

An Agency of Industry Canada Office de la propriété intellectuelle du Canada

Un organisme d'Industrie Canada



Joining the Madrid Protocol Policy and Legal Challenges Facing Canada

Puebla, Mexico March 2015

Darlene Carreau

Canadian Intellectual Property Office









Canada's Marketplace Framework

Attract beneficial investment to Canada

Foster competition and drive innovation, productivity and prosperity

Improve consumer outcomes by increasing choice and supporting confidence in the marketplace

Harness and guide incentives facing private sector actors to create value in the economy

Our Country, Our Parliament

Context



Introduction of Combating Counterfeit Products Act (Bill C-8)

Ratification of WIPO Internet Treaties

Passage of Bill- C31 (BIA)

Passage of Anti-camcording Legislation

Passage of
Copyright
Modernization Act

CETA Announcement (incl. changes to IP)

Tabling of five intellectual property treaties and legislative changes in BIA

CIPO's ongoing business and process improvements in IP administration to increase efficiencies and improve turn-around-times

2007

2012

2013

2014

There have been many accomplishments to date to improve the IP regime for businesses and innovators.





FIVE INTERNATIONAL TREATIES

- Madrid Protocol
- Singapore Treaty
- Nice Agreement
- Hague Agreement
- Patent Law Treaty



WHAT DO YOU NEED TO CONSIDER?















LEGAL POLICY CHALLENGES:

- Ensuring the necessary legal framework is in place
- The concurrent implementation of the 3 WIPO Treaties: Madrid Protocol, Singapore Treaty and Nice Classification System
- The need for a modern administrative framework and new legislation (The Canadian Trademarks Act has not been substantially amended since 1953)
- Strong degree of comfort with the old way of doing business
- Breathing life into Madrid by way of Regulations



EAHLURE SUCCESS



Canada's



- Political buy-in and understanding
- Understanding Madrid and its domestic implementation
- Stakeholder Engagement
- Consultation
- IT Readiness
- Dedicated Resources
- Implementation Roadmap
- Limit Implementation
- Don't be afraid to ask for help!



THANK YOU!







Follow CIPO on Twitter

@CIPO_Canada

Connect with CIPO on LinkedIN

@Canadian Intellectual
Property Office

Email:

Darlene.carreau@ic.gc.ca



Canada