



Stand Out!

In today's competitive global marketplace, branding often becomes the most important aspect of your business or organization.

You may have an excellent product or service, but if you don't stand out from the crowd, customers may overlook you.



Did you know it?



Company Names, Trade-marks, and Trade Names What's in a Name?

Company name: A company name, provincial corporate name, or federal corporate name is the legal name of the entity.

Trade-mark: Trade-marks are one of five types of intellectual property administered by the Canadian Intellectual Property Office. A trade-mark is a word (or words), a design, or a combination of these, used to identify the goods or services of one person or organization and to distinguish these goods or services from those of others in the marketplace. Registration of a trade-mark gives you exclusive rights of use throughout Canada under the *Trade-marks Act*.

Trade name: A trade name is the name under which you conduct your business. Trade names can be registered with the provincial government in the province where you carry on business.

Trade-mark Protection

Registration has important advantages in Canada:

- It provides proof of ownership.
- It allows you to flag an infringement under the *Trade-marks Act*.
- It provides you with exclusive rights across Canada for 15 years and may be renewed indefinitely.
- It prevents others from using a confusingly similar trade-mark.
- It facilitates licensing your trade-mark.

If you will be selling goods or services in other countries, you should consider registering your mark for each of those countries.

A trade-mark is a valuable business asset.

If the owner does not use a trade-mark for an extended period, the registration of the trade-mark may be removed from the Register of Trade-marks, under section 45 of the *Trade-marks Act*.

Make your Trade-mark Work for You

Every time you use your trade-mark to market your product or service, you are investing in your business. Whether you are just starting out in business or are already well established, registering your trade-mark should be part of your business strategy.

Canada's Most Valuable Brands

2008 Rank	Brand	2008 Brand Value (C\$ Billions)
1	BLACKBERRY	5.6077
2	RBC	4.1411
3	TD CANADA TRUST	3.7796
4	SHOPPERS DRUG MART PHARMAPRIX	3.1375
5	PETRO-CANADA	3.1326

Source: Interbrand Canada

The Canadian Trade-marks Database is a useful tool when searching for a trade-mark. Consult our online tutorial at www.cipo.ic.gc.ca/tmdbtutorial.

Protect your Corporate Identity

Prevent others from using your trade-mark without permission.

In the event of a legal dispute, a registered trade-mark is a title of ownership. Even if your goods or services are not yet on the market, you may request registration on the basis of intent to use.

Licensing

A license is a contract between a trade-mark owner and a licensee for the use of this intellectual property.

If you are considering licensing, it is important that a trade-mark licensing agreement be structured and monitored in order to ensure that the trade-mark does not lose its distinctiveness.



Need more details to get started, or looking for a registered trade-mark agent? Visit us at www.cipo.ic.gc.ca.

Tel. (toll-free): 1-866-997-1936
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