

# THINGS TO DO NOW AHEAD OF CANADA'S NEW TRADEMARK LAW (JUNE 17, 2019)

SMART & BIGGAR

Intellectual Property & Technology Law

Canada's new trademark law will be in force on June 17, 2019.  
Mark your calendars and get ready with these four tips for actions to take now:

1

## RENEW AND CLASSIFY REGISTRATIONS

Save money by renewing registrations before June 17, 2019.

Under the new law, **renewal fees will be rising significantly** including the introduction of a new per-class fee structure.

Since there is no limit on how far in advance you may renew a registration you can renew all your registrations now.

If not already done, consider classifying goods and services at the same time, since classification will be required in the future.

2

## FILE MULTI-CLASS APPLICATIONS

Save money by filing multi-class applications before June 17, 2019.

Currently, there is a flat fee for filing applications regardless of the number of classes.

The **new law will introduce a per-class fee structure.**

To take advantage of the current low fee structure, file multi-class applications before June 17, 2019.

3

## PUSH ALLOWED APPLICATIONS TO REGISTRATION

Any **registration issuing before June 17, 2019 will have a term of 15 years instead of 10 years** for registrations issuing after June 17, 2019.

For all allowed applications, file Declarations of Use (if possible) and/or pay registration fees early to try to secure a registration before June 17, 2019.

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## TROLL-PROOF YOUR PORTFOLIO

**Trademark trolls have arrived in Canada** because of the impending elimination of the use requirement to secure a registration. If a troll files first, it could block your application and even prevent you from using your own mark.

Protect your portfolio by filing for unprotected trademarks and expanding goods and services in existing registrations.