

Chapter 1

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Chapter 1

Contacting the Patent Office

1.01 Location of the Patent Office

The Patent Office is located at Place du Portage I, 50 Victoria Street, Gatineau, Quebec. The most usual telephone numbers of the Patent Office are:

General information: (819) 997-1936

General information facsimile: (819) 953-7620

Mail room: (819) 997-1727

Finance: (819) 994-4682

1.02 Correspondence in person or by mail

All mail correspondence ¹ for the Commissioner of Patents or for the Patent Office should be addressed to:

The Commissioner of Patents
Canadian Intellectual Property Office
Place du Portage I
50 Victoria Street
Gatineau, Quebec K1A 0C9

All such correspondence shall be considered to be received by the Commissioner on the day that it is delivered to the Patent Office, designated Industry Canada Regional Offices or designated courier services where delivery is made during the business hours of those establishments. These designated establishments are ²:

1. The Registered Mail Service of Canada Post.
2. Industry Canada
C.D. Howe Building
235 Queen Street, Room S-117
Ottawa, Ontario
K1A 0H5
Tel.: (613) 990-4582
3. Industry Canada
5 Place Ville-Marie, Suite 700
Montreal, Quebec
H3B 2G2
Tel.: (514) 496-1797

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| 4. Industry Canada
151 Yonge Street, 4th Floor
Toronto, Ontario
M5C 2W7
Tel.: (416) 973-5000 | 5. Industry Canada
Canada Place
9700 Jasper Avenue, Suite 725
Edmonton, Alberta T5J 4C3
Tel.: (780) 495-4782 |
| 6. Industry Canada
Library Square
300 West Georgia Street, Suite 2000
Vancouver, B.C. V6B 6E1
Tel.: (604) 666-5000 | |

Changes to these designated establishments will be identified in the *Canadian Patent Office Record*. At each of the above establishments, all correspondence will be date-stamped on receipt during their business hours. This date will serve as the basis for all time related requirements under the *Patent Act* and *Patent Rules*, including filing dates of patent applications.

Correspondence arriving physically at the Patent Office, elsewhere than at the mail receiving unit, is forwarded to the mail receiving unit where it will be then, date-stamped with the date of receipt by the mail receiving unit during the Patent Office business hours. Until it is date-stamped by the mail receiving unit or a designated establishment, correspondence does not have an official date.

1.03 Facsimile transmissions

The Patent Office accepts facsimile transmissions in respect of applications or other correspondence. Facsimiles have to be addressed to the Commissioner of Patents using the following numbers ³ (facsimile equipment of the mail receiving unit):

(819) 953-CIPO (953-2476) or
(819) 953-OPIC (953-6742)

1.04 Correspondence electronically transmitted via the Canadian Intellectual Property Office (CIPO) Website

Correspondence addressed to the Commissioner of Patents for filing patent applications may be sent electronically via the CIPO website at the following addresses ⁴:

https://strategis.ic.gc.ca/sc_mrksv/cipo/patbrev-filing/application/engdoc/pt_filing_form-e.html

or in French to:

https://strategis.ic.gc.ca/sc_mrksv/cipo/patbrev-filing/application/frndoc/pt_filing_form-f.html

Any other correspondence addressed to the Commissioner of Patents relating to applications and patents (e.g. fee payments, registering documents, requesting national entry of an international application), may be sent electronically via the CIPO website at the following addresses:

https://strategis.ic.gc.ca/sc_mrksv/cipo/patbrev-filing/application/engdoc/pt_correspondence-e.html

or in French to:

https://strategis.ic.gc.ca/sc_mrksv/cipo/patbrev-filing/application/frndoc/pt_correspondence-f.html

The document presentation requirements related to *Patent Rules* 68, 69 and 70 apply to electronically submitted correspondence, including facsimile. The acceptable file format for documents submitted electronically via the CIPO website, such as assignments or specifications are: multi-page TIFF CCITT Group 4, black and white, at 300 DPI or in PDF format. Sequence listings will have to be provided in both a multi-page TIFF or PDF file and in an ASCII file. Documents received electronically that do not meet these requirements will have to be replaced and submitted in an acceptable format.

1.05 Date of reception

In accordance with the above:

- Mail intended for the Patent Office and delivered, during business hours, to

CIPO's offices in Gatineau will be accorded the date of reception by CIPO.

- Mail intended for the Patent Office and delivered, during business hours, to one of Industry Canada's regional offices listed above, will be considered to be received on the date of reception in that office, only if it is also a day on which CIPO's offices in Gatineau are open. Mail delivered to a regional office on a day when CIPO's offices in Gatineau are closed will be considered to be received on the next working day for CIPO. If, for example, mail intended for the Patent Office is delivered to Industry Canada's regional office in Toronto on June 24, it will not be considered to be received on June 24 as this is a day on which CIPO's offices in Gatineau are closed. Mail delivered to regional offices outside of Quebec on June 24 will be considered to be received on the next working day for CIPO.
- Mail intended for the Patent Office and delivered through Canada Post's Registered Mail Service will be considered to be received on the date stamped on the envelope by Canada Post Corporation, if it is also a day on which CIPO's offices in Gatineau are open. If the date stamp on the Registered Mail is a day when CIPO's offices in Gatineau are closed, the mail will be considered to be received on the next working day for CIPO.
- Mail intended for the Patent Offices and delivered, by electronic means of transmission, including facsimile, will be considered to be received by the Commissioner on the day that it is transmitted if received before midnight, local time at the Patent Office in Gatineau. When the Patent Office is closed for business, correspondence received on that day will be considered to be received on the next working day.

1.06 Interviews

Subject to the conditions imposed by subsection 6(3) of the *Patent Rules*, authorized correspondents, applicants and patent agents may meet with examiners about pending applications. Appointments should be made in advance so the examiner will be available and prepared to discuss the prosecution. Interviews concerning the prosecution of applications, including applications that have received final action, may be requested at any stage of the prosecution, and are conducted by the examiner in

charge of the application. Where an agent has been appointed, the agent must be present at the interview or must have given authorization for it. In the case of an interview with a new examiner still under training, other more experienced members of the Patent Office staff should be asked to assist or should be consulted. Problems that do not concern the examination process are referred to the appropriate section of the Patent Branch.

The Commissioner does not meet with agents or inventors about prosecution problems related to specific applications.

1.07 Publications related to Canadian documents

The Canadian Patent Office Record (CPOR) is published weekly every Tuesday. It contains a list of all the published patent applications and all the patents granted for the week ending with the Tuesday of the publication. It contains also important notices. Copies of the CPOR are available via the CIPO website at the following addresses:

<http://strategis.ic.gc.ca/patents/record>

or in French at:

<http://strategis.ic.gc.ca/brevets/gazette>

Copies of Canadian patents and opened applications as filed, can be downloaded in Adobe Acrobat format via the CIPO website at the following address:

<http://patents1.ic.gc.ca/intro-e.html>

or in French at:

<http://patents1.ic.gc.ca/intro-f.html>

These copies may also be purchased via the Reproduction and Sales Service of CIPO via the CIPO website using the “Order Patent Document” link at the following addresses:

http://strategis.gc.ca/sc_mrksv/cipo/patents/pt_order_doc-e.html

or in French at:

http://strategis.gc.ca/sc_mrksv/cipo/patents/pt_order_doc-f.html

or in person or by mail to:

Reproduction and Sales Service
Canadian Intellectual Property Office
Industry Canada
Place du Portage I
50 Victoria, Room C229
Gatineau, Quebec K1A 0C9

Telephone: (819) 997-2985 (from 8:30 a.m. to 4:30 p.m. EST)

Fax: (819) 953-9969 (operational 24 hours a day)

E-Mail: patentorder@ic.gc.ca

Endnotes for Chapter 1

¹ For the purposes of subsections 5(2), 5(3), 54(1) and 54(2) of the *Patent Rules*

² For the purposes of subsections 5(4), 5(5), 54(3) and 54(4) of the *Patent Rules*

³ In accordance with section 8.1 of the *Patent Act* and for the purpose of subsections 5(6), 5(7), 5(8), 54(5), 54(6) and 54(7) of the *Patent Rules*

⁴ In accordance with section 8.1 of the *Patent Act* and for the purpose of subsections 5(6), 5(7) and 5(8) of the *Patent Rules*