



22 April 2015

(15-2108)

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Council for Trade-Related Aspects  
of Intellectual Property Rights

Original: English/French

**NOTIFICATION OF LAWS AND REGULATIONS  
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

CANADA: TRADEMARKS ACT

<b>Notifying Member</b>	CANADA
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**Details of the notified legal text**

<b>Title</b>	Trademarks Act
<b>Subject matter</b>	Trademarks
<b>Nature of notification</b>	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
<b>Link to legal text</b>	<a href="https://members.wto.org/crnattachments/2015/IP/CAN/15_1060_00_e.pdf">https://members.wto.org/crnattachments/2015/IP/CAN/15_1060_00_e.pdf</a>
<b>Notification status</b>	<input type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input checked="" type="checkbox"/> Replacement or consolidation of notified legal text(s)
<b>Previous notification(s) referred to</b>	<p><b>IP/N/1/CAN/T/1</b>  <a href="https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S006.aspx?DataSource=Cat&amp;query=@SymbolMatch=IP/N/1/CAN/T/1&amp;Language=English&amp;Context=ScriptedSearches&amp;languageUIChanged=true#">"https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S006.aspx?DataSource=Cat&amp;query=@SymbolMatch=IP/N/1/CAN/T/1&amp;Language=English&amp;Context=ScriptedSearches&amp;languageUIChanged=true#"</a></p> <p><b>IP/N/1/CAN/T/1/Add.1</b>  <a href="https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S006.aspx?DataSource=Cat&amp;query=@SymbolMatch=IP/N/1/CAN/T/1/Add.1&amp;Language=English&amp;Context=ScriptedSearches&amp;languageUIChanged=true#">"https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S006.aspx?DataSource=Cat&amp;query=@SymbolMatch=IP/N/1/CAN/T/1/Add.1&amp;Language=English&amp;Context=ScriptedSearches&amp;languageUIChanged=true#"</a></p>

**Brief description of the notified legal text**

**Trade-Marks Act as amended by Bill C-31**, *An Act to implement certain provisions of the budget tabled in Parliament on February 11, 2014 and other measures* (the bill having received Royal Assent on June 19, 2014 with the majority of the changes to enter into force at a later date).

**Bill C-31** amends the Trade-Marks Act. These amendments allow Canada to accede to three trademark treaties: Madrid Protocol, Singapore Treaty and the Nice Agreement. The amendments to Bill C-31 include a number of provisions that are consistent with these three treaties and aim to align Canada's trademark regime with international best practices, streamline procedures, and reduce the costs of doing business. The coming-into-force date will be determined after the *Trade-mark Regulations* have been revised, and relevant IT systems have been updated. The coming into force date of the changes will be established in the new Trade-Marks Regulations, which are currently being drafted.

**(See also Other information below)**

**Trade-Marks Act as amended by Bill C-8**, *An Act to amend the Copyright Act and the Trade-marks Act and to make consequential amendments to other Acts* (the bill having received Royal Assent on December 9, 2014).

**Bill C-8** amends the *Trade-marks Act* and the *Copyright Act*. The bill aims to reduce trade in counterfeit goods sold to Canadian consumers and businesses by providing new enforcement tools. The amendments made by the bill enact new border enforcement measures and create new civil causes of action and criminal offences.

**Bill C-8** amends the *Trade-marks Act* to, among other things, expand the scope of what can be registered as a trade-mark and to allow the Registrar of Trade-marks to correct errors that appear in the trade-mark register, as well as to streamline and modernize the trade-mark application and opposition process. The bill also amends the definition of what constitutes a criminal offence under the *Copyright Act* and makes minor amendments to the *Criminal Code* and the *Customs Act*.

*(See also Other information below)*

<b>Language(s) of notified text</b>	English and French
<b>Date of adoption</b>	19 June 2014 (Bill C/31) and 9 December 2014 (Bill C-8) – see above
<b>Entry into force</b>	On days to be fixed by order of the Governor in Council

#### Notification details

<b>Submission date of notification</b>	23 January 2015
<b>Other information</b>	<p><b>Bill C-31</b> amending the <i>Trade-Marks Act</i>.  <a href="http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&amp;Mode=1&amp;DocId=6684616">"http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&amp;Mode=1&amp;DocId=6684616"</a></p> <p><b>Bill C-8</b> amending the <i>Trade-marks Act</i> and the <i>Copyright Act</i>.  <a href="http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&amp;Mode=1&amp;DocId=6830555">"http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&amp;Mode=1&amp;DocId=6830555"</a></p>
<b>Agency or authority responsible</b>	<p><b>Industry Canada</b>  <b>Copyright and Trade-mark Policy Directorate</b></p> <p>235 Queen Street  Ottawa, Ontario K1A 0H5  Canada  Telephone: 343-291-2703  Fax: 343-291-2494</p>