

**Trade-marks Office**  
**On-line Electronic Filing**  
**Training Manual**



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# 1. Introduction

## 1.1 *Manual Objective & Design*

The objective of this manual is to provide the required skills for using the Trade-marks Office On-Line Electronic Filing to complete your application in the most effective and efficient manner.

## 1.2 *Requirements*

### 1.2.1 Monitor and colors

It is suggested that in order to obtain maximum reading and viewing capabilities a monitor with a resolution of 600 x 800 pixels should be used with the colors set at 256.

### 1.2.2 Other accessories

A mouse will enable you to easily select desired fields, hypertext links or buttons.

Access to the following accessories will also be useful:

Printer:	For printing hard copy pages for future reference or for filing purposes.
Scanner:	Will enable you scan and save the trade-mark as an image file in a TIF. or TIFF. format and also scan other relevant information you may wish to submit along with your application as attachments.

## 1.3 *Product Performance*

You may increase the speed performance by not downloading graphics. To do so, access your browser options and disable the *Auto Load Image* option.


## 2. Common Buttons and Hypertext links


### 2.1 Screen layout

Most of the following buttons and hypertext links are seen on every screen. When one of the hypertext links on the left is selected, that screen will be generated and displayed for you to complete or to modify any information that you have previously entered.



## 2.2 Screen buttons and hypertext links

When you click on the  button in the Main menu page, the Correspondence Details page is generated and this screen will be displayed.

If you click on the  button after entering a saved file name, the Correspondence Details page will also be displayed.

While in the Correspondence page, if you select the hypertext link [Applicant](#) you will go to the Applicant Details page. If you select the hypertext link [Trade-mark](#) you will go to the Trade-mark screen.

By selecting the hypertext link [Wares](#), the wares page will be generated. Same applies if you select the hypertext link [Services](#), the services page will be generated.

To access the Trade-mark Agent/Representative for Service page, you simply select the hypertext link [Trade-mark Agent/Representative for Service](#). To access the Closing Details page, select the hypertext link [Closing Details](#).

And finally, you select the hypertext link [View/Print/Save/Submit](#) to access the View/Print/Save/Submit screen.

While you are in a screen, you may select any hypertext link that you choose and you will go or return to the screen you selected. For example: You are in the Closing Details Screen and you select the hypertext link [Correspondence](#), you will go to the Correspondence screen.

The following hypertext links will generate another browser session that will require you to close the browser session when finished.

[Help](#)

[Problem Report](#)

[Problem List](#)



## 2.3 Banner and arrow symbol

The following six buttons are located at the top of every screen.

When you click on [Help](#) , it will bring up a screen with information concerning the screen you are positioned in when you click on HELP. You also have the option to choose the hypertext link [Help](#) in the left side tool bar on the Welcome screen that will provide you with the same information. For either choice you must close the screen when finished.

The [Feedback](#) button exists so that you may submit a comment concerning the Strategis site or a particular document in the site. You may also advise the Strategis help desk of a problem encountered while in a Strategis site.

If you click on [What's New](#) you will be provided with information about all the new features that Strategis has developed and made available on the Internet.


The [About Us](#) button allows you to find out what Strategis is all about.


The [Site Map](#) button contains all the other sites you may visit while in the Strategis site.

The [Français](#) or [English](#) button allows you to change the language to French or English or vice versa depending on the language you are currently using. **Note:**

You should not click on the [Français](#) or [English](#) button after leaving the Welcome screen. Clicking on either one of these buttons while completing any of the trade-mark screens will automatically return you to the Welcome screen. All the previous information entered will be lost.

At the bottom of most of the screens, you will notice arrows. There are two:

The first one pointing to the left  , if you click on it you will return to the previous screen.

The second one pointing to the right  , if clicked on will take you to the next screen.

For the order of the screens, see the left side tool bar in the Welcome screen, the screens appear in order from top to bottom.

## **2.4 Browser buttons - Important Note**

It is strongly recommended that you do not use the browser back and forward buttons while completing your application for the following screens: correspondence, applicant, trade-mark, wares, services, trade-mark agent/representative for service, closing details and view/print/save/submit.

When the back or forward browser buttons are used, the information that was previously entered in the screen you were positioned in will be lost


For any other hypertext links located in the left hand side tool bar, you may use your browser back and forward button.


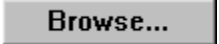

### 3. Main Menu

#### 3.1 Screen layout - 'Main Menu'



### **3.2 Screen description - 'Main Menu'**

This page explains how to create a new application or to load a saved application. If you click on , the 'Correspondence Details' screen will be generated and displayed where you may begin to complete a new application.

If you click on , the file name and path must be chosen beforehand. To do so, click on  and choose a file. Finally, click on  and the application will load and the 'Correspondence Details' screen will be displayed.

Note: An application which is saved with a representation of the trade-mark as a graphical file and/or any other attachments and the deposit account is selected, when the application is loaded the graphical file and attachments will need to be re-attached and the deposit account re-selected.

### **3.3 Warning/Error Messages**

#### **3.3.1 While completing information**

**Message:** You need to select a file from your local hard drive before you may click on the "Load" button.

**Message Cause:** You have clicked on the "Load" button without providing the file name you wish to load.

**Message Solution:** Select the name of the file you wish to load using the "Browse" button or enter the name of the file manually.

#### **3.3.2 Before leaving Main Menu screen**

There are no messages

## 4. Correspondence Details

### 4.1 Screen layout - 'Correspondence Details'

The screenshot shows a Netscape browser window displaying the 'Trade-marks Office Electronic Application Forms' website. The browser's address bar shows the URL: <https://dserver.ic.gc.ca/secure/cgi-bin/trademark-filing/access.cgi>. The website header features the Canadian Intellectual Property Office logo and the Strategis logo. A navigation menu includes links for Help, What's New, Site Map, Feedback, About Us, and Français. A search box is labeled 'Search Strategis'.

The main content area is titled 'Correspondence Details' and contains the following text:

To the Registrar of Trade-marks  
50 Victoria Street  
Place du Portage  
Phase I  
Hull, Quebec  
Canada  
K1A 0C9

Below this text is a form with the following fields:

Reference Number	<input type="text"/>		
Language of the Application	English <input checked="" type="radio"/> French <input type="radio"/>	Preferred Language of Correspondence by Office	English <input checked="" type="radio"/> French <input type="radio"/>
Attention to	<input type="text"/>		
Correspondence Remarks	<input type="text"/>		

At the bottom of the page, there is a green arrow pointing right, followed by a horizontal line and a set of navigation links: [Help](#), [What's New](#), [Sitemap](#), [Feedback](#), [About Us](#), [Français](#), and [Top of Page](#). The footer also includes the Canada logo and the URL <http://strategis.ic.gc.ca>.

## **4.2 Screen description - 'Correspondence Details'**

This screen allows you to provide a 'Reference number' to identify all future correspondence from you and to you from the Trade-marks Office.

You may choose the 'Language of the application' and the 'Preferred Language of Correspondence' for future communications between you and the Trade-marks Office (TMO). The Language of the application will determine in which language the final form will print.

You may enter an attention to in the 'Attention to' field.

In the 'Correspondence Remarks' you may provide information that you wish the Office to be informed of with respect to the processing of your application.

Although the information you provide on this screen is not a filing requirement, it will assist the Office in future communications with you.

## **4.3 Warning/Error Messages**

### **4.3.1 While completing information**

*There are no messages*

### **4.3.2 Before leaving Correspondence screen**

*There are no messages*

## 5. Applicant Details

### 5.1 Screen layout - 'Applicant Details'

The screenshot shows a Netscape browser window titled "Trade-marks Office Electronic Application Forms - Netscape". The address bar contains the URL "http://strategis.ic.gc.ca/secure/cgi-bin/tradenark-rlng/hun.sg#MD". The page header includes the Canadian Intellectual Property Office logo and the Strategis logo. A navigation menu contains links for "Help", "What's New", "Site Map", "Feedback", "About Us", and "Français". A search box labeled "Search Strategis" is also present.

The main content area is titled "Applicant Details" and contains a form with the following fields:

- \*Applicant Name
- \*Street/City (Foreign address to include state and postal code)
- \*Province/Country
- Canadian Postal Code (ASA 9A9)
- Mode of Communication to Applicant
- Telephone Number
- E-Mail Address

Below these fields, there is a section for providing the address of the applicant's principal office or place of business in Canada, if any. This section includes the following fields:

- Street/City
- Province
- Canadian Postal Code (ASA 9A9)
- Telephone Number

At the bottom of the page, there are navigation links: "Help", "What's New", "Site Map", "Feedback", "About Us", "Français", and "Top of Page". The Canada logo and the URL "http://strategis.ic.gc.ca" are also displayed.

## **5.2 Screen description - 'Applicant Details'**

This screen allows you to provide the applicant's name and mailing address.

Any address required to be furnished shall be a complete mailing address and shall include the street name and number, where one exists, and the postal code.

## **5.3 Postal code procedure**

Click on the words 'Postal Code' if the Canadian postal code is unknown. Clicking on these words opens a new browser to the Canada Post Web Site whereby a search may be performed to locate the desired Canadian postal code. The browser must be closed when finished.

An applicant may select a mode of communication to the applicant. In the 'Mode of Communication to Applicant' choose either 'Electronic' or 'Mail'. Note, however, if 'Electronic' is selected, an e-mail address to where any correspondence is to be sent is required. This information may be provided in the 'E-mail Address' field. If the 'E-mail Address' field is provided, you should select 'Electronic' as mode of communication.

Do not complete the second half of the screen, if the address in the first half of the screen is a Canadian address or the applicant has no office or place of business in Canada.

## **5.4 Mandatory fields**

There are 3 mandatory fields on this screen, they are indicated in red with an \* symbol and are, the 'Applicant Name', 'Street/City', 'Country/Province'. The date of filing of an application for the registration of a trade-mark is the date on which the following are delivered to the Registrar. An application setting out the following information, namely,

- the name and address of the applicant.

These are filing requirements. An application may not be submitted until this information is provided.

An applicant for the registration of a trade-mark shall file with the Registrar an application containing,

- the address of the applicant's principal office or business in Canada, if any, and if the applicant has no office or place of business in Canada, the address of his principal office or place of business abroad and the name and address in Canada of a person or firm to whom any notice in respect of the application or registration may be sent, and on whom service of any proceedings in respect of the application or registration may be given or served with the same effect as if they had been given to or served on the applicant or registrant himself.



Note: The address of the applicant's principal office or place of business in Canada, if any, may be completed on the second portion of this screen. If the applicant does not have a Canadian address, the name and address in Canada of a person or firm may be provided in the 'Trade-mark Agent/Representative for Service' screen.

No application for the registration of a trade-mark may be amended where the amendment would change,

- the identity of the applicant, except after recognition of a transfer by the Registrar.

## **5.5 Warning/Error Messages**

### **5.5.1 While completing information**

**Message:** Postal code deleted. You need to select a province before you enter a postal code.

**Message Cause:** You have entered a postal code before selecting a province.

**Message Solution:** Select a province and re-enter the postal code.

**Message:** Postal code deleted. You may not enter a postal code for a country.

**Message Cause:** You have selected a country from the province/country list and you are trying to enter a postal code **or** you have selected a province from the province/country list, you have entered a valid postal code and you are now selecting a country from the province/country list.

**Message Solution:** Select a province and re-enter the postal code.

**Message:** You have entered an invalid postal code format.

**Message Cause:** The format of the postal code you entered is invalid.

**Message Solution:** As the focus is returned to the postal code field, you need to either correct the format to A9A 9A9 format or delete the postal code.

**Message:** You should begin your postal code with the letter T.

**Message Cause:** The first letter of the postal code you entered does not match the postal codes recognized for the province you selected.

**Message Solution:** As this is just a warning, you may leave the postal code as is if you know it is right. However, if you are not sure of the postal code, we recommend that you click on *Postal Code* hypertext link to verify the postal code with Canada Post.

**Message:** You should begin your postal code with one of the following letters: K, L, M, N, P.

**Message Cause:** The first letter of the postal code you entered does not match the postal codes recognized for the province you selected.

**Message Solution:** As this is just a warning, you may leave the postal code as is if you know it is right. However, if you are not sure of the postal code, we recommend that you click on *Postal Code* hypertext link to verify the postal code with Canada Post.

**Message:** Applicant Name **or** Street/City may not be greater than 2000 characters.

**Message Cause:** The maximum length of the field is 2000 characters.

**Message Solution:** Review the information you entered in the field and try to reword so that it does not exceed more than 2000 characters.

## 5.5.2 Before leaving Applicant screen

**Message:** You need to enter the E-Mail address of the applicant if you choose "Electronic" as mode of communication.

**Message Cause:** You have selected Electronic as mode of communication to the applicant but you have not provided an E-Mail address.

**Message Solution:** Provide an E-Mail address or select another mode of communication to the applicant.

**Message:** You have entered an E-Mail address for the applicant without selecting "Electronic" as mode of communication.

**Message Cause:** You haven't selected Electronic as mode of communication to the applicant but you have provided an E-Mail address.

**Message Solution:** Select 'Electronic' as mode of communication to the applicant.

## 6. Trade-mark Details

### 6.1 Screen layout - 'Trade-mark Details'

**Trade-mark Details**

**Type of Trade-mark**

Mark

Certification mark

**Distinctive part**

Attached  
 To Follow

Terminal Remarks (if applicable)

**Particulars of the Defined Standard**

The use of the certification mark is intended to indicate that the specific source and/or services listed in association with which it is used are of the following defined standard

The applicant is not engaged in the manufacture, sale, leasing or hiring of wares or the performance of services such as those in association with which the certification mark is used.

**Identification of trade mark**

Word Mark  
 Design  
 Word Mark with Design Characteristics

Trade mark

A representation of the trade-mark is attached  
(A representation must be provided if the trade mark is not a word mark.)

Display of File

Description

Exclusion

Color Class

Consent to Use

Translation/ Transliterations

**Disclosure Statement**

No disclosure statement

The applicant declares the right to the exclusive use of the word (placeholder text inserted here) apart from the trade mark.

The applicant declares the right to the exclusive use of the words (placeholder text inserted here) apart from the trade mark.

The applicant declares the right to the exclusive use of (placeholder text inserted here) apart from the trade mark.

The applicant declares the right to the exclusive use of all the reading matter except (placeholder text inserted here) apart from the trade mark.

The applicant declares the right to the exclusive use of all the reading matter apart from the trade mark.

(Other exclusive declaration text to insert here below)

Disclosure Text

Help What's New Contact Feedback About Us Privacy Terms of Use

Canada  
http://strategis.gc.ca

## **6.2 Screen description - 'Trade-mark Details'**

This screen allows you to provide the Trade-mark details. Click on the appropriate radio button to indicate the type of trade-mark, either a 'Mark', a 'Distinguishing guise' or a 'Certification mark'.

If 'Distinguishing guise' is selected and Evidence of Use is to be provided, it may be submitted along with the application as an attachment or filed at a later time. Under 'Evidence of Use', check the checkbox 'Attached' or 'To Follow', or do not check either checkbox. Information for territorial restrictions, if applicable may also be provided in the 'Territorial Restrictions' field.

Examples:

- Restricted to the province of Ontario
- Restricted to the provinces of Ontario and Quebec
- Restricted to the district of
- Restricted to the territory of

If 'Certification mark' is selected, define the standards in the 'Particulars of the Defined Standard' field and check the checkbox 'the applicant is not engaged in the manufacture, sale, leasing or hiring of wares or the performance of services such as those in association with which the certification mark is used'.

In the 'Identification of the trade-mark' section, click on the appropriate radio button to indicate if the trade-mark is a 'Word Mark', a 'Design' or a 'Word Mark with Design Characteristics'. A trade-mark must be provided in the 'Trade-mark' field. If a trade-mark is a word or words not depicted in a special form, set out the word or words in the 'Trade-mark' field. If the trade-mark is a design, indicate in the 'Trade-mark' field what the design is, for example: Maple Leaf and design, and check the checkbox 'A representation of the trade-mark is attached' and include a graphical file of the design in a *.tif* or *.tiff* format. To do this, click on 'Browse' or provide the file location.

If there is any additional information in regards to the trade-mark, it may be provided in the following fields: 'Description', 'Exclusion', 'Color Claim', 'Consent to Use', 'Translation/Transliteration'. The last field on this screen is the 'Disclaimer Statement'. If a disclaimer statement is to be provided, click on the appropriate 'Disclaimer Statement' radio button and enter the disclaimer text in the field just beneath the disclaimer statements.

## **6.3 Mandatory fields**

Only one field is mandatory on this screen, it is indicated in red with an \* symbol and is, the 'Trade-mark' field. The date of filing of an application for the registration of a trade-mark is the date on which the following are delivered to the Registrar. An application setting out the following information, namely,

- A drawing of the trade-mark, unless the trade-mark consists solely of a word or words not depicted in a special form.

This is a filing requirement. An application may not be submitted until this information is provided.

An applicant for the registration of a trade-mark shall file with the Registrar an application containing,

- in the case of a certification mark, particulars of the defined standard that the use of the mark is intended to indicate and a statement that the applicant is not engaged in the manufacture, sale, leasing or hiring of wares or the performance of services such as those in association with which the certification mark is used
- unless the application is for the registration only of a word or words not depicted in a special form, a drawing of the trade-mark.

No application for the registration of a trade-mark may be amended where the amendment would change,

- the trade-mark, except in respects that do not alter its distinctive character or affect its identity.

No application for the registration of a trade-mark may be amended, after it has been advertised in the Journal, to change,

- the trade-mark in any manner whatsoever.

## **6.4 Warning/Error Messages**

### 6.4.1 While completing information

**Message:** You may not select a Word Mark if a representation of the trade-mark as graphical file is attached.

**Message Cause:** You have checked the check box *A representation of the trade-mark is attached* **and/or** you have entered information in the *Graphical File* field and you are trying to select *Word Mark* as the identification of trade-mark.

**Message Solution:** Uncheck the check box *A representation of the trade-mark is attached* **and** delete all information in the *Graphical File* field then select *Work Mark* again.

**Message:** You may not select a Word Mark if the type of trade-mark is 'Distinguishing guise'. The selection will automatically be changed to Design.

**Message Cause:** You have selected *Distinguishing guise* as the type of trademark and you are trying to select *Word Mark* as the identification of trade-mark.

**Message Solution:** The Identification of trade-mark will automatically be changed to Design.

**Message:** A Word Mark or Word Mark with Design Characteristics should not be selected for a Distinguishing guise. The selection will automatically be changed to Design.

**Message Cause:** You have selected *Word Mark or Word Mark with Design Characteristics* in the Identification of trade-mark section and you are selecting *Distinguishing guise* as the type of trade-mark.

**Message Solution:** The Identification of trade-mark will automatically be changed to Design

**Message:** You may not attach a representation of the trade-mark for a Word Mark.

**Message Cause:** You have selected *Word Mark* in the Identification of trade-mark section and you are trying to check the check box *A representation of the trade-mark is attached*.

**Message Solution:** The check box is automatically unchecked. Select another Identification of trade-mark and click on the check box again.

**Message:** Do you wish to select 'Distinguishing guise' type of mark?

**Message Cause:** You are entering information in the Distinguishing guise section but you have not selected Distinguishing guise as type of mark.

**Message Solution:** Click *Cancel* if you do not wish to select Distinguishing guise as type of mark and all information in this section will be deleted. Click *OK* to select Distinguishing guise. If information was entered in the Certification mark section, it will be deleted.

**Message:** Do you wish to select 'Certification mark' type of mark?

**Message Cause:** You are entering information in the Certification mark section but you have not selected Certification mark as type of mark.

**Message Solution:** Click *Cancel* if you do not wish to select Certification mark as type of mark and all information in this section will be deleted. Click *OK* to select Certification mark. If information was entered in the Distinguishing guise section, it will be deleted.

**Message:** Do you wish to delete the Distinguishing guise information?

**Message Cause:** You have selected Distinguishing guise type of mark and entered information in this section. You are now selecting Mark or Certification mark type of mark.

**Message Solution:** Click *Cancel* if you do not wish to delete the information in the Distinguishing guise section. The radio button *Distinguishing guise* will be re-selected. Click *OK* if you wish to delete the information in the Distinguishing guise section and continue with your selection.

**Message:** Do you wish to delete the Certification mark information?

**Message Cause:** You have selected Certification mark type of mark and entered information in this section. You are now selecting Mark or Distinguishing guise type of mark.

**Message Solution:** Click *Cancel* if you do not wish to delete the information in the Certification mark section. The radio button *Certification mark* will be re-selected. Click *OK* if you wish to delete the information in the Certification mark section and continue with your selection.

**Message:** Exclusions are not permitted for a word mark. Therefore, the information will be cleared.

**Message Cause:** You have selected Word Mark in the identification of trade-mark section and you have entered information in the *Exclusion* field **or** you have entered information in the *Exclusion* field and you are selecting a Word Mark in the identification of trade-mark section.

**Message Solution:** The information in the exclusion field is deleted automatically.

## 6.4.2 Before leaving Trade-mark screen

**Message:** You may not select a word mark if a representation of the trade-mark as graphical file is attached.

**Message Cause:** You have checked the check box *A representation of the trade-mark is attached* **and/or** you have entered information in the *Graphical File* field and you are trying to select *Word Mark* as the identification of trade-mark.

**Message Solution:** Uncheck the check box *A representation of the trade-mark is attached* **and** delete all information in the *Graphical File* field then select *Word Mark* again.

**Message:** You need to enter a trade-mark.

**Message Cause:** You have completed information on the trade-mark screen but you have not provide a trade-mark.

**Message Solution:** This field is mandatory. To continue, you will need to provide a trade-mark or delete all information you entered on this screen.

**Message:** You need to attach a graphical file.

**Message Cause:** You have selected *Design* in the identification of trade-mark section but you have not entered information in the graphical file field.

**Message Solution:** Select another identification of trade-mark or enter the name of your graphical file by using the browse button or type the information in the field.

**Message:** You need to provide the graphical file in a .tif or a .tiff format.

**Message Cause:** The extension of the file name of your graphical file is not .tif or .tiff.

**Message Solution:** Select a file name that has a .tif or .tiff extension using the browse button or type the information in the field.

**Message:** You need to select a disclaimer statement since you have entered a disclaimer text.

**Message Cause:** You have entered text in the *Disclaimer text* section but you have not selected a disclaimer statement.

**Message Solution:** Select a disclaimer statement or delete the text in the *Disclaimer text* section.

**Message:** You need to enter a disclaimer text since you have selected a disclaimer statement.

**Message Cause:** You have selected a disclaimer statement that requires disclaimer text but you have not entered the text.

**Message Solution:** Enter text in the *Disclaimer text* section or select a disclaimer statement that does not require a disclaimer text.

**Message:** You need to select another disclaimer statement since you have entered a disclaimer text or delete the disclaimer text.

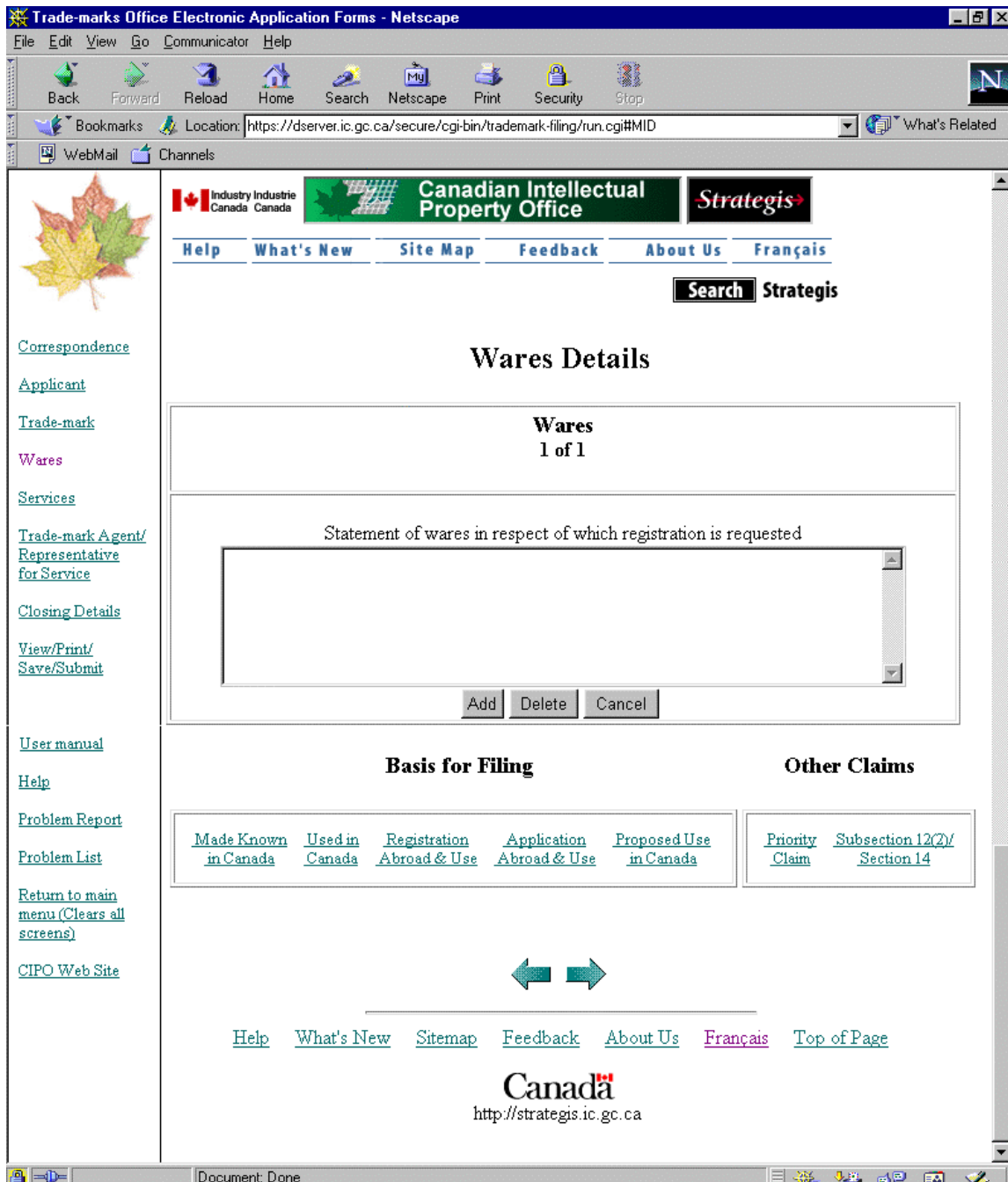
**Message Cause:** You have entered text in the *Disclaimer text* section but you have selected a disclaimer statement that does not require a disclaimer text.

**Message Solution:** Select another disclaimer statement or delete the text in the *Disclaimer text* section.



## 7. Wares Details, Services Details, Basis For Filing

### 7.1 Screen layout - 'Wares Details', 'Services Details' 'Basis For Filing'



### 7.2 Screen description - 'Wares Details', 'Services Details', 'Basis for Filing'

This screen is comprised of two components and allows you to provide the statement of wares and/or the statement of services and access the 'Basis for Filing'.

If all the specific wares in association with which the trade-mark is based on Use or Making Known in Canada, and in respect of which registration is requested, fall into a single general class, list them all in the field ‘statement of wares in respect of which registration is requested’. If such wares fall into more than one general class, list in the field only those falling into one class. The wares must be described in ordinary commercial terms. Select the appropriate hypertext link and provide the earliest date when the applicant began to use or make known the trade-mark in Canada in association with the wares listed the ‘statement of wares in respect of which registration is requested’ field. (*where 'Statement of services' is selected the word services replaces the word wares*)

Click the add button and list in the field ‘statement of wares in respect of which registration is requested’ the specific wares in accordance with which the trade-mark is based on Use or Making Known in Canada, and in respect of which registration is requested, which fall into a different general class from that comprising the wares previously listed in the field. Select the appropriate hypertext link and provide the earliest date when the applicant began to use or make known the trade-mark in Canada in association with the wares listed the ‘statement of wares in respect of which registration is requested’ field. (*where 'Statement of services' is selected the word services replaces the word wares*)

If the trade-mark is based on Use or Making Known in Canada in association with the specific wares falling into further different general classes, repeat the use of the add button as often as necessary, listing in each case the specific wares falling into the different general class from those comprising the previously listed, and in each case select the appropriate hypertext link and provide the earliest date when the applicant began to use or make known the trade-mark in Canada in association with such wares. (*where 'Statement of services' is selected the word services replaces the word wares*)

If the trade-mark is based on Registration Abroad & Use or Application Abroad & Use, list all the specific wares in association with which the trade-mark has been actually used and in respect of which registration is requested, so far as they are covered by the registration(s) or application(s) in or for the country of origin. The wares must be described in the terms in which they are ordinarily and commercially described in the trade or business, which terms may differ from those used in the registrations(s) or application(s) in or for the country or origin. (*where 'Statement of services' is selected the word services replaces the word wares*)

A statement of wares as it appears in the registration abroad, (application abroad) so far as the statement extends to wares in association with which the trade-mark has actually been used in some country may be listed in the appropriate field provided in the ‘Registration Abroad & Use’ and Application Abroad & Use screens. (*for a statement of services the word ‘services’ replaces the word ‘wares’*).

If the trade-mark is based on Proposed Use in Canada, the wares or services must be described in ordinary commercial terms. (*where 'Statement of services' is selected the word services replaces the word wares*)

The wares in the 'Wares Details' or if 'Services' selected, the services in the 'Services Details' will always be displayed while accessing any of the five 'Basis for Filing' selections or in any of the 'Other Claims' selections.

As many statements of wares and/or statements of services as required may be entered. Simply click on the  button each time a new statement of wares and/or a new statement of services is to be entered.

A statement of wares and/or a statement of services may be deleted by clicking on the  button. When deleting an entire statement of wares or a statement of services, any corresponding Basis for filing and 'other claims' will automatically be deleted.

Clicking on the  button will reset the current statement of wares and/or statement of services to its original value when the screen was accessed.

If more than one statement of wares and/or statement of services is entered, it may be viewed by clicking on the , ,  or  buttons.

The following will be displayed

Example:      Wares                  Wares                  Wares  
                  1 of 1                    2 of 5                    5 of 10

Example:      Services                Services                Services  
                  1 of 1                    2 of 5                    5 of 10

After a statement of wares and/or statement of services has been entered, to provide the corresponding basis for filing select the appropriate hypertext link(s):

[Made Known  
in Canada](#)                  [Used in  
Canada](#)                  [Registration  
Abroad &  
Use](#)                  [Application  
Abroad &  
Use](#)                  [Proposed Use  
in Canada](#)

There are two 'Other Claims'

[Priority  
Claim](#)                  [Subsection 12\(2\)/  
Section 14](#)

These two claims are not 'Basis for Filing' but are claims in support of the application.

The above process may be completed in one of two ways.

The first way is, if more than one statement of wares and/or statement of services is to be entered, proceed and enter each of them and complete this process. Then using the 'First', 'Last', 'Next' and 'Previous' buttons and relying on the Wares and/or Services number \_of \_ indicator, proceed

and attach the corresponding basis for filing and ‘other claims’ as applicable with the appropriate statement of wares and/or statement of services.

The second way and the suggested way is to, enter a statement of wares and/or a statement of services and immediately attach the corresponding basis for filing and ‘other claims’ as applicable, then return and enter a second statement of wares and/or services and again immediately attach the corresponding basis for filing and ‘other claims’ as applicable and repeat this process as many times as required.

### **7.3 Mandatory fields**

There are two mandatory fields on this screen, one is the ‘Wares Details’ or ‘Services Details’, the other mandatory field is a ‘Basis for Filing’.

The date of filing of an application for the registration of a trade-mark is the date on which the following are delivered to the Registrar. An application setting out the following information, namely,

- the wares or services in association with which the trade-mark is proposed to be used, or has been used or made known, and
- in the case of a trade-mark other than a proposed trade-mark,
  - the date of first use or making known the trade-mark in Canada, or
  - the name of a country in which the trade-mark has been used and information respecting the registration or application for registration in a country of the Union on which the right to registration is based.

These are filing requirements. An application may not be submitted until this information is provided.

An application for the registration of a trade-mark shall file with the Registrar an application containing,

- a statement in ordinary commercial terms of the specific wares or services in association with which the mark has been or is proposed to be used.

No application for the registration of a trade-mark may be amended where the amendment would change,

- the date of first use or making known in Canada of the trade-mark to an earlier date, except where the evidence proves that the change is justified by the facts;
- the application from one not alleging use or making known of the trade-mark in Canada before the filing of the application to one alleging such use or making known; or
- the statement of wares or services so as to be broader than the statement of wares or services contained in the application at the time the application was filed.

No application for the registration of a trade-mark may be amended, after it has been advertised in the Journal, to change,

- the date of first use or making known in Canada of the trade-mark;

- the application from one alleging use or making known to one for a proposed trade-mark;
- the application from one that does not allege that the trade-mark has been used and registered in a country of the Union to one that does so allege; or
- the statement of wares or services so as to be broader than the statement of wares or services contained in the application at the time of advertisement.

## 7.4 Warning/Error Messages

### 7.4.1 While completing information

**Message:** You need to enter a statement of wares (services) before you may add a new statement of wares (services).

**Message Cause:** You have not entered information in the *Statement of wares (services)* field and you are trying to add a new one by clicking on the *Add* button .

**Message Solution:** Enter a statement of wares (services) and click on the *Add* button again.

**Message:** Do you wish to delete this statement of wares (services) and all its claims?

**Message Cause:** You have clicked on the delete button under the *Statement of wares* field.

**Message Solution:** Click on *Cancel* if you do not wish to delete the wares (services) and all its claims. Click on *OK* to delete the wares (services) and all the claims associated to these wares (services).

**Note:** When deleting an entire statement of wares or a statement of services, any corresponding Basis for filing and ‘other claims’ will automatically be deleted.

### 7.4.2 Before leaving Wares (Services) screen

**Message:** You need to enter a statement of wares (services).

**Message Cause:** You have completed the information in one of the basis for filing section but you have not provided a statement of wares (services).

**Message Solution:** Either provide a statement of wares (services) or delete the information you entered in the basis for filing section.

## 8. Basis For Filing

### 8.1 Screen layout - 'Made Known in Canada'

The screenshot shows a web browser window displaying the 'Wares Details' form on the Canadian Intellectual Property Office website. The browser is Netscape, and the address bar shows the URL: <http://www.cipo.gc.ca/venues/prop/br/trademark/Registration.nsf>. The page header includes the CIPO logo, the text 'Canadian Intellectual Property Office', and the 'Strategis' logo. Navigation links include 'Help', 'What's New', 'Site Map', 'Feedback', 'About Us', and 'Français'. A search bar is also present.

The main content area is titled 'Wares Details' and shows 'Wares 1 of 1'. Below this is a text area for the 'Statement of wares in respect of which registration is requested', with 'Add', 'Delete', and 'Cancel' buttons. The form is divided into two sections: 'Basis for Filing' and 'Other Claims'. Under 'Basis for Filing', there are links for 'Made Known in Canada', 'Using Canada', 'Exemption About Use', 'Application About Use', and 'Proposed Use in Canada'. Under 'Other Claims', there are links for 'Priority Claim' and 'Substantive ID'. The 'Made Known in Canada' section contains a form with the following fields:

- Date from which Made Known in Canada: since [dropdown] [text box]
- Country of Use: [dropdown]
- Applicant's Predecessor(s) in Title (if applicable): [text box]

Below these fields is a section titled 'The trade-mark has become well known in Canada by reason of (select one or both of the following phrases):'. It contains two radio button options:

- (A) The wares are distributed in association with it in Canada
- (B) The wares are advertised in association with it in
  - (i) any printed publication circulated in Canada in the ordinary course of commerce among potential dealers in or users of the wares
  - (ii) radio broadcast ordinarily received in Canada by potential dealers in or users of the wares

At the bottom of the page, there are navigation links: 'Help', 'What's New', 'Strategis', 'Feedback', 'About Us', 'Français', and 'Data/Fax'. The footer features the 'Canada' logo and the URL <http://strategis.cipo.gc.ca>.

### 8.1.1 Screen description - 'Made Known in Canada'

If your application is based on a Made Known Canada claim, this screen allows you to provide the information pertaining to this basis for filing.

From the drop down list select the appropriate word or group of words that best corresponds to the date from which made known in Canada and then provide the date from which made known in Canada. The Country of Use where the trade-mark has been used may also be provided.

Information pertaining to a predecessor(s) in title may be provided in the section named 'Applicant's Predecessor(s) in Title'. Name the predecessor who began to use the trade-mark in association with the specific wares or services and name also any intervening predecessor down to the applicant.

Finally, in the section 'The trade-mark has become well known in Canada by reason of', check the appropriate checkbox, one or both may be checked.

When naming a date of first use, it is in the applicant's own interest to be as specific as possible, e.g. naming the day of the month, as well as the year. The following sets out the minimum date particulars required according to the time of filing:

- Filed in current month  
-name the day, month and year
- Filed in current year, but not current month  
-name the month and year
- Filed in any year prior to current year  
-name the year only

When only the month and year are named, the last day of the month will be regarded as the effective date for the purpose of determining entitlement in cases of confusion. When only the year is named, December 31<sup>st</sup> of the year will be the determining date.

### 8.1.2 Mandatory fields

There is only one mandatory field on this screen, it is indicated in red with an \* symbol and is, the year/month/day field for 'Date from which Made Known in Canada'. The date of filing of an application for the registration of a trade-mark is the date on which the following are delivered to the Registrar. An application setting out the following information, namely,

- in the case of a trade-mark other than a proposed trade-mark,  
-the date of first use or making known of the trade-mark in Canada.

This is a filing requirement. An application may not be submitted until this information is provided.

An applicant for the registration of a trade-mark shall file with the Registrar an application containing,

- in the case of a trade-mark that has not been used in Canada but is made known in Canada, the name of a country of the Union in which it has been used by the applicant or his named predecessors in title, if any, and the date from and the manner in which the applicant or named predecessors in title have made it known in Canada in association with each of the general classes of wares or services described in the application.

No application for the registration of a trade-mark may be amended where the amendment would change,

- the date of first use or making known in Canada of the trade-mark to an earlier date, except where the evidence proves that the change is justified by the facts;
- the application from one not alleging use or making known of the trade-mark in Canada before the filing of the application to one alleging such use or making known.

No application for the registration of a trade-mark may be amended, after it has been advertised in the Journal, to change,

- the date of first use or making known in Canada of the trade-mark;
- the application from one alleging use or making known to one for a proposed trade-mark

### 8.1.3 Warning/Error Messages

#### 8.1.3.1 While completing information

**Message:** Predecessor in Title field may not be greater than 250 characters.

**Message Cause:** The maximum length of the field is 250 characters.

**Message Solution:** Review the information you entered in the field and try to reword so that it does not exceed more than 250 characters.

**Message:** You have entered an invalid date format.

**Message Cause:** The format of the date you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date in the correct format **yyyy/mm/dd** or delete the date.

**Message:** You have entered an invalid month.



**Message Cause:** The month you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **12**) or delete the date.

**Message:** You have entered an invalid day.

**Message Cause:** The day entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **31** depending on the month) or delete the date.

**Message:** Your date may not be in the future.

**Message Cause:** The date you entered is in the future.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date or delete the date. Refer to the previous section on [page 31](#) for more information on date fields. Make sure that the date of first use does not fall AFTER the filing date of your application, which is the date your application is received by the Trade-marks Office. If this is the case, you should probably file under proposed use.

**Message:** Your date should not be prior to the year 1601/01/01.

**Message Cause:** The date you entered is prior to 1601/01/01.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date (make sure it is not prior to 1601/01/01) or delete the date.

### 8.1.3.2 Before leaving Made Known in Canada screen

**Message:** You need to provide a date.

**Message Cause:** You have not provided a date.

**Message Solution:** Enter a date in the date field or delete all information you entered.

**Message:** The name of a country in which the trade-mark has been used should be provided. Do you wish to complete this information?

**Message Cause:** You have not selected a Country of Use and it is recommended that you do so.

**Message Solution:** Click on *Cancel* if you wish to continue without selecting a Country of Use. Click on *OK* if you wish to select a Country of Use.

**Message:** The reasons the trade-mark has become well known in Canada should be provided. Do you wish to complete this information?

**Message Cause:** You have not selected the reason(s) the trade-mark has become well known in Canada and it is recommended that you do so.

**Message Solution:** Click on *Cancel* if you wish to continue without selecting reason(s) for becoming well known in Canada. Click on *OK* if you wish to select reason(s) for becoming well known in Canada.

**Message:** A made known in Canada claim should not be selected for a distinguishing guise. Do you wish to correct the information?

**Message Cause:** You have selected *Distinguishing guise* as type of trade-mark on the trade-mark screen and you are claiming a made known in Canada.

**Message Solution:** Click on *Cancel* if you wish to continue without correcting the information. Click on *OK* if you wish to delete the information you entered.

**Message:** A made known in Canada claim should not be selected for a certification mark unless you provide a Used in Canada claim. Do you wish to correct the information?

**Message Cause:** You have selected *Certification mark* as type of trade-mark on the trade-mark screen, you have not claimed a used in Canada and you are claiming a made known in Canada.

**Message Solution:** Click on *Cancel* if you wish to continue without correcting the information. Click on *OK* if you wish to delete the information you entered.

## 8.2 Screen layout - 'Used in Canada'

The screenshot shows a Netscape browser window displaying the Trade-marks Office Electronic Application Forms website. The browser's address bar shows the URL: <https://dserver.ic.gc.ca/secure/cgi-bin/trademark-filing/run.cgi#MID>. The website header includes the Canadian Intellectual Property Office logo and the Strategis logo. Navigation links include [Help](#), [What's New](#), [Site Map](#), [Feedback](#), [About Us](#), and [Français](#). A search bar is also present with the text "Search Strategis".

The main content area is titled "Wares Details" and shows "Wares 1 of 1". Below this, a section titled "Statement of wares in respect of which registration is requested" contains a large text input field and buttons for "Add", "Delete", and "Cancel".

Below the statement section, there are two columns: "Basis for Filing" and "Other Claims". The "Basis for Filing" column contains links for [Made Known in Canada](#), [Used in Canada](#), [Registration Abroad & Use](#), [Application Abroad & Use](#), and [Proposed Use in Canada](#). The "Other Claims" column contains links for [Priority Claim](#) and [Subsection 12\(2\)/Section 14](#).

The "Used in Canada" section features a form with the following fields:

- Date from which Used in Canada: since [dropdown menu] [input field] (\*yyyy/mm/dd)
- Applicant's Predecessor(s) in Title (if applicable): [text input field]

At the bottom of the page, there are navigation links: [Help](#), [What's New](#), [Sitemap](#), [Feedback](#), [About Us](#), [Français](#), and [Top of Page](#). The footer includes the Canada logo and the URL <http://strategis.ic.gc.ca>.

### 8.2.1 Screen description - 'Used in Canada'

If your application is based on a Used in Canada claim, this screen allows you to provide the information pertaining to this basis for filing.

From the drop down list select the appropriate word or group of words that best corresponds to the date from which used in Canada and then provide the date from which used in Canada.

Information pertaining to a predecessor(s) in title may be provided in the section named 'Applicant's Predecessor(s) in Title'. Name the predecessor who began to use the trade-mark in association with the specific wares or services and name also any intervening predecessor down to the applicant.

When naming a date of first use, it is in the applicant's own interest to be as specific as possible, e.g. naming the day of the month, as well as the year. The following sets out the minimum date particulars required according to the time of filing:

- Filed in current month  
-name the day, month and year
- Filed in current year, but not current month  
-name the month and year
- Filed in any year prior to current year  
-name the year only

When only the month and year are named, the last day of the month will be regarded as the effective date for the purpose of determining entitlement in cases of confusion. When only the year is named, December 31<sup>st</sup> of the year will be the determining date.

### 8.2.2 Mandatory fields

There is only one mandatory field on this screen, it is indicated in red with an \* symbol and is, the year/month/day field for 'Date from which Used in Canada'. The date of filing of an application for the registration of a trade-mark is the date on which the following are delivered to the Registrar. An application setting out the following information, namely,

- in the case of a trade-mark other than a proposed trade-mark,  
-the date of first use or making known of the trade-mark in Canada.

This is a filing requirement. An application may not be submitted until this information is provided.

An applicant for the registration of a trade-mark shall file with the Registrar an application containing,

- in the case of a trade-mark that has been used in Canada, the date from which the applicant or his named predecessors in title, if any, have so used the trade-mark in association with each of the general classes of wares or services described in the application.

No application for the registration of a trade-mark may be amended where the amendment would change,

- the date of first use or making known in Canada of the trade-mark to an earlier date, except where the evidence proves that the change is justified by the facts;
- the application from one not alleging use or making known of the trade-mark in Canada before the filing of the application to one alleging such use or making known.

No application for the registration of a trade-mark may be amended, after it has been advertised in the Journal, to change,

- the date of first use or making known in Canada of the trade-mark;
- the application from one alleging use or making known to one for a proposed trade-mark

### 8.2.3 Warning/Error Messages

#### 8.2.3.1 While completing information

**Message:** You have entered an invalid date format.

**Message Cause:** The format of the date you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date in the correct format **yyyy/mm/dd** or delete the date.

**Message:** You have entered an invalid month.

**Message Cause:** The month you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **12**) or delete the date.

**Message:** You have entered an invalid day.

**Message Cause:** The day entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **31** depending on the month) or delete the date.

**Message:** Your date may not be in the future.

**Message Cause:** The date you entered is in the future.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date or delete the date. Refer to the previous section on [page 36](#) for more information on date fields.

**Message:** Your date should not be prior to the year 1601/01/01.

**Message Cause:** The date you entered is prior to 1601/01/01.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date (make sure it is not prior to 1601/01/01) or delete the date.

**Message:** Predecessor in Title field may not be greater than 250 characters.

**Message Cause:** The maximum length of the field is 250 characters.

**Message Solution:** Review the information you entered in the field and try to reword so that it does not exceed more than 250 characters.

### 8.2.3.2 Before leaving Used in Canada screen

**Message:** You need to provide a date.

**Message Cause:** You have not provided a date.

**Message Solution:** Enter a date in the date field or delete all information you have entered.

### 8.3 Screen layout - 'Registration Abroad & Use'

The screenshot displays the CIPO website interface. At the top, there are logos for Industry Canada, Canadian Intellectual Property Office, and Strategis. A navigation menu includes links for Help, What's New, Site Map, Feedback, About Us, and Français. A search bar is located below the menu.

The main content area is titled 'Wares Details' and shows 'Wares 1 of 1'. Below this is a section for 'Statement of wares in respect of which registration is requested' with a text input field and 'Add', 'Delete', and 'Cancel' buttons.

Two columns are visible: 'Basis for Filing' and 'Other Claims'. Under 'Basis for Filing', there are links for 'Made Known in Canada', 'Used in Canada', 'Registered Abroad & Use', 'Application Abroad & Use', and 'Registered Use in Canada'. Under 'Other Claims', there are links for 'Priority Claim' and 'Subsection 13(2) Section 14'.

The 'Registration Abroad & Use 1 of 1' section contains a 'Use' subsection with two radio button options:
 

- The applicant's predecessor(s) in title
- The applicant and the applicant's predecessor(s) in title

 A 'Country of Use' dropdown menu is positioned below these options.

The 'Foreign Registration' subsection includes several fields:
 

- Applicant's Predecessor(s) in Title (if applicable)
- \*Country in or for which Registered
- Country/Office where Foreign Registration was Made
- Foreign Registration Date (YYYY/MM/DD)
- Foreign Registration Number

 Below these fields is a text area for 'Provide the statement of wares as it appears in the foreign registration, to the extent that it covers the wares in respect of which registration is requested', followed by 'Add', 'Delete', and 'Cancel' buttons.

At the bottom of the page, there are navigation arrows and a footer with the text 'Canada' and the URL 'http://strategis.ic.gc.ca'.





If required, you may provide in the appropriate field, the statement of wares as it appears in the Foreign Registration, to the extent that it cover the wares in respect of which registration is requested. (*for a statement of services the word 'services' replaces the word 'wares'*).

### 8.3.2 Mandatory fields

In the 'Use' section, the 'Country of Use' is mandatory. In the 'Foreign Registration' section, the 'Country in or for which Registered' is mandatory, these two fields are indicated in red with an \* symbol. Either the 'Foreign Registration date' or the 'Foreign Registration number' is mandatory. The date of filing of an application for the registration of a trade-mark is the date on which the following are delivered to the Registrar. An application setting out the following information, namely,

- in the case of a trade-mark other than a proposed trade-mark,
  - the name of a country in which the trade-mark has been used and information respecting the registration or application for registration in a country of the Union on which the right to registration is based.

These are filing requirements. An application may not be submitted until this information is provided.

An applicant for the registration of a trade-mark shall file with the Registrar an application containing,

- in the case of a trade-mark that is the subject in or for another country of the Union of a registration or an application for registration by the applicant or the applicant's named predecessor in title on which the applicant bases the applicant's right to registration, particulars of the application or registration and, if the trade-mark has neither been used in Canada nor made known in Canada, the name of a country in which the trade-mark has been used by the applicant or the applicant's named predecessor in title, if any, in association with each of the general classes of wares or services described in the application.

No application for the registration of a trade-mark may be amended, after it has been advertised in the Journal, to change,

- the application from one that does not allege that the trade-mark has been used and registered in a country of the Union to one that does so allege.

### 8.3.3 Warning/Error Messages

#### 8.3.3.1 While completing information

**Message:** You have entered an invalid date format.

**Message Cause:** The format of the date you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date in the correct format **yyyy/mm/dd** or delete the date.

**Message:** You have entered an invalid month.

**Message Cause:** The month you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **12**) or delete the date.

**Message:** You have entered an invalid day.

**Message Cause:** The day entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **31** depending on the month) or delete the date.

**Message:** Your date may not be in the future.

**Message Cause:** The date you entered is in the future.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date or delete the date.

**Message:** Your date should not be prior to the year 1601/01/01.

**Message Cause:** The date you entered is prior to 1601/01/01.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date (make sure it is not prior to 1601/01/01) or delete the date.

**Message:** You need to enter a full date (yyyy/mm/dd).

**Message Cause:** You have not provided the month and/or day in the *Foreign Registration Date* field.

**Message Solution:** The focus will be given back to this field until the error is corrected. Enter a full date (yyyy/mm/dd).

**Message:** Predecessor in Title field may not be greater than 250 characters.

**Message Cause:** The maximum length of the field is 250 characters.

**Message Solution:** Review the information you entered in the field and try to reword so that it does not exceed more than 250 characters.

**Message:** Do you wish to delete this claim?

**Message Cause:** You clicked on the *Delete* button.

**Message Solution:** Click on *Cancel* to cancel the delete process. Click on *OK* to continue and delete the claim.

### 8.3.3.2 Before leaving Registration Abroad & Use screen

**Message:** You need to select the country in or for which registered.

**Message Cause:** You have entered information in the foreign registration section but have not provided the country in or for which registered and this information is mandatory for a complete claim for a Registration Abroad & Use.

**Message Solution:** Select a country from the list or delete the claim using the *Delete* button at the bottom of the screen.

**Message:** You need to enter a foreign registration date or a foreign registration number.

**Message Cause:** You have entered information in the foreign registration section but have not provided a foreign registration date or a foreign registration number and this information is mandatory for a complete claim for a Registration Abroad & Use.

**Message Solution:** Enter a foreign registration date or a foreign registration number or delete the claim using the *Delete* button at the bottom of the screen.

**Message:** You need to select the country of use.

**Message Cause:** You have entered information in the Use section but have not provided the country of use and this information is mandatory for a complete claim for a Registration Abroad & Use.

**Message Solution:** Select a country from the list or delete the claim using the *Delete* button at the bottom of the screen.

**Message:** You need to complete the foreign registration particulars.

**Message Cause:** You have entered information in the field Statement of wares (services) as it appears in the foreign registration section and you have not completed the mandatory information for a complete claim for a Registration Abroad & Use.

**Message Solution:** Complete the mandatory information in the foreign registration section or delete the information in the field Statement of wares (services) as it appears in the foreign registration section or delete the claim using the *Delete* button at the bottom of the screen.

**Message:** If all particulars of the foreign registration are not provided at the time of filing, these will be requested at the examination stage. Do you wish to complete the information.

**Message Cause:** You have not provided both the foreign registration number and the foreign registration date.

**Message Solution:** Click on *Cancel* to continue without completing the information. Click on *OK* to provide the missing information.

**Message:** You have selected The applicant's predecessor(s) in title or The applicant and the applicant's predecessor(s) in title. You need to enter the information in the predecessor in title field. Do you wish to complete/correct this information?

**Message Cause:** You have checked one of the two predecessor in title check boxes in the use section but you have not provided a predecessor in title.

**Message Solution:** Uncheck the check box or provide a predecessor in title in the use section.

**Message:** You have entered information in the predecessor in title field. You need to select the appropriate check box. Do you wish to complete/correct this information?

**Message Cause:** You have entered a predecessor in title in the use section but you have not checked a check box.

**Message Solution:** Check one of the check boxes or delete the predecessor in title in the use section.

## 8.4 Screen layout - 'Application Abroad & Use'

The screenshot shows the 'Wares Details' page in the CIPO electronic application form. The page is titled 'Wares Details' and 'Wares 1 of 1'. It contains a text area for a 'Statement of wares in respect of which registration is requested' with 'Add', 'Delete', and 'Cancel' buttons below it. Below this is the 'Basis for Filing' section, which includes a table with columns for 'Made Known in Canada', 'Used in Canada', 'Registered Abroad & Used Abroad & Use', 'Proposed Use in Canada', 'Priority Claim', and 'Substantive Claim'. The 'Registered Abroad & Used Abroad & Use' option is selected. The 'Application Abroad & Use 1 of 1' section follows, with a 'Use' section containing two radio button options for predecessor(s) in title and a dropdown for 'Country of Use'. The 'Foreign Application' section includes fields for 'Applicant's Predecessor(s) in Title (if applicable)', 'Country in or for which Filed', 'Country/Office where Foreign Application was Filed', 'Foreign Application Date', and 'Foreign Application Number'. A final text area for a statement of wares is provided, also with 'Add', 'Delete', and 'Cancel' buttons. The page footer includes navigation links and the CIPO logo.

**Wares Details**  
Wares  
1 of 1

Statement of wares in respect of which registration is requested

Add Delete Cancel

**Basis for Filing** **Other Claims**

Made Known in Canada	Used in Canada	Registered Abroad & Used Abroad & Use	Proposed Use in Canada	Priority Claim	Substantive Claim
----------------------	----------------	---------------------------------------	------------------------	----------------	-------------------

**Application Abroad & Use**  
1 of 1

**Use**

The applicant's predecessor(s) in title

The applicant and the applicant's predecessor(s) in title

\*Country of Use

**Foreign Application**

Applicant's Predecessor(s) in Title (if applicable)

\*Country in or for which Filed

Country/Office where Foreign Application was Filed

Foreign Application Date (yyyy/mm/dd)

Foreign Application Number

Provide the statement of wares as it appears in the foreign application, to the extent that it covers the wares in respect of which registration is requested.

Add Delete Cancel

Help What's New Site Map Feedback About Us Français Top of Page

Canada  
http://strategies.gc.ca

#### 8.4.1 Screen description - 'Application Abroad & Use'

If your application is based on an Application Abroad & Use, this screen allows you to provide the information pertaining to this basis for filing.

Complete this screen only if the application in or for the country of origin is still pending.


In the 'Use' section, choose the 'Country of Use' from the Country table drop down list. Information pertaining to a predecessor(s) in title may be provided, click the appropriate radio button and provide this information in the section named 'Applicant's Predecessor(s) in Title'. Name the predecessor who began to use the trade-mark in association with the specific wares or services and name also any intervening predecessor down to the applicant.


In the 'Foreign Application' section, enter all the Foreign Application particulars. Choose from the drop down list the 'Country in or for which Filed' and again from the drop down list choose the 'Country/Office where Foreign Application was Filed'. Finally, enter the 'Foreign Application Date' and the 'Foreign Application Number'. The 'Foreign Application Date' must be a full complete date, yyyy/mm/dd.


The country table is populated with 'Countries of the Union' any country that is a member of the Union for the Protection of Industrial Property constituted under the convention, or any WTO Member.

Information pertaining to a predecessor(s) in title may be provided in the section named 'Applicant's Predecessor(s) in Title'. Name the predecessor who began to use the trade-mark in association with the specific wares or services and name also any intervening predecessor down to the applicant.

For a trade-mark that has been used and/or filed in more than one country, as many Country of Use or as many Foreign Application particulars may be entered for the same statement of wares or same statement of services, the information for each country must be entered separately.

Simply click on the  button each time another Country of Use or Foreign Application particulars is to be added.

A Country of Use or Foreign Application particulars may be deleted by clicking on the  button.

Clicking on the  button will reset the Foreign Use and Foreign Application to their original value when the screen was accessed.

If more than one Country of Use or Foreign Application particulars is entered, it may be viewed by clicking on the , ,  or  buttons.

The following will be displayed

Example:	Application Abroad & Use 1 of 1	Application Abroad & Use 2 of 5	Application Abroad & Use 5 of 10
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If required, you may provide in the appropriate field, the statement of wares as it appears in the Foreign Application, to the extent that it cover the wares in respect of which registration is requested. (*for a statement of services the word ‘services’ replaces the word ‘wares’*).

#### 8.4.2 Mandatory fields

In the ‘Use’ section, the ‘Country of Use’ is mandatory. In the ‘Foreign Application’ section, the ‘Country in or for which Filed’ is mandatory, these two fields are indicated in red with an \* symbol. Either the ‘Foreign Application date’ or the Foreign Application number’ is mandatory. The date of filing of an application for the registration of a trade-mark is the date on which the following are delivered to the Registrar. An application setting out the following information, namely,

- in the case of a trade-mark other than a proposed trade-mark,
  - the name of a country in which the trade-mark has been used and information respecting the registration or application for registration in a country of the Union on which the right to registration is based.

These are filing requirements. An application may not be submitted until this information is provided.

An applicant for the registration of a trade-mark shall file with the Registrar an application containing,

- in the case of a trade-mark that is the subject in or for another country of the Union of a registration or an application for registration by the applicant or the applicant’s named predecessor in title on which the applicant bases the applicant’s right to registration, particulars of the application or registration and, if the trade-mark has neither been used in Canada nor made known in Canada, the name of a country in which the trade-mark has been used by the applicant or the applicant’s named predecessor in title, if any, in association with each of the general classes of wares or services described in the application.

No application for the registration of a trade-mark may be amended, after it has been advertised in the Journal, to change,

- the application from one that does not allege that the trade-mark has been used and registered in a country of the Union to one that does so allege.

## 8.4.3 Warning/Error Messages

### 8.4.3.1 While completing information

**Message:** You have entered an invalid date format.

**Message Cause:** The format of the date you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date in the correct format **yyyy/mm/dd** or delete the date.

**Message:** You have entered an invalid month.

**Message Cause:** The month you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **12**) or delete the date.

**Message:** You have entered an invalid day.

**Message Cause:** The day entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **31** depending on the month) or delete the date.

**Message:** Your date may not be in the future.

**Message Cause:** The date you entered is in the future.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date or delete the date.

**Message:** Your date should not be prior to the year 1601/01/01.

**Message Cause:** The date you entered is prior to 1601/01/01.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date (make sure it is not prior to 1601/01/01) or delete the date.

**Message:** You need to enter a full date (yyyy/mm/dd).



**Message Cause:** You have not provided the month and/or day in the *Foreign Application Date* field.

**Message Solution:** The focus will be given back to this field until the error is corrected. Enter a full date (yyyy/mm/dd).

**Message:** Predecessor in Title field may not be greater than 250 characters.

**Message Cause:** The maximum length of the field is 250 characters.

**Message Solution:** Review the information you entered in the field and try to reword so that it does not exceed more than 250 characters.

**Message:** Do you wish to delete this claim?

**Message Cause:** You clicked on the *Delete* button.

**Message Solution:** Click on *Cancel* to cancel the delete process. Click on *OK* to continue and delete the claim.

#### 8.4.3.2 Before leaving Application Abroad & Use screen

**Message:** You need to select the country in or for which Filed.

**Message Cause:** You have entered information in the foreign application section but have not provided the country in or for which Filed and this information is mandatory for a complete claim for an Application Abroad & Use.

**Message Solution:** Select a country from the list or delete the claim using the *Delete* button at the bottom of the screen.

**Message:** You need to enter a foreign application date or a foreign application number.

**Message Cause:** You have entered information in the foreign application section but have not provided a foreign application date or a foreign application number and this information is mandatory for a complete claim for an Application Abroad & Use.

**Message Solution:** Enter a foreign application date or a foreign application number or delete the claim using the *Delete* button at the bottom of the screen.

**Message:** You need to select the country of use.

**Message Cause:** You have entered information in the Use section but have not provided the country of use and this information is mandatory for a complete claim for an Application Abroad & Use.

**Message Solution:** Select a country from the list or delete the claim using the *Delete* button at the bottom of the screen.

**Message:** You need to complete the foreign application particulars.

**Message Cause:** You have entered information in the field Statement of wares (services) as it appears in the foreign application section and you have not completed the mandatory information for a complete claim for an Application Abroad & Use.

**Message Solution:** Complete the mandatory information in the foreign application section or delete the information in the field Statement of wares (services) as it appears in the foreign application section or delete the claim using the *Delete* button at the bottom of the screen.

**Message:** If all particulars of the foreign application are not provided at the time of filing, these will be requested at the examination stage. Do you wish to complete the information.

**Message Cause:** You have not provided both the foreign application number and the foreign application date.

**Message Solution:** Click on *Cancel* to continue without completing the information. Click on *OK* to provide the missing information.

**Message:** You have selected The applicant's predecessor(s) in title or The applicant and the applicant's predecessor(s) in title. You need to enter the information in the predecessor in title field. Do you wish to complete/correct this information?

**Message Cause:** You have checked one of the two predecessor in title check boxes in the use section but you have not provided a predecessor in title.

**Message Solution:** Uncheck the check box or provide a predecessor in title in the use section.

**Message:** You have entered information in the predecessor in title field. You need to select the appropriate check box. Do you wish to complete/correct this information?

**Message Cause:** You have entered a predecessor in title in the use section but you have not checked a check box.

**Message Solution:** Check one of the check boxes or delete the predecessor in title in the use section.

## 8.5 Screen layout - 'Proposed Use in Canada'

The screenshot shows the 'Wares Details' page in the CIPO online application system. The page is titled 'Wares Details' and shows 'Wares 1 of 1'. A large text area is labeled 'Statement of wares in respect of which registration is requested'. Below this, there are two columns: 'Basis for Filing' and 'Other Claims'. Under 'Basis for Filing', there are radio buttons for 'Mark Known in Canada', 'Used in Canada', 'Registration Abroad & Use Abroad & Use', and 'Proposed Use in Canada'. Under 'Other Claims', there are radio buttons for 'Priority Claim' and 'Subsection 1(2) Section 14'. Below these, there is a section titled 'Proposed Use in Canada' with a checkbox and a text box containing the statement: 'The applicant [by itself or through a licensee, or by itself and through a licensee], intends to use the trade-mark in Canada in association with the wares described above.' At the bottom, there are navigation links: 'Home', 'What's New', 'Status', 'Feedback', 'About Us', 'Français', and 'Top of Page'.

### 8.5.1 Screen description - 'Proposed Use in Canada'

If your application is based on a Proposed Use in Canada claim, this screen allows you to provide the information pertaining to this basis for filing.

Simply check the checkbox for the statement 'The applicant intends to use the trade-mark in Canada in association with the wares described above'. (for a statement of services the word 'services' replaces the word 'wares'). Following the words 'The applicant', select from the drop down list the applicable phrase that applies to the statement.

## 8.5.2 Mandatory fields

There is no mandatory field on this screen.

An applicant for the registration of a trade-mark shall file with the Registrar an application containing,

- in the case of a proposed trade-mark, a statement that the applicant, by itself or through a licensee, or by itself and through a licensee, intends to use the trade-mark in Canada.

No application for the registration of a trade-mark may be amended where the amendment would change,

- the application from one not alleging use or making known of the trade-mark in Canada before the filing of the application to one alleging such use or making known.

No application for the registration of a trade-mark may be amended, after it has been advertised in the Journal, to change,

- the application from one alleging use or making known to one for a proposed trade-mark

## 8.5.3 Warning/Error Messages

### 8.5.3.1 While completing information

**Message:** A proposed use in Canada claim should not be selected for a certification mark.

**Message Cause:** You have selected *Certification mark* as type of trade-mark on the trade-mark screen, you are checking the check box to claim a proposed use in Canada.

**Message Solution:** Uncheck the check box if you do not wish to claim the proposed use in Canada.

**Message:** A proposed use in Canada claim should not be selected for a distinguishing guise.

**Message Cause:** You have selected *Distinguishing guise* as type of trade-mark on the trade-mark screen, you are checking the check box to claim a proposed use in Canada.

**Message Solution:** Uncheck the check box if you do not wish to claim the proposed use in Canada.

### 8.5.3.2 Before leaving Proposed Use in Canada screen

There are no messages

## 8.6 Screen layout - 'Priority Claim'

The screenshot displays the CIPO website interface in a Netscape browser window. The page is titled 'Wares Details' and shows a list of 'Wares' with '1 of 1' items. Below this, there is a form for 'Statement of Wares in respect of which registration is requested' with 'Add', 'Delete', and 'Cancel' buttons. The 'Basis for Filing' section includes a table with columns for 'Mark Known in Canada', 'Used in Canada', 'Registration Abroad & Use', 'Application Abroad & Use', 'Proposed Use in Canada', 'Priority Claim', and 'Section 122/ Section 14'. The 'Other Claims' section is currently empty. The 'Priority Claim Based on a Foreign Application' section shows '1 of 1' items and includes a form with the following fields:

- The Applicant
- The Applicant's Predecessor(s) in Title
- was domiciled in: [dropdown menu]
- Country: [dropdown menu]
- The Country in or for which the Earliest Application was Filed: [dropdown menu]
- Country/Office where Earliest Foreign Application was Filed: [dropdown menu]
- Foreign Filing Date: [text input]
- Foreign Application Number: [text input]

At the bottom of the form are 'Add', 'Delete', and 'Cancel' buttons. The page footer includes navigation links: [Help](#), [What's New](#), [Status](#), [Feedback](#), [About Us](#), [Français](#), and [Top of Page](#). The CIPO logo and website URL (<http://strategis.ic.gc.ca>) are also present.

### 8.6.1 Screen description - 'Priority Claim'


This screen allows you to provide the information pertaining to a Priority Claim based on a Foreign Application Abroad.


Complete this screen only where Convention priority is claimed.

An applicant is entitled to priority in Canada if an application in Canada, including or accompanied by a declaration setting out the date on which and the country of the Union in or for which the earliest application was filed for the registration of the same or substantially the same trade-mark for use in association with the same kind of wares or services, is filed within a period of six months after that date, which period shall not be extended.




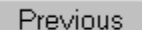
Choose 'The Applicant' or 'The Applicant's Predecessor(s) in Title' by selecting the appropriate radio button and from the drop down list select the applicable statement and choose from the drop down list the 'Country'. Choose from the drop down list the 'Country in or for which the earliest Application was Filed', and again choose from the drop down list the 'Country/Office where earliest Foreign Application was Filed'. Finally, enter the 'Foreign Filing Date' and the 'Foreign Application Number'. The 'Foreign Filing date' must be a full complete date yyyy/mm/dd.

If an application for registration abroad has been filed in more than one country, corresponding priority claims may be entered for each, the information for each must be entered separately.

Simply click on the  button each time another Priority Claim is to be added.

A Priority Claim may be deleted by clicking on the  button.

Clicking on the  button will reset the Priority Claim to its original value when the screen was accessed.

If more than one Priority Claim has been entered, it may be viewed by clicking on the , ,  or  buttons.

The following will be displayed

Example:	Priority claim based on a Foreign Application 1 of 1	Priority claim based on a Foreign Application 2 of 5	Priority claim based on a Foreign Application 5 of 10
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### 8.6.2 Mandatory Fields

There are no mandatory fields on this screen for minimum filing requirements.

However, if priority is claimed, the 'Country in or for which the earliest application was filed' **and** the 'Foreign Filing Date' must **both** be provided at the time of filing of the application, if

not, the priority filing claim will be incomplete and therefore not acceptable by the Office and this information may not be provided after the filing of the application.

An application may not be solely based on a Priority Claim as a 'Basis for Filing'. The date of filing of an application for the registration of a trade-mark is the date on which the following are delivered to the Registrar. An application setting out the following information, namely,

- in the case of a trade-mark other than a proposed trade-mark,
  - the date of first use or making known the trade-mark in Canada, or
  - the name of a country in which the trade-mark has been used and information respecting the registration or application for registration in a country of the Union on which the right to registration is based.

### 8.6.3 Warning/Error Messages

#### 8.6.3.1 While completing information

**Message:** You have entered an invalid date format.

**Message Cause:** The format of the date you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date in the correct format **yyyy/mm/dd** or delete the date.

**Message:** You have entered an invalid month.

**Message Cause:** The month you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **12**) or delete the date.

**Message:** You have entered an invalid day.

**Message Cause:** The day entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **31** depending on the month) or delete the date.

**Message:** Your date may not be in the future.

**Message Cause:** The date you entered is in the future.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date or delete the date.

**Message:** Your date should not be prior to the year 1601/01/01.

**Message Cause:** The date you entered is prior to 1601/01/01.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date (make sure it is not prior to 1601/01/01) or delete the date.

**Message:** Do you wish to delete this priority filing?

**Message Cause:** You clicked on the *Delete* button.

**Message Solution:** Click on *Cancel* to cancel the delete process. Click on *OK* to continue and delete the claim.

### 8.6.3.2 Before leaving Priority Claim screen

**Message:** Your priority claim will be considered as incomplete unless you provide both the date on which and the country of the union in or for which the earliest application was filed. Do you wish to complete this information?

**Message Cause:** You have not provided the *Foreign Filing Date* and/or the *Country in or for which the Earliest Application was Filed*.

**Message Solution:** Click on *Cancel* to continue without completing the missing information. Click on *OK* to complete the missing information.

**Message:** Your priority claim is more than 6 months prior to the filing date. If this is not corrected before filing, your priority claim will be considered as incomplete. Do you wish to correct this information?

**Message Cause:** The date you entered in the *Foreign Filing Date* field is more than 6 months prior to the filing date.

**Message Solution:** Click on *Cancel* to continue without correcting the information. Click on *OK* to correct the information.



## 8.7 Screen layout - 'Subsection 12(2)/Section 14'

Trade-marks Office Electronic Application Form - Message

Back Forward Home Search Message Print Security

Location: <https://strategis.ic.gc.ca/secure/cipo/bv/trademark/Registration.cfm?ID>

WebMail Charweb

Industry/Industrie  
Canada/Canada

Canadian Intellectual Property Office

Strategis

Help What's New Site Map Feedback About Us Français

Search Strategis

### Wares Details

Wares  
1 of 1

Statement of wares in respect of which registration is requested

Add Delete Cancel

**Basis for Filing** **Other Claims**

[Made Known in Canada](#)
[Used in Canada](#)
[Registration Abroad & Use Abroad & Use in Canada](#)
[Proposed Use in Canada](#)

[Priority Claim](#)
[Subsection 12\(2\)/Section 14](#)

**Subsection 12(2) Information**

Benefit of Subsection 12(2) Claimed
  Evidence of Use
  Attached
  To Follow

Territorial Restriction(s) (if applicable)

**Section 14 Information**

Benefit of Section 14 Claimed
  Evidence
  None
  Attached
  To Follow

Country in or for which Registered

Country/Office where Registration was Made

Foreign Registration Date

Foreign Registration Number

← →

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Canada  
http://strategis.ic.gc.ca

### 8.7.1 Screen description - 'Subsection 12(2)/Section 14'

This screen allows you to provide the information pertaining to a Subsection 12(2) and information pertaining to a Section 14 claim based on a Foreign Registration Abroad.

Complete this screen only where the benefit of section 12(2) is claimed and/or only where the benefit of section 14 is claimed on the basis of a registration in or for the country of origin.

If benefit of Subsection 12(2) is to be claimed, in the 'Subsection 12(2) Information' check the checkbox 'Benefit of Subsection 12(2) Claimed'. If Evidence of Use is to be provided, it may be submitted along with the application as an attachment or filed at a later time. Under 'Evidence of Use' check the checkbox 'Attached' or 'To Follow', or do not check either checkbox.

Information for territorial restriction(s), if applicable may also be provided in the 'Territorial Restrictions' field. Examples:

- Restricted to the province of Ontario
- Restricted to the provinces of Ontario and Quebec
- Restricted to the district of
- Restricted to the territory of

As for the 'Section 14 Information', if Section 14 is to be claimed, check the checkbox 'Benefit of Section 14 Claimed'. If Evidence of Use is to be provided, it may be submitted along with the application as an attachment or filed at a later time. Under 'Evidence of Use' check the checkbox 'Attached' or 'To Follow'. If Evidence of Use will not be filed check the checkbox 'None', or do not check any checkbox.

Proceed and provide all the Foreign Registration particulars. From the drop down list choose the 'Country in or for which Registered', again from the drop down list choose the 'Country/Office where Registration was Made'. Finally, enter the 'Foreign Registration Date' and 'Foreign Registration Number'. The 'Foreign Registration Date' must be a full complete date, yyyy/mm/dd. (it is not necessary to provide the 'Foreign Registration 'Date' and 'Number' where the benefit of section 14 is based on a Registration Abroad & Use or an Application Abroad & Use if identified in the Registration Abroad & Use or Application Abroad & Use screens.)

### 8.7.2 Mandatory Fields

There are no mandatory fields on this screen for minimum filing requirements.

However, if Benefit of Section 14 is claimed, the Foreign Registration particulars are required.

## 8.7.3 Warning/Error Messages

### 8.7.3.1 While completing information

**Message:** You have entered an invalid date format.

**Message Cause:** The format of the date you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date in the correct format **yyyy/mm/dd** or delete the date.

**Message:** You have entered an invalid month.

**Message Cause:** The month you entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **12**) or delete the date.

**Message:** You have entered an invalid day.

**Message Cause:** The day entered is invalid.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the month (make sure it is between **01** and **31** depending on the month) or delete the date.

**Message:** Your date may not be in the future.

**Message Cause:** The date you entered is in the future.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date or delete the date.

**Message:** Your date should not be prior to the year 1601/01/01.

**Message Cause:** The date you entered is prior to 1601/01/01.

**Message Solution:** The focus will be given back to this field until the error is corrected. Re-enter the date (make sure it is not prior to 1601/01/01) or delete the date.

**Message:** Do you wish to claim benefit of subsection 12(2)? Note, a subsection 12(2) should not be selected for a distinguishing guise.

**Message Cause:** You have entered information in subsection 12(2) section but you have not checked *Benefit of Subsection 12(2) Claimed* check box.

**Message Solution:** Click on *Cancel* if you do not wish to claim benefit of subsection 12(2). All information in subsection 12(2) section will be deleted. Click on *OK* to claim benefit of subsection 12(2). The *Benefit of Subsection 12(2) Claimed* check box will be checked for you.

**Message:** Do you wish to claim benefit of section 14? Note, a section 14 should not be selected for a distinguishing guise.

**Message Cause:** You have entered information in section 14 section but you have not checked *Benefit of Section 14 Claimed* check box.

**Message Solution:** Click on *Cancel* if you do not wish to claim benefit of section 14. All information in section 14 section will be deleted. Click on *OK* to claim benefit of section 14. The *Benefit of Section 14 Claimed* check box will be checked for you.

**Message:** Do you wish to delete all information for benefit of subsection 12(2)?.

**Message Cause:** You have entered information in subsection 12(2) section, you have unchecked the *Benefit of Subsection 12(2) Claimed* check box, but you have not erased the information entered.

**Message Solution:** Click on *Cancel* if you do not wish to delete all information for benefit of subsection 12(2), the check box will be automatically checked. Click on *OK* to delete all information in subsection 12(2) section.

**Message:** Do you wish to delete all information for benefit of section 14?

**Message Cause:** You have entered information in section 14 section, you have unchecked the *Benefit of Section 14 Claimed* check box, but you have not erased the information entered.

**Message Solution:** Click on *Cancel* if you do not wish to delete all information for benefit of section 14, the check box will be automatically checked. Click on *OK* to delete all information in section 14 section.

**Message:** A subsection 12(2) should not be selected for a distinguishing guise.

**Message Cause:** You have selected *Distinguishing guise* as type of trade-mark on the trade-mark screen and you are checking the check box *Benefit of Subsection 12(2) Claimed*.

**Message Solution:** Uncheck the check box if you do not wish to claim the Benefit of Subsection 12(2).

**Message:** A section 14 should not be selected for a distinguishing guise.

**Message Cause:** You have selected *Distinguishing guise* as type of trade-mark on the trade-mark screen and you are checking the check box *Benefit of Section 14 Claimed*.

**Message Solution:** Uncheck the check box if you do not wish to claim the Benefit of Section 14.

### 8.7.3.2 Before leaving Subsection 12(2)/Section 14 screen

**Message:** The benefit of Subsection 12(2) should not be claimed with a Proposed use in Canada. Do you wish to correct this information.

**Message Cause:** You have entered information in Subsection 12(2) **AND** you have not entered a used in Canada basis for filing for the same statement of wares (or services).

**Message Solution:** Click on *Cancel* to remove the information you entered in Subsection 12(2). Click on *OK* to continue without changing the information.

**Message:** The claim to the benefit of section 14 requires the foreign registration particulars, or a Registration Abroad & Use basis for filing. Do you wish to correct this information.

**Message Cause:** You have entered information in Section 14 **AND** you have not entered the foreign registration information in one of the following fields: Country in or for which Registered, Foreign Registration Date or Foreign Registration Number.

**Message Solution:** Click on *Cancel* to complete the information Section 14. Click on *OK* to continue without changing the information.

## 9. Trade-mark Agent and Representative for Service

### 9.1 Screen layout - 'Trade-mark Agent and Representative for Service'

The screenshot displays the Canadian Intellectual Property Office (CIPO) website interface. The main content area is titled "Trade-mark Agent and Representative for Service Details" and is divided into three sections: "Appointment of Trade-mark Agent", "Representative for Service", and "Associate Trade-mark Agent". Each section contains a form with various input fields and dropdown menus. The "Appointment of Trade-mark Agent" section includes fields for Name, Address, E-Mail Address, and a dropdown for "Made of Communications to Agent". The "Representative for Service" section includes fields for Name, Address, E-Mail Address, and a dropdown for "Made of Communications to Representative". The "Associate Trade-mark Agent" section includes fields for Name, Street/City, Province, Postal Code, Telephone Number, E-Mail Address, and a dropdown for "Made of Communications to Associate Agent". A "Yes" button is present at the end of each section's form. The website header includes the CIPO logo and navigation links such as "Home", "What's New", "Site Map", "Feedback", "About Us", and "Français". The footer includes the CIPO logo and the text "Help / Réponses en français".

**Trade-mark Agent and Representative for Service Details**

**Appointment of Trade-mark Agent**

Name:

Address:

E-Mail Address:

Province:  Made of Communications to Agent:

Trade-mark agent is also appointed as representative for service:

**Representative for Service**

Name:

Address:

E-Mail Address:

Province:  Made of Communications to Representative:

Enter Representative for Service Information if not found in List Box Above

Name:

Street/City:

Province:  Postal Code:  (884 884)

Telephone Number:

E-Mail Address:

Province:  Made of Communications to Representative:

**Associate Trade-mark Agent**

Name:

Street/City:

Province:  Postal Code:  (884 884)

Telephone Number:

E-Mail Address:

Province:  Made of Communications to Associate Agent:

Associate trade-mark agent is also appointed as representative for service:

[Home](#) [What's New](#) [Site Map](#) [Feedback](#) [About Us](#) [Contact Us](#) [Top of Page](#)

**Canada**  
Help / Réponses en français

## 9.2 Screen description - 'Trade-mark Agent and Representative for Service'

This screen allows you to provide the information pertaining to a Trade-mark Agent, a Representative for Service or an Associated Trade-mark Agent.

### 9.2.1 Appointment of Trade-mark Agent

To appoint a trade-mark agent, select a name from the 'Name' drop down list. If the name of the agent you wish to appoint does not appear in the selection list, see your organization administrator who is responsible for maintaining the selection list for the Trade-mark On-Line Electronic Filing.

To view the address, click on the  button and the address of the selected agent will display. A new trade-mark agent may not be entered, since a trade-mark agent must be a registered trade-mark agent with the Trade-marks Office.

For future Office correspondence to the trade-mark agent, an attention to may be provided in the 'Attention to' field. The mode of communication to the trade-mark may also be selected. In the 'Mode of Communication to Agent' choose either 'Electronic' or 'Mail'. Note, however, if 'Electronic' is selected, an e-mail address to where any correspondence is to be sent is required. This information may be provided in the 'E-mail Address' field. If the 'E-mail Address' field is provided, you should select 'Electronic' as mode of communication.

If a trade-mark agent is appointed and will also be appointed as a Representative for Service, click on the  button '*Trade-mark Agent is also appointment for Representative for Service*' and the information stored in the 'Appointment of Trade-mark Agent' section will be automatically transferred to the 'Representative for Service' section.

### 9.2.2 Representative for Services

Do not complete this section if a Canadian address of the applicant is given in the Applicant screen and the applicant does not wish to appoint a special representative for service.

To appoint a Representative for Service, select a name from the 'Name' drop down list. If the name of representative for service you would like to appoint does not appear in the selection list, enter the representative for service information in the next section as described below.

To view the address, click on the  button and the address of the selected representative for service will display. For future Office correspondence with the representative for service, an attention to may be provided in the 'Attention to' field. The mode of communication to the representative for service may also be selected. In the 'Mode of Communication to Representative for Service' choose either 'Electronic' or 'Mail'. Note,

however, if 'Electronic' is selected, an e-mail address to where any correspondence is to be sent is required. This information may be provided in the 'E-mail Address' field. If the 'E-mail Address' field is provided, you should select 'Electronic' as mode of communication.

### 9.2.3 Enter Representative for Service information if not found in list box above

A new representative for service may be entered if one is not found in the 'Name' drop down list in the 'Representative for Service' section. Provide the name of the representative for service, the full street address and city and select a province from the drop down list. Enter the postal code. Click on the words 'Postal Code' if the Canadian postal code is unknown. Clicking on these words opens a new browser to the Canada Post Web Site whereby a search may be performed to locate the desired Canadian postal code. The browser must be closed when finished.

The field 'Telephone Number' allows the capture of the Representative for Service phone number. For future Office correspondence with the representative for service, an attention to may be provided in the 'Attention to' field. The mode of communication to the representative for service may also be selected. In the 'Mode of Communication to Representative for Service' choose either 'Electronic' or 'Mail'. Note, however, if 'Electronic' is selected, an e-mail address to where any correspondence is to be sent is required. This information may be provided in the 'E-mail Address' field. If the 'E-mail Address' field is provided, you should select 'Electronic' as mode of communication.

### 9.2.4 Associate Trade-mark Agent

The functionality for this section is not yet completed.

## 9.3 **Mandatory Fields**

There are no mandatory fields on this screen for minimum filing requirements.

However, if the address of the applicant's principal office or place of business in Canada, if any, and if the applicant has no office or place or business in Canada, the address of his principal office or place of business abroad has not been provided in the Applicant screen, a Canadian Representative for Service is required and may be provided in this screen in the 'Representative for Service' section.

## 9.4 **Warning/Error Messages**

### 9.4.1 While completing information

**Message:** Postal code deleted. You need to select a province before you enter a postal code.

**Message Cause:** You have entered a postal code before selecting a province.



**Message Solution:** Select a province and re-enter the postal code.

**Message:** You have entered an invalid postal code format.

**Message Cause:** The format of the postal code you entered is invalid.

**Message Solution:** As the focus is returned to the postal code field, you need to either correct the format to A9A 9A9 format or delete the postal code.

**Message:** You should begin your postal code with the letter T.

**Message Cause:** The first letter of the postal code you entered does not match the postal codes recognized for the province you selected.

**Message Solution:** As this is just a warning, you may leave the postal code as is if you know it is right. However, if you are not sure of the postal code, we recommend that you click on *Postal Code* hypertext link to verify the postal code with Canada Post.

**Message:** You should begin your postal code with one of the following letters: K, L, M, N, P.

**Message Cause:** The first letter of the postal code you entered does not match the postal codes recognized for the province you selected.

**Message Solution:** As this is just a warning, you may leave the postal code as is if you know it is right. However, if you are not sure of the postal code, we recommend that you click on *Postal Code* hypertext link to verify the postal code with Canada Post.

#### 9.4.2 Before leaving Trade-mark Agent and Representative for Service screen

**Message:** You need to enter the E-Mail address of the Trade-mark agent if you choose "Electronic" as mode of communication.

**Message Cause:** You have selected Electronic as mode of communication to the Trade-mark agent but you have not provided an E-Mail address.

**Message Solution:** Provide an E-Mail address or select another mode of communication to the Trade-mark agent.

**Message:** You have entered an E-Mail address for the trade-mark agent without selecting "Electronic" as mode of communication.

**Message Cause:** You haven't selected Electronic as mode of communication to the trade-mark agent but you have provided an E-Mail address.

**Message Solution:** Select 'Electronic' as mode of communication to the trade-mark agent.

**Message:** You need to enter the E-Mail address of the representative for service if you choose "Electronic" as mode of communication.

**Message Cause:** You have selected Electronic as mode of communication to the representative for service but you have not provided an E-Mail address.

**Message Solution:** Provide an E-Mail address or select another mode of communication to the representative for service.

**Message:** You have entered an E-Mail address for the representative for service without selecting "Electronic" as mode of communication.

**Message Cause:** You haven't selected Electronic as mode of communication to the representative for service but you have provided an E-Mail address.

**Message Solution:** Select 'Electronic' as mode of communication to the representative for service.

**Message:** You need to enter the E-Mail address of the associate agent if you choose "Electronic" as mode of communication.

**Message Cause:** You have selected Electronic as mode of communication to the associate agent but you have not provided an E-Mail address.

**Message Solution:** Provide an E-Mail address or select another mode of communication to the associate agent.

**Message:** You have entered an E-Mail address for the associate agent without selecting "Electronic" as mode of communication.

**Message Cause:** You haven't selected Electronic as mode of communication to the associate agent but you have provided an E-Mail address.

**Message Solution:** Select 'Electronic' as mode of communication to the associate agent.

**Message:** You may not have information present in both the representative for service sections.

**Message Cause:** You have entered information in both representative for service sections.

**Message Solution:** If the representative for service you wish to appoint appears in the selection list, select this representative for service, complete the information in the first section and delete all information in the second section. If the representative for service does not appear in the selection list, complete the information in the second section and delete all information in the first section.

## 10. Closing Details

### 10.1 Screen layout - 'Closing Details'

Trade-marks Office Electronic Application Forms - Netscape

File Edit View Go Communicator Help

Back Forward Reload Home Search Netscape Print Security

Bookmarks Location: http://www.ic.gc.ca/secure/og/bn/trademark/ling/fin/og#MD

WebMail Channels

Industry Intellectual Property Office Canadian Intellectual Property Office Strategis

Help What's New Site Map Feedback About Us Français

Search Strategis

### Closing Details

#### Entitlement Statement

The applicant is satisfied that [me] is entitled to use the trade-mark in Canada in association with the described in the application.

#### Fee Information

Fees	
Prescribed Filing Fee	*\$150.00
Certified Copy(s)	\$50.00 each
Number Attached	<input type="text"/>

View Total Amount

Payment Method

Deposit Account  
Visa (not currently available)  
Mastercard (not currently available)

Authorized Official:

Authorization Statement  
The Registrar of Trade-marks on behalf of the Receiver General is hereby authorized to deduct the prescribed filing fee from this firm's deposit account.

Deposit Account: SMART & BIGGAR ONTARIO

#### Attachments

Add File:  Browse...

Click on the 'Browse' button to select .TIF or .GIF file.

Comments:

Help What's New Site Map Feedback About Us Français Top of Page

Canada  
http://strategis.ic.gc.ca

### 10.2 Screen description - 'Closing Details'

This screen allows you to perform a variety of functions, such as, complete the entitlement statement, fee information and attach any attachments to submit along with the application to the Trade-marks Office.

The 'Entitlement Statement' section is made up of a statement with a checkbox and a drop down list. The checkbox 'The applicant is satisfied that \_\_\_ is entitled to use the trade-mark in Canada in association with the described wares in the application' must be checked. *(for a statement of services the word 'services' replaces the word 'wares', for both a statement of wares and a statement of services the words 'wares and services' replaces the word 'wares' )* The gender of the applicant that is applicable may be selected by selecting a pronoun from the drop down list.

In the 'Fee Information' section, a filing fee is \$150.00 and each certified copy is \$50.00.

If there are no certified copy(s) to be submitted as an attachment along with the application click on the  button and the total amount of \$150.00 for the application that will be deducted from your deposit account will be displayed.

If certified copy(s) are to be submitted as an attachment along with the application, the number may be indicated in the 'Number Attached' field, click on the  button to view the total amount for the application including certified copy(s). The 'Number Attached' field may be edited. For example, if 4 certified copies were indicated in error, the number may be readjusted accordingly or deleted entirely if no certified copy(s) are to be submitted, click on the  button again to view the adjusted total amount for the application.

In the 'Pre-Authorized Payment Method' click the appropriate radio button to choose the payment method. Deposit account is the only available method at this current time. Eventually Visa and Mastercard will be available.

In the 'Authorized Official' field provide the name of the person authorizing the payment deductions. The Authorized Statement checkbox 'The Registrar of Trade-marks on behalf of the Receiver General is hereby authorized to deduct the prescribed filing fee from the firms deposit account' must be checked. From the 'Deposit Account' drop down list, select the name of the deposit account that the deductions are to be taken from. If there is no name of the deposit account to select from, a message is displayed where the drop down list would be.

In the 'Attachments' section, there is a file field with a  button, click on the browse button to choose a file in a *.tiff or .tiff* format from the hard drive. A name and any information regarding the attachment may be indicated in the 'Comments' field. There is also an  button, this button is to be used only when more than one attachment is to be submitted. Click on the  button and choose a file from the hard drive before clicking on the  button. Finally, there is a  button if you have added attachments. It is to be used to delete an attachment. Click the radio button beside the file you want to delete and click on the  button.

Note: If you re-load a saved application that included an attachment and/or a graphical file, these will need to be re-attached. As well, if the deposit account was selected, it will need to be re-selected.

### **10.3 Mandatory fields**

There is one mandatory field on this screen, it is indicated in red with an \* symbol and is, the fee. The date of filing of an application for the registration of a trade-mark is the date on which the following are delivered to the Registrar,

- the application fee

This is a filing requirement. An application may not be submitted until this information is provided.

An applicant for the registration of a trade-mark shall file with the Registrar an application containing,

- a statement that the applicant is satisfied that he is entitled to use the trade-mark in Canada in association with the wares or services described in the application.

### **10.4 Warning/Error Messages**

#### 10.4.1 While completing information

**Message:** You need to select a file from your local hard drive before you click on the "Add" button.

**Message Cause:** You have clicked on the "Add" button without providing the file name you wish to add.

**Message Solution:** Select the name of the file you wish to add using the "Browse" button or enter the name of the file manually.

**Message:** You need to select the file before you may delete it.

**Message Cause:** You have clicked on the "Delete" button without selecting the file you wish to delete.

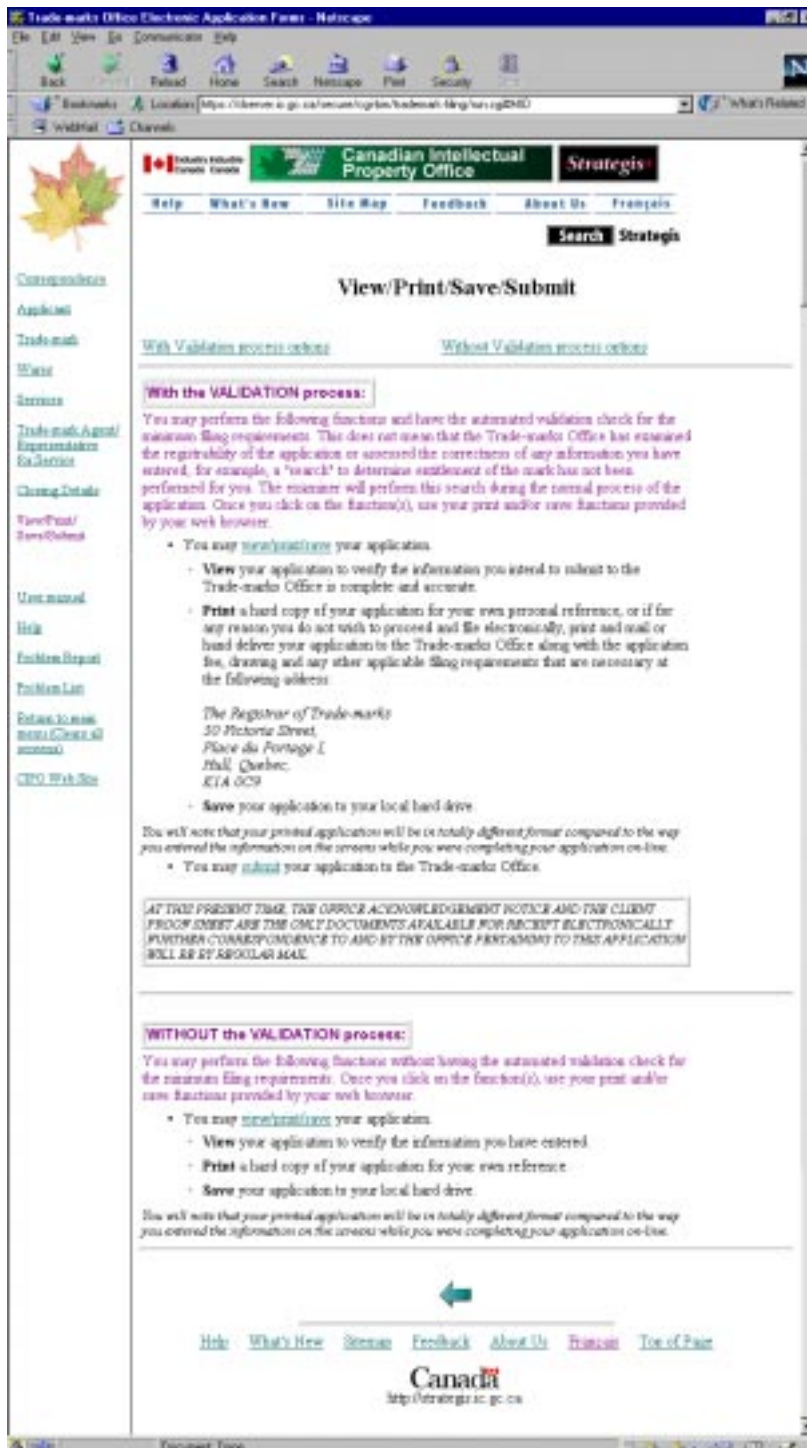
**Message Solution:** Select the name of the file you wish to delete by clicking on the radio button at the left of the file name and click on Delete again.

#### 10.4.2 Before leaving Closing Details screen

There are no messages

# 11. View/Print/Save/Submit

## 11.1 Screen layout - 'View/Print/Save/Submit'

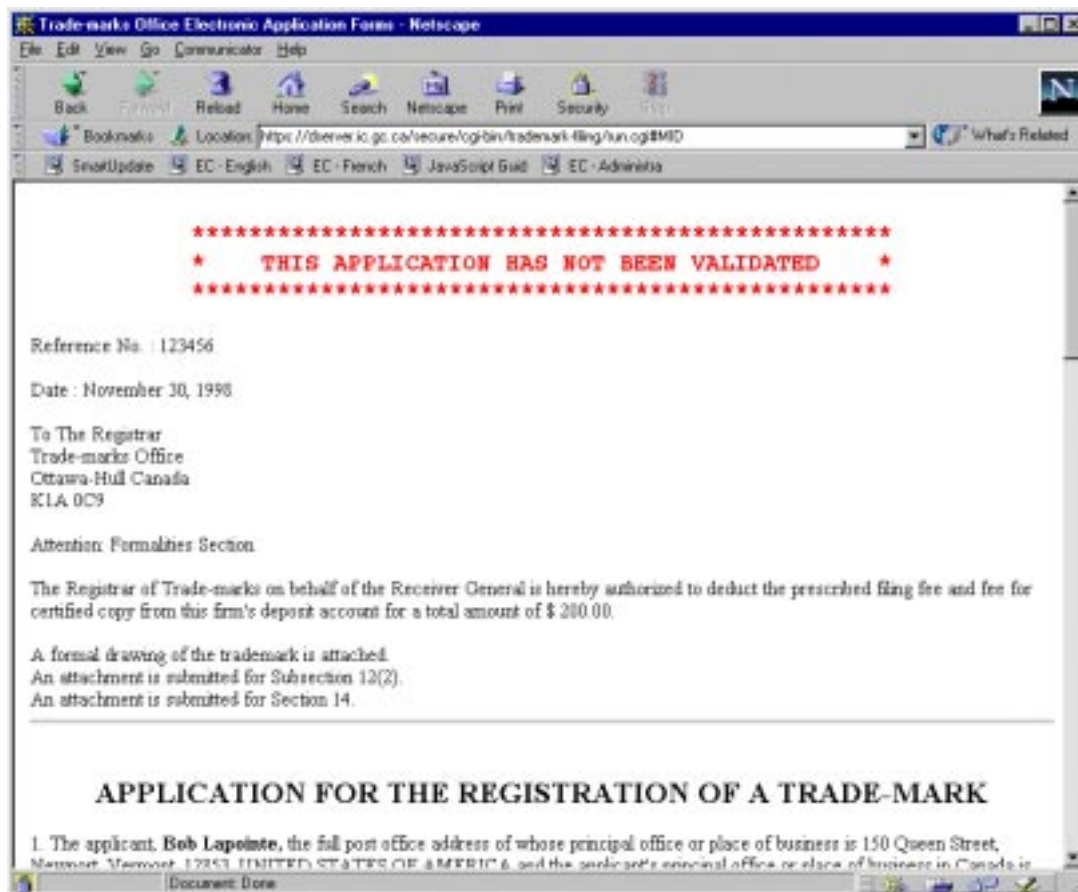


## 11.2 Screen description - 'View/Print/Save/Submit'

This screen allows you to perform a variety of functions, such as, viewing, printing, saving with or without automated validation check and submitting your application. It is divided in two sections: without the validation process and with the validation process

### 11.2.1 WITHOUT THE VALIDATION PROCESS

#### 11.2.1.1 Screen Layout - without the validation process



### 11.2.1.2 Screen Description - without the validation process

The functions you may perform (by clicking on the hypertext link) in this section are view, print and save. These three functions will generate an application form without going through the automated validation check process. You will note that your printed application will be in totally different format compared to the way you entered the information on the screens while you were completing your application on-line. At the top of the form, the following sentence will be displayed:

```
*****  
*                THIS APPLICATION HAS NOT BEEN VALIDATED                *  
*****
```

To print or save this application, use your print and/or save functions provided by your web browser. Use the browser back button to return to view/print/save/submit screen. **Note: This is the only place in the application where you should use the browser back button.**

If you wish to submit similar applications, we recommend that you enter the first application, save it to your local hard drive and submit it. Then, from your main menu, load the application you just saved, make the appropriate changes, and submit this new application.

### 11.2.2 WITH THE VALIDATION PROCESS

#### 11.2.2.1 Screen Layout - with the validation process





### 11.2.2.2 Screen Description - with the validation process

The functions you may perform (by clicking on the hypertext link) in this section are view, print, save and submit. These four functions will go through the automated validation check process for the minimum filing requirements and, if no errors are returned on the view, print and save, an application form will be generated.

If errors are returned, you must go back using the left side tool bar to select the appropriate screen to complete them before you will be permitted to submit your application.

Note: If the application is a saved application that has been re-loaded and included a graphical file as a trade-mark design, you must re-attach the graphical file. As well if the deposit account in the fee information section was selected, it will need to be re-selected before you will be permitted to submit your application.

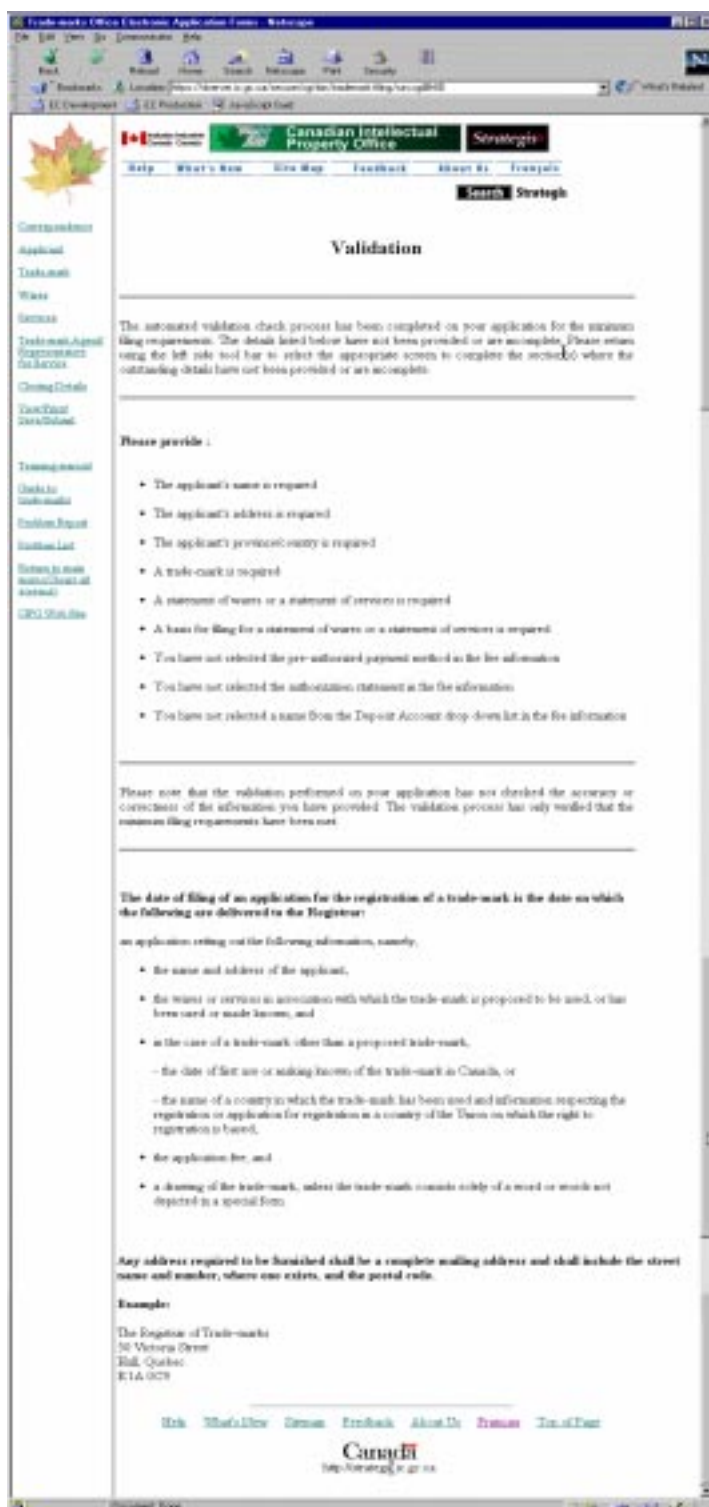
If no errors are returned on the submit, your application will automatically be transmitted to the Trade-mark office and you will receive a transmission notification.

To print or save this application, use your print and/or save functions provided by your web browser. Use the browser back button to return to view/print/save/submit screen. **Note: This is the only place in the application where you should use the browser back button.**

If you wish to submit similar applications, we recommend that you enter the first application, save it to your local hard drive and submit it. Then, from your main menu, load the application you just saved, make the appropriate changes, and submit this new application.

## 11.2.3 Validation Errors

### 11.2.3.1 Screen Layout - Validation Error



### **11.2.3.2 Screen Description - Validation errors**

This screen displays all missing or incomplete information relating to the minimum filing requirements that the validation process has detected. The application may not be submitted until the information is provided or completed. Use the left side tool bar to select the screen(s) where you need to provide/complete the information. The following is a list of errors that may be returned by the validation process:

- The applicant's name is required
- The applicant's address is required
- The applicant's province/country is required
- A trade-mark is required
- You have selected a design mark, but the design has not been attached
- A statement of wares or a statement of services is required
- A basis for filing for a statement of wares or a statement of services is required
- You may not claim used in Canada and proposed use in Canada for the same statement of wares (or services)
- You have entered information respecting the registration in a country of the Union on which the right to registration is based. The name of a country in which the trade-mark has been used for the same statement of wares (or services) is required
- You have entered the name of a country in which the trade-mark has been used. The information respecting the registration in a country of the Union on which the right to registration is based is required
- You have entered information respecting the application for registration in a country of the Union on which the right to registration is based. The name of a country in which the trade-mark has been used for the same statement of wares (or services) is required
- You have entered the name of a country in which the trade-mark has been used. The information respecting the application for registration in a country of the Union on which the right to registration is based is required
- You need to enter a basis for filing for this statement of wares (or services)
- You have not selected the pre-authorized payment method in the fee information
- You have not selected the authorization statement in the fee information
- You have not selected a name from the Deposit Account drop down list in the fee information

### **11.3 Mandatory Fields**

There are no mandatory fields on this screen.

### **11.4 Warning/Error Messages**

#### **11.4.1 While completing information**

*There are no messages*

## 11.4.2 Before leaving View/Print/Save/Submit screen

*There are no messages*

## 12. Warning/Error Messages

### 12.1 Layout - 'Warning/Error Messages'

<b>Main Menu</b>	
While completing information	
You need to select a file from your local hard drive before you may click on the "Load" button.	<a href="#">Page 12</a>
Before leaving Main Menu screen	
There are no messages	
<b>Correspondence</b>	
While completing information	
There are no messages	
Before leaving Correspondence screen	
There are no messages	
<b>Applicant</b>	
While completing information	
Postal code deleted. You need to select a province before you enter a postal code.	<a href="#">Page 17</a>
Postal code deleted. You may not enter a postal code for a country.	<a href="#">Page 17</a>
You have entered an invalid postal code format.	<a href="#">Page 17</a>
You should begin your postal code with the letter T.	<a href="#">Page 17</a>
You should begin your postal code with one of the following letters: K, L, M, N, P.	<a href="#">Page 17</a>
Applicant Name or Street/City may not be greater than 2000 characters.	<a href="#">Page 18</a>
Before leaving Applicant screen	
You need to enter the E-Mail address of the applicant if you choose "Electronic" as mode of communication.	<a href="#">Page 18</a>
<b>Trade-mark</b>	
While completing information	
You may not select a Word Mark if a representation of the trade-mark as graphical file is attached.	<a href="#">Page 21</a>
You may not select a Word Mark if the type of trade-mark is 'Distinguishing guise'. The selection will automatically be changed to Design.	<a href="#">Page 21</a>
A Word Mark or Word Mark with Design Characteristics should not be selected for a Distinguishing guise. The selection will automatically be changed to Design.	<a href="#">Page 22</a>
You may not attach a representation of the trade-mark for a Word Mark.	<a href="#">Page 22</a>
Do you wish to select 'Distinguishing guise' type of mark?	<a href="#">Page 22</a>
Do you wish to select 'Certification mark' type of mark?	<a href="#">Page 22</a>
Do you wish to delete the Distinguishing guise information?	<a href="#">Page 22</a>
Do you wish to delete the Certification mark information?	<a href="#">Page 22</a>
Exclusions are not permitted for a word mark. Therefore, the information will be cleared.	<a href="#">Page 23</a>
Before leaving Trade-mark screen	
You may not select a word mark if a representation of the trade-mark as graphical file is attached.	<a href="#">Page 23</a>
You need to enter a trade-mark.	<a href="#">Page 23</a>
You need to attach a graphical file.	<a href="#">Page 23</a>
You need to provide the graphical file in a .tif or a .tiff format.	<a href="#">Page 23</a>
You need to select a disclaimer statement since you have entered a disclaimer text.	<a href="#">Page 24</a>
You need to enter a disclaimer text since you have selected a disclaimer statement.	<a href="#">Page 24</a>
You need to select another disclaimer statement since you have entered a disclaimer text or delete the disclaimer text.	<a href="#">Page 24</a>
<b>Wares Details, Services Details, Basis For Filing</b>	
While completing information	
You need to enter a statement of wares (services) before you may add a new statement of	<a href="#">Page 29</a>

wares (services).	
Do you wish to delete this statement of wares (services) and all its claims?	<a href="#">Page 29</a>
<b>Before leaving Wares Details, Services Details, Basis For Filing screen</b>	
You need to enter a statement of wares (services).	<a href="#">Page 29</a>
<b>Made Known in Canada</b>	
<b>While completing information</b>	
Predecessor in Title field may not be greater than 250 characters.	<a href="#">Page 32</a>
You have entered an invalid date format.	<a href="#">Page 32</a>
You have entered an invalid month.	<a href="#">Page 32</a>
You have entered an invalid day.	<a href="#">Page 33</a>
Your date may not be in the future.	<a href="#">Page 33</a>
Your date should not be prior to the year 1601/01/01.	<a href="#">Page 33</a>
<b>Before leaving Made Known in Canada screen</b>	
You need to provide a date.	<a href="#">Page 33</a>
The name of a country in which the trade-mark has been used should be provided. Do you wish to complete this information?	<a href="#">Page 33</a>
The reasons the trade-mark has become well known in Canada should be provided. Do you wish to complete this information?	<a href="#">Page 34</a>
A made known in Canada claim should not be selected for a distinguishing guise. Do you wish to correct the information?	<a href="#">Page 34</a>
A made known in Canada claim should not be selected for a certification mark unless you provide a Used in Canada claim. Do you wish to correct the information?	<a href="#">Page 34</a>
<b>Used in Canada</b>	
<b>While completing information</b>	
You have entered an invalid date format.	<a href="#">Page 37</a>
You have entered an invalid month.	<a href="#">Page 37</a>
You have entered an invalid day.	<a href="#">Page 37</a>
Your date may not be in the future.	<a href="#">Page 37</a>
Your date should not be prior to the year 1601/01/01.	<a href="#">Page 38</a>
Predecessor in Title field may not be greater than 250 characters.	<a href="#">Page 38</a>
<b>Before leaving Used in Canada screen</b>	
You need to provide a date.	<a href="#">Page 38</a>
<b>Registration Abroad &amp; Use</b>	
<b>While completing information</b>	
You have entered an invalid date format.	<a href="#">Page 42</a>
You have entered an invalid month.	<a href="#">Page 42</a>
You have entered an invalid day.	<a href="#">Page 42</a>
Your date may not be in the future.	<a href="#">Page 42</a>
Your date should not be prior to the year 1601/01/01.	<a href="#">Page 42</a>
You need to enter a full date (yyyy/mm/dd).	<a href="#">Page 42</a>
Predecessor in Title field may not be greater than 250 characters.	<a href="#">Page 43</a>
Do you wish to delete this claim?	<a href="#">Page 43</a>
<b>Before leaving Registration Abroad &amp; Use screen</b>	
You need to select the country in or for which registered.	<a href="#">Page 43</a>
You need to enter a foreign registration date or a foreign registration number.	<a href="#">Page 43</a>
You need to select the country of use.	<a href="#">Page 43</a>
You need to complete the foreign registration particulars.	<a href="#">Page 44</a>
If all particulars of the foreign registration are not provided at the time of filing, these will be requested at the examination stage. Do you wish to complete the information.	<a href="#">Page 44</a>
You have selected The applicant's predecessor(s) in title or The applicant and the applicant's predecessor(s) in title. You need to enter the information in the predecessor in title field. Do you wish to complete/correct this information?	<a href="#">Page 44</a>
You have entered information in the predecessor in title field. You need to select the appropriate check box. Do you wish to complete/correct this information?	<a href="#">Page 44</a>
<b>Application Abroad &amp; Use</b>	
<b>While completing information</b>	

You have entered an invalid date format.	<a href="#">Page 48</a>
You have entered an invalid month.	<a href="#">Page 48</a>
You have entered an invalid day.	<a href="#">Page 48</a>
Your date may not be in the future.	<a href="#">Page 48</a>
Your date should not be prior to the year 1601/01/01.	<a href="#">Page 48</a>
You need to enter a full date (yyyy/mm/dd).	<a href="#">Page 48</a>
Predecessor in Title field may not be greater than 250 characters.	<a href="#">Page 49</a>
Do you wish to delete this claim?	<a href="#">Page 49</a>
<b>Before leaving Application Abroad &amp; Use screen</b>	
You need to select the country in or for which Filed.	<a href="#">Page 49</a>
You need to enter a foreign application date or a foreign application number.	<a href="#">Page 49</a>
You need to select the country of use.	<a href="#">Page 49</a>
You need to complete the foreign application particulars.	<a href="#">Page 50</a>
If all particulars of the foreign application are not provided at the time of filing, these will be requested at the examination stage. Do you wish to complete the information.	<a href="#">Page 50</a>
You have selected The applicant's predecessor(s) in title or The applicant and the applicant's predecessor(s) in title. You need to enter the information in the predecessor in title field. Do you wish to complete/correct this information?	<a href="#">Page 50</a>
You have entered information in the predecessor in title field. You need to select the appropriate check box. Do you wish to complete/correct this information?	<a href="#">Page 50</a>
<b>Proposed Use in Canada</b>	
<b>While completing information</b>	
A proposed use in Canada claim should not be selected for a certification mark.	<a href="#">Page 52</a>
A proposed use in Canada claim should not be selected for a distinguishing guise.	<a href="#">Page 52</a>
<b>Before leaving Proposed Use in Canada screen</b>	
There are no messages	
<b>Priority Claim</b>	
<b>While completing information</b>	
You have entered an invalid date format.	<a href="#">Page 55</a>
You have entered an invalid month.	<a href="#">Page 55</a>
You have entered an invalid day.	<a href="#">Page 55</a>
Your date may not be in the future.	<a href="#">Page 55</a>
Your date should not be prior to the year 1601/01/01.	<a href="#">Page 56</a>
Do you wish to delete this priority filing?	<a href="#">Page 56</a>
<b>Before leaving Priority Claim screen</b>	
Your priority claim will be considered as incomplete unless you provide both the date on which and the country of the union in or for which the earliest application was filed. Do you wish to complete this information?	<a href="#">Page 56</a>
Your priority claim is more than 6 months prior to the filing date. If this is not corrected before filing, your priority claim will be considered as incomplete. Do you wish to correct this information?	<a href="#">Page 56</a>
<b>Subsection 12(2)/Section 14</b>	
<b>While completing information</b>	
You have entered an invalid date format.	<a href="#">Page 59</a>
You have entered an invalid month.	<a href="#">Page 59</a>
You have entered an invalid day.	<a href="#">Page 59</a>
Your date may not be in the future.	<a href="#">Page 59</a>
Your date should not be prior to the year 1601/01/01.	<a href="#">Page 59</a>
Do you wish to claim benefit of subsection 12(2)? Note, a subsection 12(2) should not be selected for a distinguishing guise.	<a href="#">Page 59</a>
Do you wish to claim benefit of section 14? Note, a section 14 should not be selected for a distinguishing guise.	<a href="#">Page 60</a>
Do you wish to delete all information for benefit of subsection 12(2)?	<a href="#">Page 60</a>
Do you wish to delete all information for benefit of section 14?	<a href="#">Page 60</a>
A subsection 12(2) should not be selected for a distinguishing guise.	<a href="#">Page 60</a>
A section 14 should not be selected for a distinguishing guise.	<a href="#">Page 60</a>

<b>Before leaving Subsection 12(2)/Section 14 screen</b>	
The benefit of Subsection 12(2) should not be claimed with a Proposed use in Canada. Do you wish to correct this information.	<a href="#">Page 61</a>
The claim to the benefit of section 14 requires the foreign registration particulars, or a Registration Abroad & Use basis for filing. Do you wish to correct this information.	<a href="#">Page 61</a>
<b>Trade-mark Agent and Representative for Service</b>	
<b>While completing information</b>	
Postal code deleted. You need to select a province before you enter a postal code.	<a href="#">Page 64</a>
You have entered an invalid postal code format.	<a href="#">Page 65</a>
You should begin your postal code with the letter T.	<a href="#">Page 65</a>
You should begin your postal code with one of the following letters: K, L, M, N, P.	<a href="#">Page 65</a>
<b>Before leaving Trade-mark Agent and Representative for Service screen</b>	
You need to enter the E-Mail address of the Trade-mark agent if you choose "Electronic" as mode of communication.	<a href="#">Page 65</a>
You need to enter the E-Mail address of the representative for service if you choose "Electronic" as mode of communication.	<a href="#">Page 65</a>
You need to enter the E-Mail address of the associate agent if you choose "Electronic" as mode of communication.	<a href="#">Page 66</a>
You may not have information present in both the representative for service sections.	<a href="#">Page 66</a>
<b>Closing Details</b>	
<b>While completing information</b>	
You need to select a file from your local hard drive before you click on the "Add" button.	<a href="#">Page 69</a>
You need to select the file before you may delete it.	<a href="#">Page 69</a>
<b>Before leaving Closing Details screen</b>	
There are no messages	
<b>View/Print/Save/Submit</b>	
<b>While completing information</b>	
There are no messages	
<b>Before leaving View/Print/Save/Submit screen</b>	
There are no messages	

## **12.2 Description - 'Warning/Error Messages'**

The above table lists all messages you may encounter while completing your application. Simply refer to the corresponding page number to view the cause and the solution to the error message or warning.



## 13. Transmission Notification

### 13.1 Layout - 'Transmission Notification'



### 13.2 Description - 'Transmission Notification'

The transmission notification will be displayed when an application has been successfully validate for the minimum filing requirements and submitted. It will provide you with a transmission identifier that will assist the Trade-marks office should a problem ever occur during the transmission of your application. **It is strongly recommended that a copy of this notification be printed or saved for future reference in the event that it may be required.**

### 13.3 Mandatory Fields

There are no mandatory fields on this screen.

## **13.4 Warning/Error Messages**

### 13.4.1 While completing information

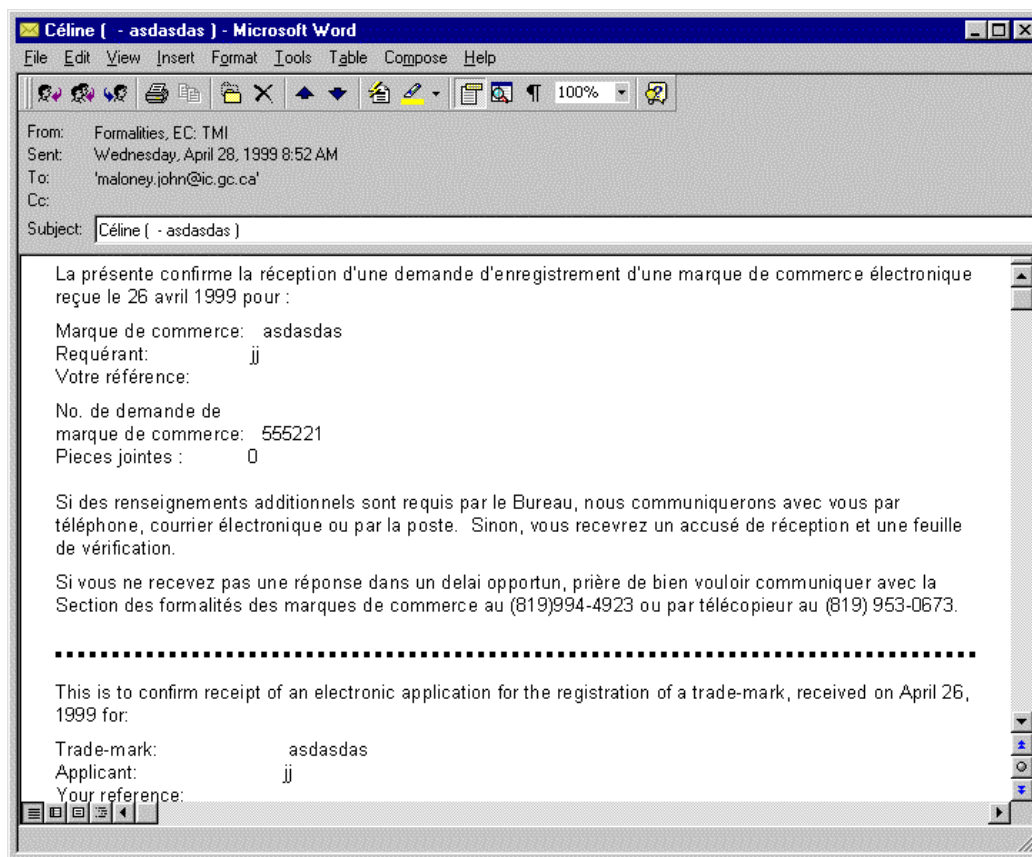
*There are no messages*

### 13.4.2 Before leaving Transmission Notification screen

*There are no messages*

## 14. Client Confirmation Notice

### 14.1 E-mail Layout - 'Client Confirmation Notice'



### 14.2 Description - 'Client Confirmation Notice'

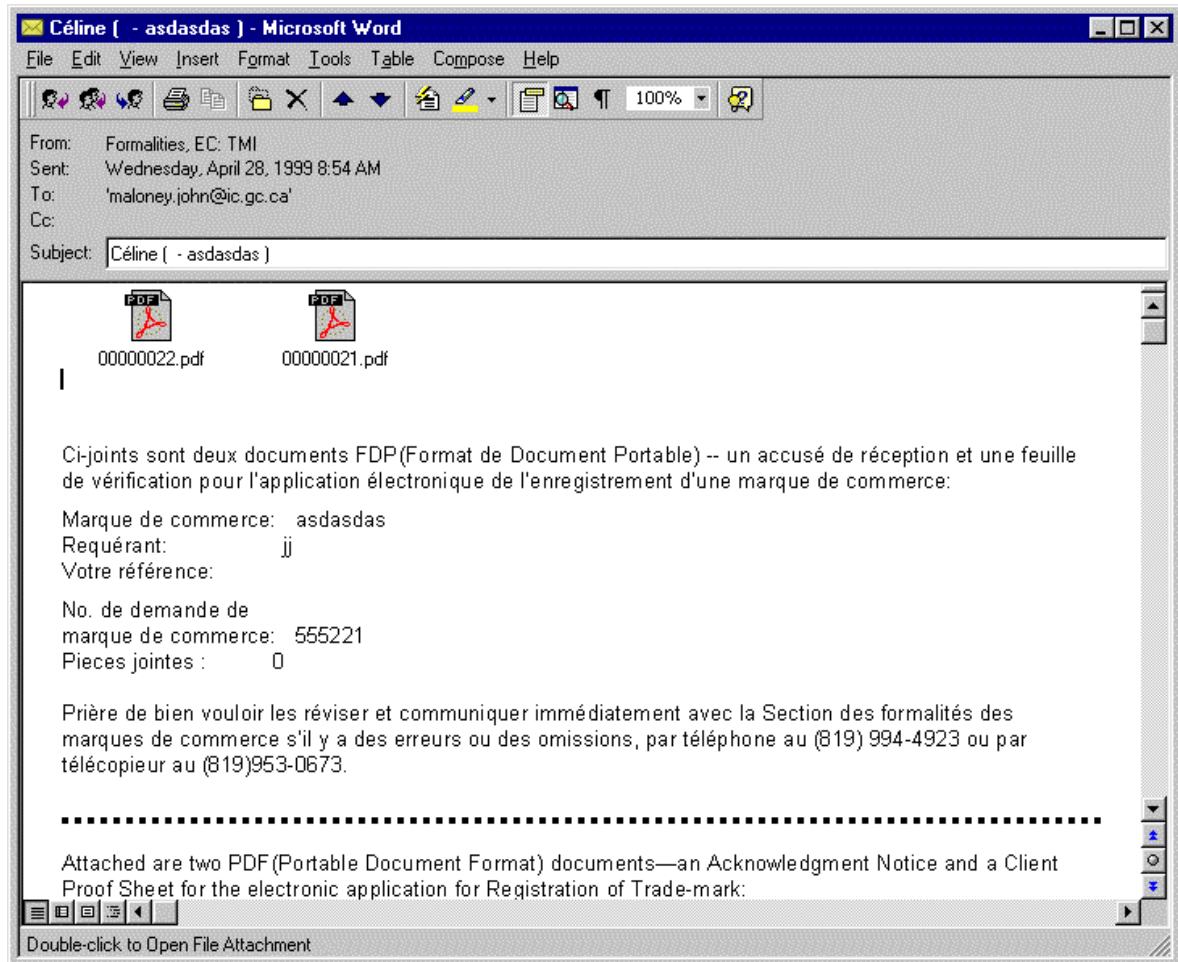
Once your application has been received by the Trade-marks Office and loaded into the INTREPID II trade-marks database, if the mode of correspondence you selected is electronic mail, a Client Confirmation Notice will be sent to you.

This confirmation notice is sent to confirm that your electronic application was successfully received by the Trade-marks office and loaded in the trade-marks database. It will contain the trade-mark description, the applicant name, your reference number and the application number it has been assigned.

Once the Trade-marks Formalities Section has processed the application you will be sent the office Acknowledgment Notice and Client Proof Sheet.

## 15. Acknowledgment Notice and Client Proof Sheet

### 15.1 E-mail Layout - 'Acknowledgment Notice and Client Proof Sheet'



### 15.2 Description - 'Acknowledgment Notice and Client Proof Sheet'

The Acknowledgment Notice and Client Proof Sheet will be sent to you when the Trade-marks Formalities Section has processed the application. If you selected 'Mail' as mode of communication, the Office will mail the two documents to you. If you selected 'Electronic Mail' as mode of communication, the Office will e-mail the two documents to you.

The information contained in the electronic mail will be the trade-mark description, the applicant name, your reference number, the application number it has been assigned and two attachments: the acknowledgment notice and client proof sheet in Portable Document Format (PDF).

To view the attachments, you will require Adobe's Acrobat Reader, a free software for multi-platforms (PC, Mac, Unix). To download this software, click on 'Get Acrobat Reader' icon located at the end of the Welcome page of Trade-marks Office On-Line Electronic Filing.

If any errors or omissions are noticed, contact the Formalities section as described in the electronic mail.

It may be possible, for any reason, that the office may be required to re-issue either one or both of these documents. In the event that this would be the case, the electronic mail you receive will contain sensibly the same information but the number of attachments may vary as necessary.

## 16. Help component

### 16.1 Screen layout - 'Help component'

The screenshot shows a Netscape browser window titled "Trade-mark Office On-Line Electronic Filing - Netscape". The address bar contains the URL: [http://wwwhead/ot.og/HelpFile/engdoc/correspondenceHelp.html#tab8 as=HELP\\_FILE](http://wwwhead/ot.og/HelpFile/engdoc/correspondenceHelp.html#tab8 as=HELP_FILE). The page header includes the Canadian Intellectual Property Office logo and the Strategis logo. Navigation links include "Help", "What's New", "Site Map", "Feedback", "About Us", and "Français". A search box is labeled "Search Strategis".

The main content area is titled "Correspondence Details" and contains the following text:

This optional screen lets you choose the language and the mode of communication you prefer with the Trade-marks Office (TMO). It also lets you identify your reference number for all correspondence. Although the information you enter here is not required under Rule 25 of the Trade-mark Regulations, it will help the Office communicate with you.

**Our Reference Number**  
Enter the reference number that you want to use for this application.

**Language of the Application**  
Click the button beside the language (English or French) you have used to prepare the application.

**Preferred Language of Correspondence**  
Click the button beside the language (English or French) in which you want to receive correspondence from the Office.

**Mode of Communication by Office**  
Choose the preferred mode of communication (mail or electronic) that you want to receive correspondence from the Office.

**Correspondence Remarks**  
Enter any other facts about correspondence that you want the Office to know.

**Links to Related Sites**  
(Some of the documents on this site are provided in a Portable Document Format (PDF) format. In order to view or print the PDF files, you will require [Adobe's Acrobat Reader](#), a free software for multi-platforms (PC, Mac, Unix.)

[Trade-marks Act on the Justice Canada site](#)  
[Trade-marks Regulations \(1996\)](#)  
[The Trade-marks Examination manual \(PDF format 993KB\)](#)  
[The Trade-marks Wares and Services manual \(PDF format 801KB\)](#)  
[Canadian Trade-marks Database](#)  
[Guide to Trade-marks](#)  
[EXIT Help](#)

At the bottom of the page, there are navigation arrows (left, up, right) and an "Exit Help" button. The footer includes the same navigation links as the header, the "Canada" logo, and the URL <http://strategis.ic.gc.ca>.

## **16.2 Screen description - 'Help component'**

The Help component will guide you with step by step instructions while completing an application. It will provide you with a description of the information that should be entered in each field.

When you click on *Help* link, a new browser is opened, displaying the corresponding page you are positioned in at the time you click on the Help link. You must close the browser when finished.

## **16.3 Mandatory Fields**

The Help is a tool used to display information to you, thus there are no mandatory fields on this screen.





## **17.2 Screen description - 'Problem Report'**

This screen allows you to report problems that you may encounter while using the Trade-marks Office On-line Electronic Filing.

You must enter your name in the 'name' field as well as your e-mail address in the 'E-mail address' field to allow the Informatics Services personnel or the Trade-marks Office to communicate with you if required.

You may choose the platform name from the 'platform' drop down list and enter its version number in the 'version' field. If your platform is not included in the list, you may type in your platform information in the 'if other, please indicate' field that is located under the platform drop down list.

You may choose the browser name from the 'browser' drop down list and enter its version number in the 'version' field. If your browser is not included in the list, you may type in your browser information in the 'if other, please indicate' field that is located under the browser drop down list.

You may select the screen on which the problem occurred by selecting one entry from the 'screen problem encountered' drop down list. If the problem you encountered is not applicable to any screen in the list, you may type the information with regards to the location of your problem in the 'if other, please indicate' field located under the screen drop down list.

You may click on the appropriate radio buttons to indicate the frequency at which the problem may be reproduced and, finally, you must enter a description of the problem in the 'description of problem' section.

## **17.3 Mandatory Fields**

Three fields are mandatory on this screen, they are indicated in red with an \* symbol and are, the 'name', 'E-mail address' and 'Description of problem' fields.

A problem may not be submitted until this information is provided.

## **17.4 Warning/Error Messages**

### **17.4.1 While completing information**

There are no validations and warning/error messages generated while completing the information on the Problem Report screen.

## 17.4.2 Before leaving the Problem Report screen

When a Problem Report is submitted, if any mandatory information has not been provided, you will receive an error message as follows:

**Message:** Name is required

**Message cause:** You have not entered your name

**Message solution:** Enter your name in the 'name' field

**Message:** E-mail address is required

**Message cause:** You have not entered your e-mail address

**Message solution:** Enter your e-mail address in the 'E-mail address' field

**Message:** Problem description is required

**Message cause:** You have not entered the description of the problem

**Message solution:** Enter the description of your problem in the 'Problem description' field

This information will need to be provided before you may successfully submit your Problem Report.

## 18. Problem List

### 18.1 Screen layout - 'Problem List'

The screenshot shows a Netscape browser window displaying the 'Problem List' page of the Trade-mark Office Online Electronic Filing system. The page features a navigation menu on the left, a header with logos for Industry Intellectual Property Office and Strategis, and a main content area with several tables. Each table has a header row with columns for 'Problem Number', 'Date Received', 'Description/Solution', and 'Status'. The tables are titled: Agent/Representative, All Screens, Applicant, Application Abroad & Use, Closing Details, Comments, and Correspondence. The 'Applicant' table contains one entry with the description 'There is not enough space for applicant name' and status 'Work in progress'. All other tables are empty, displaying 'No problem found for this screen'.

Agent/Representative			
Problem Number	Date Received	Description/Solution	Status
No problem found for this screen			

All Screens			
Problem Number	Date Received	Description/Solution	Status
No problem found for this screen			

Applicant			
Problem Number	Date Received	Description/Solution	Status
1	Jan 21, 1999	There is not enough space for applicant name	Work in progress

Application Abroad & Use			
Problem Number	Date Received	Description/Solution	Status
No problem found for this screen			

Closing Details			
Problem Number	Date Received	Description/Solution	Status
No problem found for this screen			

Comments			
Problem Number	Date Received	Description/Solution	Status
No problem found for this screen			

Correspondence			
Problem Number	Date Received	Description/Solution	Status
No problem found for this screen			

### 18.2 Screen description - 'Problem List'

This screen displays pertinent information with regards to any problems that are reported while using the Trade-marks Office On-line Electronic Filing.

When the Problem List screen is accessed a new browser is opened, the browser must be closed when finished.

The information displayed on this screen includes, a reference number assigned to each problem, the date on which a problem was received by the Informatics Services personnel, a description of the problem, a description of the solution to the problems indicated with a status 'completed' and finally the status of the problem.

The problems displayed on this screen are grouped by the different data entry screens contained in the Trade-marks Office On-line Electronic Filing.

Before reporting a new problem, it is recommended to browse the Problem List screen to ensure that the problem you are about to file has not already been filed by someone else.

### ***18.3 Mandatory Fields***

The Problem List screen is a tool used to display information to you, thus there are no mandatory fields on this screen.

## 19. Your comments

### 19.1 Screen layout - 'Your comments'

Trade-marks Office On-Line Electronic Filing - Netscape

File Edit View Go Communicate Help

Back Forward Reload Home Search Netscape Print Security

Bookmarks Location [http://www/ideosol-filing/ur/headroot.cgi?webfile=/eng/doc/comment.html#tabid=COMMENT\\_PAGE](http://www/ideosol-filing/ur/headroot.cgi?webfile=/eng/doc/comment.html#tabid=COMMENT_PAGE) What's Related

WebMail Channels

Help What's New Site Map Feedback About Us Français

Search Strategis

## Trade-marks Office On-Line Electronic Filing Comments

1. In your opinion, how would you rate the usefulness of the Trade-marks Office On-line Electronic Filing?

Not at all Useful  1  2  3  4  5 Very Useful

2. Does the entry facility of the Trade-marks Office On-line Electronic Filing satisfy your information needs?

yes  no

If no, for what reason?

3. Please rate the Trade-marks Office On-line Electronic Filing in the following areas :  
(1=very dissatisfied; 2=dissatisfied; 3=neither; 4=satisfied; 5=very satisfied)

Ease of use	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
Manoeuvrability (ease to navigate)	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
Overall layout	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
Display of information on screen	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
Ease of access of the help component	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A
Clarity and conciseness of information in the help	<input type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3	<input type="radio"/> 4	<input type="radio"/> 5	<input type="radio"/> N/A

### 19.2 Screen description - 'Your comments'

This screen allows you to provide the Trade-marks Office with your comments regarding the Trade-marks Office On-line Electronic Filing. By completing the different sections of this screen and submitting your comments to the Trade-marks Office, it will help us in identifying the areas that we could change or modify that will ultimately improve the services we provide to you.

### **19.3 Mandatory fields**

There are no mandatory fields in the Comments screen.

### **19.4 Warning/Error Messages**

There are no warning or error messages for the Comments screen.