

Changes In Canadian Trademark Law – Opportunities And Strategies

A number of changes to Canada's trademark laws will come into effect on June 17, 2019. Some of the more important changes are summarized below. These changes provide opportunities for registration that may not have been available to brand owners previously, as well as strategies for cost savings.

Some of the more important changes include:

- Canada no longer will require evidence of use of a mark in Canada to obtain a registration.
- The term of registrations will be reduced from 15 years to 10 years.
- Canada will adopt the Nice classification system (the same as the one used in the United States and other countries) and will start charging fees based on the number of classes in an application.
- Government filing fees for filing, registration and renewal will increase.

Because of these changes, brand owners may want to take advantage of the current filing regime to save money in filing fees or to obtain treatment that is more favorable. Brand owners who are not yet using marks in Canada also may want to file applications now, regardless of whether they have registrations in the United States, in order to get priority in the Canadian registration queue over someone else who may try to register the mark. Brand owners with existing registrations in Canada also may be able to take advantage of filing and cost savings strategies.

The [Partridge Snow & Hahn Intellectual Property and Technology Group](#) works with clients of all sizes to assist with selecting, protecting and enforcing trademarks in the United States and throughout the world. The firm maintains relationships with attorneys around the world, allowing us to assist U.S. based clients to expand and protect trademark rights outside the United States, and to assist non-U.S. based clients to protect trademark rights in the United States.

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