforms and websites of our partners and collaborators, including Global Affairs Canada's Trade Commissioner Service, Innovation Canada, the provincial governments of Ontario and Quebec, the Centre for Global Enterprise, IP Osgoode and the Canadian Tooling and Machining Association.



## Offer a modern service experience

At the heart of excellent service is a deep understanding of the needs and perspectives of clients. In 2018, we conducted a client satisfaction survey that helped us identify opportunities for improvement and define a vision of service excellence that is client-centric and e-enabled. Our various feedback mechanisms ensure that we continue to gather and respond to client feedback on an ongoing basis and foster a culture of continuous service improvement.

## Committing to service excellence

Building on the service improvement priorities identified by our client satisfaction survey, we regularly analyze client feedback from multiple sources, including CIPO's online feedback form, our Client Service Centre's front-line officers and lines of business. We identify actionable service improvements and report on the actions taken in response to feedback.

In 2019–2020, through specialized sessions and workshops, we continued to equip and empower our employees to deliver services with excellence and efficiency. We upgraded our learning framework to

include a service excellence module. encouraging employees to take into account clients' perspectives in all aspects of service design and delivery. As of March 2020, over 10% of CIPO's workforce had taken part in our Clients First workshop. Participants of the workshop act as service ambassadors within the organization, applying client-centric approaches to their daily work and service improvement projects. To further reinforce our commitment to service excellence, we added service objectives to all employees' performance agreements and recognized exceptional contributions through a service excellence award.

## Providing clientfocused and e-enabled services

In 2019-2020, CIPO implemented a number of new solutions to better meet the needs of clients. The ability to record calls coming into our Client Service Centre permits us to evaluate the quality of client interactions and further informs quality control activities and training content by providing concrete examples for improving etiquette and consistency of information. We also acquired tools to generate and transmit certified copies of IP documents electronically, which has reduced the number of physical files we handle and improved the timeliness of this service for clients. Since May 2019, clients who conduct in-person business with CIPO (at 50 Victoria Street, Gatineau) can access free Wi-Fi throughout the building.

To improve our clients' e-service experience, we upgraded the navigation features of the patent e-filing tool. New navigation menus clearly identify each step of the application process, highlighting the steps that are mandatory and those that are complete. The automated fee calculator estimates the clients' payable fee amount and suggests optional service fees based on the information provided by clients. An enhanced preview option also makes it easier for clients to match their payments to their submissions.

Since the coming into force of the modernized trademarks legislative framework on June 17, 2019, we made significant improvements to trademarks online services. Specifically, we implemented new system automations pertaining to the Trademark E-Registration and E-Renewal service in February 2020. Transactions for new trademark applications and renewal requests can now be automatically processed upon submission. As a result, the system sends correspondence pertaining to the incumbent via email within an hour. This initiative originated from a collaborative workshop facilitated by PricewaterhouseCoopers in July 2019 and has been well received by CIPO's clients.

With the advent of the Hague Agreement for industrial designs, we introduced a new e-amendment solution that permits basic online amendments to industrial design applications. This solution offers a secure and fully integrated experience to clients who are accustomed to e-filing. Through a new e-mailbox, clients can receive and manage electronic communications from the Industrial Design Office.

To ensure timely receipt and processing of documents by the Trademarks Opposition Board, users can now submit the majority of documents for opposition and section 45 proceedings online, including statements of opposition, counter statements, section 45 notices, evidence, written representations, hearing requests, extensions of time and general correspondence.

Finally, we began optimizing the CIPO website, starting with a reorganization of the website's main content to make it easier for clients and innovators to find and access information about IP. We will continue to make improvements to our website over the coming year.

## Improving the usability of CIPO databases

In 2019–2020, CIPO introduced a number of tools that improve digital access to IP data. This is an important step in realizing our vision of making IP data more widely available, accessible and usable for innovators, businesses and researchers.

Over 15 million searches are conducted in the Canadian Patents Database and Canadian Trademarks Database annually. CIPO made several performance improvements to these databases and put in place the infrastructure required for future improvement. The Canadian Patents Database now contains more fields of information, including fee payment, due dates, full ownership information and a complete description for patents granted since 1978. Where possible, the forecasted issuance date of a patent is also included. These improvements increase the amount of information available to clients and should reduce the number of associated calls to our Client Service Centre. The Canadian Trademarks Database has also seen the addition of new features in accordance with the recent accession to

the 3 international trademark treaties, including a new user interface and improved search capabilities.

In June 2019, CIPO launched IP Horizons, a new web-based service providing free and direct access to bulk IP data from Canada. Replacing the dated practice of using physical media, the new service enables interested parties to download and automate transfers of bulk data at their convenience, free of charge. In coming years, IP Horizons will evolve to introduce new data products, file formats and information.

The Patent Appeal Board now publishes its Commissioner's decisions on the CIPO website using the Decisia platform. This platform, which CIPO uses to publish decisions of the Trademarks Opposition Board, offers a more advanced user interface and search capabilities and provides a better user experience overall.

To help clients and innovators find registered trademark and patent agents, CIPO introduced an online IP Agent Search tool. Clients can find agents near them using Google Maps geolocation, export their search results to various formats and print information about specific agents who can assist them in protecting their IP.



# Foster an agile and high-performing organization

CIPO's diverse and skilled workforce is the foundation of our success. We are committed to providing employees with the knowledge, tools and work environment they need to perform their jobs effectively and efficiently. Over the past year, we continued to recruit employees and invest in the training and well-being of our workforce. The modernization of our workspace has begun, which will provide a modern, connected and collaborative work environment.

## A highly skilled workforce

In the past year alone, CIPO hired 50 new patent examiners as part of a multi-year campaign to recruit a new cohort of examiners in all patent divisions. A new intensive training and apprenticeship program will bring these new examiners to full productivity in less than 2 years. In addition, CIPO hired 37 new trademark and industrial design examiners to address a rise in application volumes and reduce turnaround times. Finally, we added 3 new members to the Patent Appeal Board to reduce inventory levels and turnaround times for patent appeals.

With an eye to the future, we brought in 101 students through the Federal Student Work Experience Program and co-op employment program. Students represent the future of CIPO, and it is our goal to provide a positive working experience and a rewarding career option. Recognizing the value of diversity

and inclusiveness in the workplace, we also hired several employees through the Federal Internship for Newcomers Program, the Indigenous Student Employment Opportunity, the Employment Opportunity for Students with Disabilities and the LiveWorkPlay program.

Legislative changes associated with the new patent and trademark treaties resulted in significant changes to CIPO's policies and office practices. We reviewed training programs for both patent and trademark examiners to equip employees with the knowledge and tools necessary to conduct their duties under the new regime. In our Patent Branch alone, we provided 70 training sessions on the concepts and rules that were modified after the implementation of the Patent Law Treaty and 36 hands-on training sessions on changes to the processing of patent applications.

## A respectful and healthy workplace

At CIPO, we recognize the equal status of the French and English languages and believe that bilingualism is necessary to providing excellent service to Canadians. In 2019-2020, we continued our efforts to strengthen our bilingual capacity and establish a workplace culture that uses both official languages. We supported employees in the acquisition or maintenance of their second official language through initiatives such as the Official Languages Development Program, the Informal Language **Mentoring Program and reading** groups. As of March 2020, 82% of CIPO employees in managerial or supervisory positions were fluently bilingual, an increase of 23% in the last 3 years.

Throughout the year, we offered training and information sessions on mental health, civility and respect in the workplace. We provided training on creating a positive space to foster a safe, open-minded, unbiased and progressive work environment for all our employees, including members of the lesbian, gay, bisexual, transgender, queer and 2-spirit (LGBTQ2+) communities. We also continued to encourage well-being and resilience through the 30 Day Mindfulness Challenge. As of March 2020, 130 employees had taken up the challenge.



## A modern work environment

Improving CIPO's IT infrastructure and work tools has been a focus over the past several years and continues to be an area of significant investment. To deliver on our IT modernization objectives more effectively and efficiently, we have set up 2 dedicated modernization portfolios: 1 for client-facing digital services and 1 for our back-end systems. Over the past year, IT improvements included new laptops and scanners, upgraded conference rooms and a Wi-Fi network that is accessible in all CIPO offices, hallways and meeting rooms.

In 2019–2020, CIPO continued to advance workplace modernization with a view to providing more modern and collaborative workspaces to CIPO employees as well as supporting the easing of restrictions in response to the COVID-19 pandemic. Throughout the project, CIPO is committed to ongoing engagement with employees, managers, unions and stakeholders to ensure the changes we make meet our needs for the coming years.

## Responsible financial management

CIPO is committed to management excellence and sound financial stewardship to ensure its long-term financial viability. In the last 2 years, we deployed substantial efforts to develop and promote a long-term financial strategy. We also designed tools and reports that provide key financial information to inform and support timely decision making. For the 25th consecutive year, our financial audit resulted in an unqualified audit opinion. CIPO's financial strategy remains flexible, enabling management to shift resources as new priorities arise.

## Looking ahead

Emerging global trends are shaping the future of the global IP system. CIPO has an opportunity to be part of these developments and to ensure that they benefit Canadian innovation and competitiveness.

We will continue to work with our international counterparts to harmonize the global IP system and ensure that Canada's IP system keeps pace with the evolving nature of the global economy. Through our IP awareness and education program, we will provide Canadian businesses and entrepreneurs with the latest knowledge and tools they need to leverage their IP and grow to scale in a global market.

Delivering quality and timely IP rights will remain our primary focus. We will build on current initiatives to manage quality and reduce turnaround times and will continue to seek our clients' feedback on how to better meet their needs. By investing in the development and well-being of our employees, we will ensure our workforce is engaged, equipped and ready to meet the current and future needs of our clients.

## Spotlight on Canadian IP in sports

## **Patents**

## Impact diverting mechanism

Description: This micro-engineered layer can be mounted inside or outside a sport helmet or embedded in a skullcap to provide additional protection. The membrane acts like an intermediary layer and reduces the transfer of the rotational force to the head during impact.

Patent number: CA2874768

Owner: Simon Fraser University – Shield-X

Technology

**Issuance date:** October 2, 2018 **Sector:** mechanical engineering





### **Trademarks**

#### **HockeyShot**

**Description:** HockeyShot is a familiar name in the hockey community. This New Brunswickbased company has expanded its brand across Canada, the U.S. and Europe and has become a large player in online specialty retailing of hockey training equipment.

Registration number: TMA 828290

Registered owner: Skillmaster Shooting

Range Inc.

Registration date: July 18, 2012

Trademark type: word





## Industrial designs

#### BIXI

**Description:** BIXI is an eco-friendly bike-sharing system consisting of a docking station and kiosk where bikes can be rented by credit card, membership card or mobile app. The system has been successfully implemented in more than 30 cities around the world.

National application/registration number: 167109 Registered proprietor: PBSC Urban Solutions Inc.

Registration date: December 23, 2016



## Copyright

#### The "Hockey Night in Canada" theme

**Description:** The "Hockey Night in Canada Theme" is an iconic Canadian theme song that was composed in 1968 by Dolores Claman.

Registration number: 387712

Owner: Bell Media Inc.

Registration date: April 11, 1989

Type: Musical



## Additional information

## Corporate and financial statistics are available on the CIPO website.

#### **Financial information**

- Revenues by products and services
- Operating expenditures by category
- Expenditures by branch grouping
- Patent revenues
- Trademark revenues
- Industrial design revenues
- Copyright revenues

#### **Patents**

- Requests for examination
- Disposals
- Turnaround times
- Applications by language
- Applications, requests for examination and patents granted by sector
- Applications and patents granted to residents of Canada and foreign countries
- Applications filed and patents granted by origin as stated by the applicant
- ► Top 10 applicants
- ► Top 10 patentees
- Patent Appeal Board operational statistics

#### **Trademarks**

- Applications
- Disposals
- Turnaround times
- Applications by language
- Applications and registrations by province or territory
- Applications filed and trademarks granted by origin as stated by the applicant
- ▶ Top 10 applicants
- ► Top 10 registered owners
- Trademarks Opposition Board operational statistics

#### **Industrial designs**

- Applications
- Disposals
- Turnaround times
- Registrations by language
- Applications and registrations by province or territory
- Applications and registrations by origin as stated by the applicant
- ► Top 10 applicants
- ► Top 10 registered proprietors

#### Copyright

- Applications
- Disposals
- Applications by language
- Applications and registrations by province or territory
- Applications and registrations by origin as stated by the applicant
- ► Top 10 applicants

#### **General statistics**

- Product outputs
- Client inquiries

#### Client service standards

- Patents
- Trademarks
- Copyright
- Industrial designs
- Integrated circuit topographies