

INDEX

This Index refers to section-number under each of the included statutes, regulations and related documents. The statutes, regulations and most of the related documents are represented in this index by the following abbreviations: Berne Convention for the Protection of Literary and Artistic Works — BC; Canada-European Union Comprehensive Economic and Trade Agreement — CETA; Canada-United Kingdom Trade Continuity Agreement — CUTCA; Canada-United States-Mexico Agreement — CUSMA; Canadian Internet Registration Authority's Domain Name Dispute Resolution Policy — CIRA-DNDRP; Canadian Internet Registration Authority's Domain Name Dispute Resolution Rules — CIRA-DNDRR; Canadian Internet Registration Authority's Registration Rules — CIRA-RR; Canadian Internet Registration Authority's Canadian Presence Requirements for Registrants — CIRA-CPRR; College of Patent Agents and Trademark Agents Act — CPATAA; Competition Act — CMPA; Competition Bureau Intellectual Property Enforcement Guidelines — CBIPEG; Comprehensive and Progressive Agreement for Trans-Pacific Partnership — CPATPP; Copyright Act — CA; Criminal Code — CC; Industrial Design Act — IDA; Industrial Design Regulations (SOR/2018-120) — IDR; Industrial Designs Office Practices — IDOP; Integrated Circuit Topography Act — ICTA; Internet Corporation for Assigned Names and Numbers' Uniform Dispute Resolution Policy — ICANN-UDRP; Internet Corporation for Assigned Names and Numbers' Rules for Uniform Dispute Resolution Policy — ICANN-RUDRP; Internet Corporation for Assigned Names and Numbers' Approved Providers for Uniform Dispute Resolution Policy — ICANN-AP; Manual of Patent Office Practice — MOPOP; Marrakesh Treaty to Facilitate Access to Published Works — MT; Contracting Parties to the Marrakesh Treaty — MTCP; Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks — NA; Olympic and Paralympic Marks Act — OPMA; Paris Convention for the Protection of Industrial Property — PC; Patent Act — PA; Patent Cooperation Treaty — PT; Plant Breeders' Rights Act — PBRA; Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks — MP; Public Servants Inventions Act — PSIA; Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations — RC; Singapore Treaty on the Law of Trademarks — STLT; Status of the Artist Act — SAA; Trademark Opposition Board - Practice Notice - Correspondence Procedures — TMOB-PN-CP; Trademark Opposition Board - Practice Notice - Opposition Proceedings — TMOB-PN-OP; Trademark Opposition Board - Practice Notice - Summary Cancellation Proceedings — TMOB-PN-SCP; Trademarks Act — TMA; Trademarks Examination Manual — TME; Trademarks Regulations (SOR/2018-227) — TMR; Trans-Pacific Partnership, Intellectual Property — TPP; Universal Copyright Convention — UCC; WIPO Copyright Treaty — WCT; Contracting Parties to the WIPO Copyright Treaty — WCTCP; WIPO Performances and Phonograms Treaty — WPPT.

Index

A

- ANONYMOUS WORKS**, CA, ss. 6.1, 6.2; BC, Arts. 7, 15
- ARBITRATION —**
 ARTISTS/PRODUCERS, *see* COPYRIGHT
- ARTISTS**, *see* COPYRIGHT

B

- BREEDERS, PLANT**, *see* PLANT BREEDERS' RIGHTS

C

- CANADA-EUROPEAN UNION COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT**
- border measures
 - • application by right holder, CETA, Art. 20.44
 - • infringement, determination of, CETA, Art. 20.47
 - • provision of information from right holder, CETA, Art. 20.45
 - • remedies, CETA, Art. 20.48
 - • scope, CETA, Art. 20.43
 - • security or equivalent assurance, CETA, Art. 20.46
 - • specific cooperation, CETA, Art. 20.49
 - cooperation, CETA, Art. 20.50
 - copyright
 - • broadcasting and communication to public, CETA, Art. 20.8
 - • camcording, CETA, Art. 20.12
 - • liability of intermediary service providers, CETA, Art. 20.11
 - • protection granted, CETA, Art. 20.7
 - • rights management information, protection, CETA, Art. 20.10

- • technological measures, protection, CETA, Art. 20.9
- data protection
- • plant protection data, CETA, Art. 20.30
- • undisclosed data related to pharmaceutical products, CETA, Art. 20.29
- definitions, CETA, Art 1.1
- designs
- • international agreements, CETA, Art. 20.24
- • relationship to copyright, CETA, Art. 20.25
- enforcement of rights
- • damages, CETA, Art. 20.40
- • entitled applicants, CETA, Art. 20.33
- • evidence, CETA, Art. 20.34, 20.35
- • general obligations, CETA, Art. 20.32
- • injunctions, CETA, Art. 20.39
- • legal costs, CETA, Art. 20.41
- • other remedies, CETA, Art. 20.38
- • presumption of authorship or ownership, CETA, Art. 20.42
- • provisional and precautionary measures, CETA, Art. 20.37
- • right of information, CETA, Art. 20.36
- geographical indications
- • amendments to Annex 20-A, CETA, Art. 20.22
- • definitions, CETA, Art. 20.17
- • exceptions, CETA, Art. 20.21, Annex 20-B
- • homonymous indications, CETA, Art. 20.20
- • indications identifying product originating in EU, CETA, Annex 20-A

Index

- CANADA-EUROPEAN UNION
COMPREHENSIVE ECONOMIC AND
TRADE AGREEMENT (*cont'd*)
- • listed indications, CETA, Art. 20.18
 - • product classes, CETA, Annex 20-C
 - • protection, CETA, Art. 20.19, 20.23
 - intellectual property
 - • exhaustion, CETA, Art. 20.4
 - • nature and scope of obligations, CETA, Art. 20.2
 - • objectives, CETA, Art. 20.1
 - • pharmaceutical product definition, CETA, Art. 20.6
 - • public health concerns, CETA, Art. 20.3
 - patents
 - • international agreements, CETA, Art. 20.25
 - • patent linkage mechanisms, CETA, Art. 20.28
 - • *sui generis* protection for pharmaceuticals, CETA, Art. 20.27
 - plant varieties, CETA, Art. 20.31
 - trademarks
 - • international agreements, CETA, Art. 20.13
 - • registration procedure, CETA, Art. 20.14
 - • rights, exception, CETA, Art. 20.15
- CANADA-UNITED KINGDOM
TRADE CONTINUITY
AGREEMENT
- entry into force and application, CUTCA, Art. VII
 - incorporation of CETA, CUTCA, Art. I
 - joint committee, CUTCA, Art. I
 - parts of agreement, CUTCA, Art. VI
 - resolution of investment disputes, review of procedures, CUTCA, Art. V

- retained law, CUTCA, Art. III
 - subsequent negotiations, CUTCA, Art. VII
- CANADA-UNITED STATES-
MEXICO AGREEMENT, CH. 20 —
INTELLECTUAL PROPERTY
RIGHTS
- cooperation
 - • committee on intellectual property rights, CUSMA, Art. 20.14
 - • contact points for cooperation, CUSMA, Art. 20.12
 - • cooperation, CUSMA, Art. 20.13
 - • cooperation on request, CUSMA, Art. 20.16
 - • patent cooperation and work sharing, CUSMA, Art. 20.15
 - copyright and related rights
 - • application of Art. 18 of Berne Convention and Art. 14.6 of TRIPS Agreement, CUSMA, Art. 20.63
 - • collective management, CUSMA, Art. 20.68
 - • contractual transfers, CUSMA, Art. 20.65
 - • definitions, CUSMA, Art. 20.56
 - • limitations and exceptions, CUSMA, Art. 20.64
 - • no hierarchy, CUSMA, Art. 20.60
 - • related rights, CUSMA, Art. 20.61
 - • right of communication to public, CUSMA, Art. 20.58
 - • right of distribution, CUSMA, Art. 20.59
 - • right of reproduction, CUSMA, Art. 20.57
 - • rights management information, CUSMA, Art. 20.67
 - • technological protection measures, CUSMA, Art. 20.66
 - • term of protection for copyright and related rights, CUSMA, Art. 20.62

Index

- CANADA-UNITED STATES-MEXICO AGREEMENT, CH. 20 — INTELLECTUAL PROPERTY RIGHTS (*cont'd*)
- country names, CUSMA, Art. 20.28
 - enforcement
 - civil and administrative procedures and remedies, CUSMA, Art. 20.81
 - criminal procedures and penalties, CUSMA, Art. 20.84
 - enforcement practices, CUSMA, Art. 20.80
 - general obligations, CUSMA, Art. 20.78
 - government use of software, CUSMA, Art. 20.86
 - internet service providers, CUSMA, Art. 20.87
 - legal remedies and safe harbors, CUSMA, Art. 20.88, Annex 20-B
 - presumptions, CUSMA, Art. 20.79
 - protection of encrypted program-carrying satellite and cable signals, CUSMA, Art. 20.85
 - provisional measures, CUSMA, Art. 20.82
 - special requirements related to border measures, CUSMA, Art. 20.83
 - final provisions, CUSMA, Art. 20.89
 - general provisions
 - application of chapter to existing subject matter and prior acts, CUSMA, Art. 20.10
 - definitions, CUSMA, Art. 20.1
 - exhaustion of intellectual property rights, CUSMA, Art. 20.11
 - international agreements, CUSMA, Art. 20.7
 - national treatment, CUSMA, Art. 20.8
 - nature and scope of obligations, CUSMA, Art. 20.5
 - objectives, CUSMA, Art. 20.2
 - principles, CUSMA, Art. 20.3
 - transparency, CUSMA, Art. 20.9
 - understandings re certain public health matters, CUSMA, Art. 20.6
 - understandings re Ch. 20, CUSMA, Art. 20.4
 - geographical indications
 - administrative procedures for protection or recognition of, CUSMA, Art. 20.30
 - date of protection of, CUSMA, Art. 20.34
 - grounds of denial, opposition and cancellation, CUSMA, Art. 20.31
 - guidelines for determining whether term is customary in common language, CUSMA, Art. 20.32
 - international agreements, CUSMA, Art. 20.35
 - multi-component terms, CUSMA, Art. 20.33
 - recognition of, CUSMA, Art. 20.29
 - industrial designs
 - electronic industrial design system, CUSMA, Art. 20.54
 - protection, CUSMA, Art. 20.52
 - non-prejudicial disclosures/grace period, CUSMA, Art. 20.53
 - term of protection, CUSMA, Art. 20.55
 - patents and undisclosed test or other data
 - agricultural chemical products
 - protection of undisclosed test or other data, CUSMA, Art. 20.45
 - general patents
 - amendments, corrections, and observations, CUSMA, Art. 20.41
 - exceptions, CUSMA, Art. 20.39

Index

- CANADA-UNITED STATES-MEXICO AGREEMENT, CH. 20 — INTELLECTUAL PROPERTY RIGHTS (*cont'd*)
- • grace period, CUSMA, Art. 20.37
 - • information re published patent applications and granted patents, CUSMA, Art. 20.43
 - • other use without authorization of right holder, CUSMA, Art. 20.40
 - • patent revocation, CUSMA, Art. 20.38
 - • patent term adjustment for unreasonable granting authority delays, CUSMA, Art. 20.44
 - • patentable subject matter, CUSMA, Art. 20.36
 - • publication of patent applications, CUSMA, Art. 20.42
 - • pharmaceutical products
 - • alteration of period of protection, CUSMA, Art. 20.51
 - • measures relating to marketing of certain products, CUSMA, Art. 20.50, Annex 20-A
 - • new pharmaceutical product defined, CUSMA, Art. 20.49
 - • patent term adjustment for unreasonable curtailment, CUSMA, Art. 20.46
 - • protection of undisclosed test or other data, CUSMA, Art. 20.48
 - • regulatory review exception, CUSMA, Art. 20.47
 - trade secrets
 - • civil protection and enforcement, CUSMA, Art. 20.70
 - • civil remedies, CUSMA, Art. 20.75
 - • confidentiality, CUSMA, Art. 20.74
 - • criminal enforcement, CUSMA, Art. 20.71
 - • definitions, CUSMA, Art. 20.72
 - • licensing and transfer, CUSMA, Art. 20.76
 - • prohibition of unauthorized disclosure or use by government officials outside scope of official duties, CUSMA, Art. 20.77
 - • protection, CUSMA, CUSMA, Art. 20.69
 - • provisional measures, CUSMA, Art. 20.73
 - trademarks
 - • classification of goods and services, CUSMA, Art. 20.24
 - • collective and certification marks, CUSMA, Art. 20.18
 - • domain names, CUSMA, Art. 20.27
 - • electronic trademarks system, CUSMA, Art. 20.23
 - • exceptions, CUSMA, Art. 20.20
 - • non-recordal of license, CUSMA, Art. 20.26
 - • procedural aspects of examination, opposition and cancellation, CUSMA, Art. 20.22
 - • term of protection for trademarks, CUSMA, Art. 20.25
 - • types of signs registrable, CUSMA, Art. 20.17
 - • use of identical or similar signs, CUSMA, Art. 20.19
 - • well-known trademarks, CUSMA, Art. 20.21
- CANADIAN INTERNET REGISTRATION AUTHORITY'S CANADIAN PRESENCE REQUIREMENTS FOR REGISTRANTS, *see also* CANADIAN INTERNET REGISTRATION AUTHORITY'S DOMAIN NAME DISPUTE RESOLUTION POLICY; CANADIAN INTERNET**

Index

- CANADIAN INTERNET
REGISTRATION AUTHORITY'S
CANADIAN PRESENCE
REQUIREMENTS FOR
REGISTRANTS (*cont'd*)
 REGISTRATION AUTHORITY'S
 DOMAIN NAME DISPUTE
 RESOLUTION RULES; CANADIAN
 INTERNET REGISTRATION
 AUTHORITY'S REGISTRANT
 AGREEMENT; CANADIAN
 INTERNET REGISTRATION
 AUTHORITY'S REGISTRATION
 RULES
- Canadian Presence Requirements
 - deemed to satisfy, CIRA-CPRR, s. 4
 - existing registrants, CIRA-CPRR, s. 1
 - generally, CIRA-RR, Art. 2, s. 2.1; CIRA-CPRR
 - overview, CIRA-CPRR, ss. 1, 4
 - registration prior to November 8, 2000, CIRA-CPRR, s. 4
 - “ordinarily resident in Canada”, defined, CIRA-CPRR, s. 3(a)
 - “person”, defined, CIRA-CPRR, s. 3(b)
 - registrants, exceptions
 - official marks, CIRA-CPRR, s. 2(r)
 - trademark registered in Canada, CIRA-CPRR, s. 2(q)
 - registrants, existing, CIRA-CPRR, s. 1
 - registrants, new
 - Aboriginal Peoples, CIRA-CPRR, s. 2(o)
 - archive, CIRA-CPRR, s. 2(k)
 - association, CIRA-CPRR, s. 2(g)
 - Canadian citizen, CIRA-CPRR, s. 2(a)
 - corporation, CIRA-CPRR, s. 2(d)
 - Government, CIRA-CPRR, s. 2(p)
- Her Majesty, the Queen, CIRA-CPRR, s. 2(m)
 - hospital, CIRA-CPRR, s. 2(l)
 - Indian band, CIRA-CPRR, s. 2(n)
 - library, CIRA-CPRR, s. 2(k)
 - museum, CIRA-CPRR, s. 2(k)
 - official marks, CIRA-CPRR, s. 2(r)
 - partnership, CIRA-CPRR, s. 2(f)
 - permanent resident, CIRA-CPRR, s. 2(b)
 - political party, CIRA-CPRR, s. 2(i)
 - trademark registered in Canada, CIRA-CPRR, s. 2(q)
 - trade union, CIRA-CPRR, s. 2(h)
 - trust, CIRA-CPRR, s. 2(e)
 - registrar's responsibilities
 - submission of registration request, CIRA-RR, Art. 2, s. 2.6
 - registration of domain names
 - Canadian presence requirements, CIRA-RR, Art. 2, s. 2.1
 - generally, CIRA-RR, Art. 2, s. 2
 - registration period, generally, CIRA-RR, Art. 2, s. 2.4
 - registration prior to November 8, 2000, CIRA-CPRR, s. 4
 - rules and procedures, CIRA-RA, Art. 4, s. 4.1
 - application of, generally, CIRA-RR
 - WHOIS Search, CIRA-RA, Art. 5, s. 5.4
- CANADIAN INTERNET
REGISTRATION AUTHORITY'S
DOMAIN NAME DISPUTE
RESOLUTION POLICY, *see also*
CANADIAN INTERNET
REGISTRATION AUTHORITY'S
CANADIAN PRESENCE
REQUIREMENTS FOR
REGISTRANTS; CANADIAN
INTERNET REGISTRATION
AUTHORITY'S DOMAIN NAME**

Index

CANADIAN INTERNET
REGISTRATION AUTHORITY'S
DOMAIN NAME DISPUTE
RESOLUTION POLICY (*cont'd*)
 DISPUTE RESOLUTION RULES;
 CANADIAN INTERNET
 REGISTRATION AUTHORITY'S
 REGISTRATION RULES

- alternative proceedings, CIRA-DNDRP, Para. 1, s. 1.7
- amendments, CIRA-DNDRP, Para. 1, s. 1.8
- basis for complaint
- • applicable disputes, CIRA-DNDRP, Para. 3, s. 3.1
- • "confusingly similar", CIRA-DNDRP, Para. 3, s. 3.3
- • legitimate interests, CIRA-DNDRP, Para. 3, s. 3.4
- • mark, CIRA-DNDRP, Para. 3, s. 3.2
- • registration in bad faith, CIRA-DNDRP, Para. 3, s. 3.5
- commitments by complainant, CIRA-DNDRP, Para. 1, s. 1.9
- complaint
- • administration of proceeding, COMPAPPS-DNDRP, Para. 2, s. 2.2
- • fees, CIRA-DNDRP, Para. 2, s. 2.3
- • initiation of proceeding, CIRA-DNDRP, Para. 2, s. 2.1
- • permitted transactions, CIRA-DNDRP, Para. 2, s. 2.5
- • restriction on registration transactions, CIRA-DNDRP, Para. 2, s. 2.4
- decision and remedies
- • bad faith of complainant, CIRA-DNDRP, Para. 4, s. 4.6
- • decision and amendment, CIRA-DNDRP, Para. 4, s. 4.2

- • implementation of decision, CIRA-DNDRP, Para. 4, s. 4.5
- • notice and publication of decision or corrigendum, CIRA-DNDRP, Para. 4, s. 4.4
- • onus, CIRA-DNDRP, Para. 4, s. 4.1
- • remedies, CIRA-DNDRP, Para. 4, s. 4.3
- dispute resolution service provider, CIRA-DNDRP, Para. 1, s. 1.5
- eligible complainants, CIRA-DNDRP, Para. 1, s. 1.4
- limitation of liability
- • exception to limitation, CIRA-DNDRP, Para. 5, s. 5.2
- • limitation on liability, CIRA-DNDRP, Para. 5, s. 5.1
- purpose, CIRA-DNDRP, Para. 1, s. 1.1
- role of CIRA, CIRA-DNDRP, Para. 1, s. 1.6
- rules, CIRA-DNDRP, Para. 1, s. 1.3
- scope, CIRA-DNDRP, Para. 1, s. 1.2

**CANADIAN INTERNET
REGISTRATION AUTHORITY'S
DOMAIN NAME DISPUTE
RESOLUTION RULES, *see also*
CANADIAN INTERNET
REGISTRATION AUTHORITY'S
CANADIAN PRESENCE
REQUIREMENTS FOR
REGISTRANTS; CANADIAN
INTERNET REGISTRATION
AUTHORITY'S DOMAIN NAME
DISPUTE RESOLUTION POLICY;
CANADIAN INTERNET
REGISTRATION AUTHORITY'S
REGISTRANT AGREEMENT;
CANADIAN INTERNET
REGISTRATION AUTHORITY'S
REGISTRATION RULES**

- appointment of panel
- • bilingual proceedings, CIRA-DNDRR, Para. 6, s. 6.2

Index

CANADIAN INTERNET REGISTRATION AUTHORITY'S DOMAIN NAME DISPUTE RESOLUTION RULES (*cont'd*)
• • chair, CIRA-DNDRR, Para. 6, s. 6.9
• • no conversion, CIRA-DNDRR, Para. 6, s. 6.6
• • no response, CIRA-DNDRR, Para. 6, s. 6.5
• • notification of panel, CIRA-DNDRR, Para. 6, s. 6.8
• • qualified individuals, CIRA-DNDRR, Para. 6, s. 6.1
• • renomination of panelists, CIRA-DNDRR, Para. 6, s. 6.3
• • selection of panel, CIRA-DNDRR, Para. 6, s. 6.4
• • selection of panelist by provider, CIRA-DNDRR, Para. 6, s. 6.7
• certificate of registrant, CIRA-DNDRR, App. B
• certification of complainant, CIRA-DNDRR, App. A
• communications
• • change of address, CIRA-DNDRR, Para. 2, s. 2.5
• • communication to parties, CIRA-DNDRR, Para. 2, s. 2.2
• • communication to provider or panel, COMPAPPS-DNDRR, Para. 2, s. 2.3
• • copies, CIRA-DNDRR, Para. 2, s. 2.7
• • deemed receipt, CIRA-DNDRR, Para. 2, s. 2.6
• • language, CIRA-DNDRR, Para. 2, s. 2.4
• • no address for registrant, CIRA-DNDRR, Para. 2, s. 2.10
• • non-delivery, CIRA-DNDRR, Para. 2, s. 2.9

- • notice, CIRA-DNDRR, Para. 2, s. 2.1
- • records, CIRA-DNDRR, Para. 2, s. 2.8
- complaint
- copies, CIRA-DNDRR, Para. 3, s. 3.3
- form of, CIRA-DNDRR, Para. 3, s. 3.2
- multiple registrations, CIRA-DNDRR, Para. 3, s. 3.4
- submission of, CIRA-DNDRR, Para. 3, s. 3.1
- court proceedings
- • notice of other proceeding, CIRA-DNDRR, Para. 13, s. 13.1
- • stay or termination, CIRA-DNDRR, Para. 13, s. 13.2
- decision
- • amendment, CIRA-DNDRR, Para. 12, s. 12.9
- • applicable law, CIRA-DNDRR, Para. 12, s. 12.1
- • bad faith of complainant, CIRA-DNDRR, Para. 12, s. 12.6
- • communication of decision or corrigendum, CIRA-DNDRR, Para. 12, s. 12.7
- • dissenting opinion, CIRA-DNDRR, Para. 12, s. 12.4
- • majority decision, CIRA-DNDRR, Para. 12, s. 12.3
- • publication, CIRA-DNDRR, Para. 12, s. 12.8
- • timing, CIRA-DNDRR, Para. 12, s. 12.2
- • written reasons, CIRA-DNDRR, Para. 12, s. 12.5
- fees
- • complainant fee, CIRA-DNDRR, Para. 14, s. 14.1

Index

CANADIAN INTERNET REGISTRATION AUTHORITY'S DOMAIN NAME DISPUTE RESOLUTION RULES (*cont'd*)
• • no refund, CIRA-DNDRR, Para. 14, s. 14.4
• • panellist fee, CIRA-DNDRR, Para. 14, s. 14.2
• • payment, CIRA-DNDRR, Para. 14, s. 14.3
• impartiality and independence
• • declaration, CIRA-DNDRR, Para. 7, s. 7.2
• • impartiality and independence, CIRA-DNDRR, Para. 7, s. 7.1
• • replacement, CIRA-DNDRR, Para. 7, s. 7.3
• interpretation
• • amendments, CIRA-DNDRR, Para. 1, s. 1.2
• • definitions, CIRA-DNDRR, Para. 1, s. 1.1
• • extension of time, CIRA-DNDRR, Para. 1, s. 1.4
• • no supplemental rules, CIRA-DNDRR, Para. 1, s. 1.7
• • references, CIRA-DNDRR, Para. 1, s. 1.6
• • time, CIRA-DNDRR, Para. 1, s. 1.3
• • writing, CIRA-DNDRR, Para. 1, s. 1.5
• language, CIRA-DNDRR, Para. 10, s. 10.1
• notice of complaint
• • administrator, CIRA-DNDRR, Para. 4, s. 4.5
• • deficient complaint, CIRA-DNDRR, Para. 4, s. 4.2
• • notice of commencement of proceeding, CIRA-DNDRR, Para. 4, s. 4.4
• • notice to registrant, CIRA-DNDRR, Para. 4, s. 4.3

- • provider review, CIRA-DNDRR, Para. 4, s. 4.1
- powers and obligations of panel, CIRA-DNDRR, Para. 9, s. 9.1
- procedural matters
- failure to comply with rules, CIRA-DNDRR, Para. 11, s. 11.5
- failure to comply with time periods, CIRA-DNDRR, Para. 11, s. 11.4
- further submissions, CIRA-DNDRR, Para. 11, s. 11.1
- no hearing, CIRA-DNDRR, Para. 11, s. 11.3
- record, CIRA-DNDRR, Para. 11, s. 11.2
- response
- copies, CIRA-DNDRR, Para. 5, s. 5.3
- deficient response, CIRA-DNDRR, Para. 5, s. 5.6
- extension of time, CIRA-DNDRR, Para. 5, s. 5.4
- form of, CIRA-DNDRR, Para. 5, s. 5.2
- generally, CIRA-DNDRR, Para. 5, s. 5.1
- no response, CIRA-DNDRR, Para. 5, s. 5.8
- notice to complainant, CIRA-DNDRR, Para. 5, s. 5.7
- provider review, CIRA-DNDRR, Para. 5, s. 5.5
- termination of proceeding, CIRA-DNDRR, Para. 8, s. 8.1

CANADIAN INTERNET REGISTRATION AUTHORITY'S REGISTRATION AGREEMENT,
see also CANADIAN INTERNET REGISTRATION AUTHORITY'S CANADIAN PRESENCE REQUIREMENTS FOR REGISTRANTS; CANADIAN INTERNET REGISTRATION

Index

CANADIAN INTERNET REGISTRATION AUTHORITY'S REGISTRATION AGREEMENT (*cont'd*)

AUTHORITY'S DOMAIN NAME DISPUTE RESOLUTION POLICY; CANADIAN INTERNET REGISTRATION AUTHORITY'S DOMAIN NAME DISPUTE RESOLUTION RULES; CANADIAN INTERNET REGISTRATION AUTHORITY'S REGISTRATION RULES

- acceptance of agreement and Registry PRP, CIRA-RA, Art. 2, s. 2.1
- amendment and establishment of new Registry PRP by CIRA, CIRA-RA, Art. 2, s. 2.3
- amendment of agreement by CIRA, CIRA-RA, Art. 2, s. 2.2
- disagreement, CIRA-RA, Art. 2, s. 2.4
- domain name provisions
 - • administrative contacts, CIRA-RA, Art. 3, s. 3.6
 - • cancellations, CIRA-RA, Art. 3, s. 3.3
 - • membership, CIRA-RA, Art. 3, s. 3.8
 - • modifications, CIRA-RA, Art. 3, s. 3.3
 - • no proprietary right, CIRA-RA, Art. 3, s. 3.2
 - • other transactions, CIRA-RA, Art. 3, s. 3.3
 - • registrars, CIRA-RA, Art. 3, s. 3.7
 - • registration of domain names, CIRA-RA, Art. 3, s. 3.1
 - • renewals, CIRA-RA, Art. 3, s. 3.3
 - • right of CIRA to verify information and compliance, CIRA-RA, Art. 3, s. 3.4
 - • transfers, CIRA-RA, Art. 3, s. 3.3
 - • user account number and password, CIRA-RA, Art. 3, s. 3.5
- exclusion of representations, warranties and conditions, CIRA-RA, Art. 8, s. 8.1
- general terms
 - • attorney, CIRA-RA, Art. 10, s. 10.8
 - • entire agreement, CIRA-RA, Art. 10, s. 10.5
 - • force majeure, CIRA-RA, Art. 10, s. 10.9
 - • further assurances, CIRA-RA, Art. 10, s. 10.3
 - • governing law, CIRA-RA, Art. 10, s. 10.8
 - • language, CIRA-RA, Art. 10, s. 10.11
 - • notices, CIRA-RA, Art. 10, s. 10.1
 - • remedies cumulative, CIRA-RA, Art. 10, s. 10.10
 - • severability, CIRA-RA, Art. 10, s. 10.7
 - • successors and assigns, CIRA-RA, Art. 10, s. 10.4
 - • time of essence, CIRA-RA, Art. 10, s. 10.2
 - • waiver, CIRA-RA, Art. 10, s. 10.6
- indemnity, CIRA-RA, Art. 8, s. 8.3
- information about registrant
 - • consent to use, CIRA-RA, Art. 5, s. 5.1
 - • disclosure procedure, CIRA-RA, Art. 5, s. 5.2
 - • third party correspondence, CIRA-RA, Art. 5, s. 5.3
 - • WHOIS, CIRA-RA, Art. 5, s. 5.4
- interpretation
 - • application, CIRA-RA, Art. 1, s. 1.1
 - • definitions, CIRA-RA, Art. 1, s. 1.2
- legal relationship
 - • independent contractors, CIRA-RA, Art. 9, s. 9.1

Index

- CANADIAN INTERNET REGISTRATION AUTHORITY'S REGISTRATION AGREEMENT (*cont'd*)
- • no agency, CIRA-RA, Art. 9, s. 9.2
 - • registrant bound as principal, CIRA-RA, Art. 9, s. 9.3
 - limitation of liability, CIRA-RA, Art. 8, s. 8.2
 - obligation to review, CIRA-RA, Art. 2, s. 2.4
 - obligations of registrant
 - • certain obligations, CIRA-RA, Art. 4, s. 4.1
 - • no conflict, CIRA-RA, Art. 4, s. 4.2
 - representations and warranties by registrant
 - • representations and warranties, CIRA-RA, Art. 6, s. 6.1
 - • survival, CIRA-RA, Art. 6, s. 6.2
 - rights and remedies of CIRA and registrant
 - • effect of cancellation of domain name registration, CIRA-RA, Art. 7, s. 7.8
 - • effect of suspension, CIRA-RA, Art. 7, s. 7.7
 - • effect of termination of agreement, CIRA-RA, Art. 7, s. 7.12
 - • prohibition on new registrations, CIRA-RA, Art. 7, s. 7.9
 - • restrictions on domain name registrations, CIRA-RA, Art. 7, s. 7.3
 - • suspension and cancellation for failure to confirm registration information, CIRA-RA, Art. 7, s. 7.6
 - • suspension and cancellation for failure to renew, CIRA-RA, Art. 7, s. 7.5
 - • suspension and/or cancellation of domain name registrations, CIRA-RA, Art. 7, s. 7.4
 - • suspension or cancellation by registrant, CIRA-RA, Art. 7, s. 7.2
 - • termination by registrant, CIRA-RA, Art. 7, s. 7.11
 - • termination of agreement by CIRA, CIRA-RA, Art. 7, s. 7.10
 - term, CIRA-RA, Art. 7, s. 7.1
- CANADIAN INTERNET REGISTRATION AUTHORITY'S REGISTRATION RULES, *see also* CANADIAN INTERNET REGISTRATION AUTHORITY'S CANADIAN PRESENCE REQUIREMENTS FOR REGISTRANTS; CANADIAN INTERNET REGISTRATION AUTHORITY'S DOMAIN NAME DISPUTE RESOLUTION POLICY; CANADIAN INTERNET REGISTRATION AUTHORITY'S DOMAIN NAME DISPUTE RESOLUTION RULES; CANADIAN INTERNET REGISTRATION AUTHORITY'S REGISTRANT AGREEMENT**
- admissible domain names
 - • acceptable characters, CIRA-RR, Art. 3, s. 3.1
 - • deletion by Registrar, CIRA-RR, Art. 3, s. 3.7
 - • length, CIRA-RR, Art. 3, s. 3.3
 - • rejection or refusal of registration request by CIRA, CIRA-RR, Art. 3, s. 3.6
 - • reserved/restricted names, CIRA-RR, Art. 3, s. 3.3
 - • suspension or cancellation of domain name registration by CIRA, CIRA-RR, Art. 3, s. 3.6
 - application of rules and procedures
 - • registrations and other transactions, CIRA-RR, Art. 1, s. 1.1
 - change of Registrant associated with a domain name, CIRA-RR, Art. 8, s. 8.1

Index

CANADIAN INTERNET REGISTRATION AUTHORITY'S REGISTRATION RULES (*cont'd*)

- change of Registrar, CIRA-RR, Art. 6, s. 6.1
- no registration of record, Art. 6, s. 6.4
- replacement of Registrar, Art. 6, s. 6.3
- deletion of registration, *see* suspension of registration
- modification of registration information
- generally, CIRA-RR, Art. 5, s. 5.2
- registrant's responsibility, CIRA-RR, Art. 5, s. 5.1
- registration information exclusion, CIRA-RR, Art. 5, s. 5.3
- processing of transaction requests
- results of requests, CIRA-RR, Art. 4, s. 4.2
- unauthorized changes, CIRA-RR, Art. 4, s. 4.3
- validation and approval of requests, CIRA-RR, Art. 4, s. 4.1
- registration of domain names
- admissible domain name, CIRA-RR, Art. 2, ss. 2.3, 3
- approval/rejection of registration requests, CIRA-RR, Art. 2, s. 2.9
- Canadian presence requirements, CIRA-RR, Art. 2, s. 2.1
- confirmation and agreement by applicant, CIRA-RR, Art. 2, s. 2.8
- deletion of new domain name registration, CIRA-RR, Art. 2, s. 3.7
- future registration requests, CIRA-RR, Art. 2, s. 2.10
- registration period, CIRA-RR, Art. 2, s. 2.4
- responsibility for selected domain name, CIRA-RR, Art. 2, s. 2.5
- selection of registrar, CIRA-RR, Art. 2, s. 2.2
- submission of registration request by registrar, CIRA-RR, Art. 2, s. 2.6
- validation and approval of registration requests, CIRA-RR, Art. 2, s. 2.7
- renewal and expiry of registrations
- auto-renewal, CIRA-RR, Art. 7, s. 7.3
- deletion of renewal of domain name registration, CIRA-RR, Art. 7, s. 7.4
- redemption of deleted domain name registration, CIRA-RR, Art. 7, s. 7.6
- registration renewal, CIRA-RR, Art. 7, s. 7.1
- renewal request, CIRA-RR, Art. 7, s. 7.2
- suspension of registration
- activities, CIRA-RR, Art. 11, s. 11.1
- deletion of registration by CIRA, CIRA-RR, Art. 11, s. 11.1
- notification, Art. 10, s. 10.1
- reactivation of registration suspended by CIRA, CIRA-RR, Art. 9, s. 9.2
- suspension by CIRA, CIRA-RR, Art. 9, s. 9.1

COLLEGE OF PATENT AGENTS AND TRADEMARK AGENTS

- by-laws, CPATAA, ss. 75, 77, CPATAA, SOR/2021-167, CPATAA, SOR/2021-168
- confidentiality, CPATAA, ss. 64-66
- definitions, CPATAA, s. 2
- disciplinary proceedings, CPATAA, ss. 51-63
- establishment and organization, CPATAA, ss. 5-25

Index

- COLLEGE OF PATENT AGENTS AND TRADEMARK AGENTS (*cont'd*)
 - investigations, CPATAA, , CPATAA, ss. 37-50, CPATAA, SOR/2021-168, s. 60
 - licensees
 - code of professional conduct, CPATAA, SOR/2021-165
 - obligations, CPATAA, ss. 32-34, CPATAA, SOR/2021-168, ss. 51-56
 - patent agents, CPATAA, ss. 26-28
 - suspension, revocation, surrender of licences, CPATAA, ss. 35-36, CPATAA, SOR/2021-168, ss. 57-59
 - trade-mark agents, CPATAA, ss. 29-31
 - order designating Minister, CPATAA, SI/2020-25
 - order fixing number of directors, CPATAA, SOR/2021-166
 - prohibitions and offences, CPATAA, ss. 67-74
 - regulations
 - code of professional conduct, CPATAA, SOR/2021-165
 - power to make, CPATAA, ss. 76-77
- COMMISSIONER OF PATENTS**
 - copyright, powers as to, *see* COPYRIGHT
 - patents, powers as to, PA, ss. 4, 66
- COMPETITION BUREAU**
 - agreements, protecting environment
 - certificate, CMPA, s. 124.3(1)
 - commissioner duties, CMPA, s. 124.3(2)
 - content of certificate, CMPA, s. 124.3(4)
 - party duties, CMPA, s. 124.3(3)
 - period of validity, CMPA, s. 124.3(6)
 - terms, CMPA, s. 124.3(5)
 - consent agreement
 - failure to comply, CMPA, s. 74.121
 - unpaid monetary penalty, CMPA, s. 74.121(3)
 - corporations trials
 - with or without jury, CMPA, s. 67(4)
 - damages, recovery of, CMPA, s. 36(1)
 - jurisdiction of Federal Court, CMPA, s. 36(3)
 - limitations to recovery, CMPA, s. 36(4)
 - prior proceedings, evidence of, CMPA, s. 36(2)
 - enforcement guidelines
 - anti-competitive effects, CBIPEG, s. 5.3
 - applied, examples of, CBIPEG, s. 7
 - business justifications, CBIPEG, s. 5.5
 - *Competition Act*, application of,
 - analysis by Bureau, CBIPEG, s. 4.1
 - generally, CBIPEG, s. 4.1
 - principles, CBIPEG, s. 4.2
 - competition policy advocacy, CBIPEG, s. 6
 - efficiency considerations, CBIPEG, s. 5.4
 - generally, CBIPEG, Part 1
 - law
 - competition, CBIPEG, ss. 2.2, 3.3
 - intellectual property, CBIPEG, ss. 2.1, 3.1, 3.2
 - interface of competition and intellectual property, CBIPEG, s. 3.4
 - market power, CBIPEG, s. 5.2
 - concentration, CBIPEG, s. 5.2.1

Index

- COMPETITION BUREAU (*cont'd*)
 - ease of entry, CBIPEG, s. 5.2.2
 - horizontal effects, CBIPEG, s. 5.2.3
 - principles
 - general provisions of *Competition Act*, CBIPEG, s. 4.2.1
 - other matters, CBIPEG, ss. 4.2.2, 4.2.3
 - relevant markets, CBIPEG, s. 5.1
 - matters reviewable by court, CMPA, ss. 107.1-107.6
 - administrative monetary penalties, CMPA, s. 107.3
 - aggravating or mitigating factors, CMPA, s. 107.5
 - definitions, CMPA, s. 107.1
 - prohibition orders, CMPA, s. 107.2
 - purpose of order, CMPA, s. 107.4
 - unpaid monetary penalty, CMPA, s. 107.6
 - offences
 - appeal, CMPA, s. 73(3)
 - conspiracies, agreements or arrangements, CMPA, s. 45
 - jurisdiction of Federal Court, CMPA, s. 73(1)
 - jury, no, CMPA, s. 73(2)
 - optional proceedings, CMPA, s. 73(4)
 - procedure, CMPA, s. 73
 - prohibition orders, CMPA, s. 34
 - representations
 - accompanying products, CMPA, s. 52(2)
 - drip pricing, CMPA, s. 52(1.3)
 - false or misleading, CMPA, s. 52(1)
 - punishment for, CMPA, s. 52.01(6)
 - outside Canada, CMPA, s. 52(2.1)
 - permitted, CMPA, s. 52(1.2)
 - public, to the, CMPA, s. 52(3)
 - restrictive trade practices
 - refusal to deal, CMPA, ss. 75-107
 - definitions, CMPA, s. 75(3)
 - trade secrets, CMPA, s. 75(2.1)
 - where restraint of trade
 - powers of Federal Court, CMPA, s. 32(1)
 - orders, CMPA, s. 32(2)
 - treaties, CMPA, s. 32(3)

COMPREHENSIVE AND PROGRESSIVE AGREEMENT FOR TRANS-PACIFIC PARTNERSHIP

- accession, CPATPP, Art. 5
- authentic texts, CPATPP, Art. 7
- entry into force, CPATPP, Art. 3
- incorporation, CPATPP, Art. 1
- review, CPATPP, Art. 6
- suspension of the application, CPATPP, Art. 2
- withdrawal, CPATPP, Art. 4

CONTRIVANCES, *see* RECORDS, COPYRIGHT

COPYRIGHT

- administration, CA, ss. 46–53
- anonymous works, CA, ss. 6.1, 6.2
- architectural work of art, defined, CA, s. 2
- architectural work, defined, CA, s. 2
- archives, *see* libraries, archives and museums
- artistic work, defined, CA, s. 2
- assignment, CA, ss. 13(4)–(6), 14, 57
- Berne Convention
 - adherence to, CA, s. 91
 - country, defined, CA, s. 2

Index

COPYRIGHT (*cont'd*)

- blank audio tape, *see* levy on blank audio recording media
- Board, defined, CA, s. 2
- book
 - defined, CA, s. 2
 - importation
 - application, CA, SOR/99-324 s. 2
 - Canadian editions, CA, SOR/99-324 s. 1, s. 6
 - generally, CA, SOR/99-324
 - imported books, CA, s. 5
 - interpretation, CA, s. 1
 - remaindered books, CA, ss. 1, 7
 - special orders, CA, ss. SOR/99-324 1, 9
 - time, computation of, CA, ss. SOR/99-324 1, s. 3
- broadcaster
 - assignment of rights, CA, s. 25
 - defined, CA, s. 2
 - first owner, CA, s. 24(c)
 - no prejudice to other rights, CA, s. 90
 - reciprocity, CA, s. 22
 - rights of, CA, s. 21
 - term of rights, CA, s. 23
- broadcasting undertaking, defined, CA, ss. 30.8(11), 30.9(1)
- Canada Customs and Revenue Agency (CCRA), D19-4-3
- choreographic work, defined, CA, s. 2
- cinematographic works
 - defined, CA, s. 2
 - remuneration, right to
 - generally, CA, SOR/99-194
 - interpretation, CA, s. 1
 - prescribed works, CA, s. SOR/99-194 s. 2
- cinematographs, CA, s. 11.1
- clerical errors, CA, s. 61
- collective society
 - defined, CA, s. 2
 - proposed royalties or tariffs
 - certification by Board, CA, s. 73
 - claims by non-members, CA, s. 76
 - effect of fixing, CA, s. 75
 - filing of, CA, s. 71
 - publication of, CA, s. 72
 - special case, CA, s. 74
- collective work, defined, CA, s. 2
- colleges, *see* educational institutions
- commercially available, defined, CA, s. 2
- Commissioner of Patents
- communications addressed to, CA, s. 34
- control of business and officials, CA, s. 52
- correspondence with, CA, SOR/97-45 ss. 2-4, 8
- determination by, SOR/97-457 s. 7
- powers, generally, CA, ss. 47, 49
- communication signal, defined, CA, s. 2
- communications, addressee, CA, ss. SOR/97-457 2-4
- compensation
- determination by Board, CA, s. 78
- for acts prior to recognition, CA, ss. 32.4-33
- compilation, defined, CA, s. 2
- compilations, CA, s. 2.1
- computer program, defined, CA, s. 2
- computer programs, rental of, CA, s. 3(2)
- copyright, defined

Index

- COPYRIGHT (*cont'd*)
 - • communication signal, in a, CA, s. 21
 - • • term of rights, CA, s. 23(1.2)
 - • generally, CA, s. 2
 - • performer's performance, in a, CA, ss. 15–15.1, 26
 - • sound recording, in a, CA, s. 18
 - • work, in a, CA, s. 3
 - • • tangible objects, CA, s. 3(1)(j)
 - Copyright Board, CA, ss. 66–66.91
 - • time limits, matters before Board, CA, SOR/2020-264
 - Copyright Office, CA, s. 46
 - copyrighted books, D9-1-2
 - country, defined, CA, s. 2
 - Crown, where, belongs to, CA, s. 12
 - definitions, generally, CA, s. 2
 - dramatic work, defined, CA, s. 2
 - educational institutions
 - • archives within, CA, s. 30.4
 - • defined, CA, s. 2
 - • generally, CA, ss. 29.4–30
 - • libraries within, CA, s. 30.4
 - • museums within, CA, s. 30.4
 - • engravings, defined, CA, s. 2
 - every original dramatic, musical and artistic work, defined, CA, s. 2
 - exception from prohibition on infringement
 - • archives, CA, SOR/99-325 s. 2
 - • broadcasts, reproducing, CA, s. 29.7
 - • generally, CA, ss. 29–32.2
 - • news commentary programs, reproducing, CA, s. 29.6
 - • newspapers, CA, SOR/99-325 s. 2
 - • notice, CA, SOR/99-325 s. 8
 - • periodicals, CA, SOR/99-325 s. 2
 - • records, CA, SOR/99-325 ss. 3–5
 - stamping, CA, SOR/99-325 s. 7
 - exclusive distributor
 - • defined, CA, s. 2
 - • regulations establishing criteria, CA, s. 2.6
 - exclusive licence, defined, CA, s. 2.7
 - execution of instruments, CA, s. 58
 - existing rights protected, CA, s. 62(2)
 - extension to other countries, CA, s. 5(2)
 - exportation, CA, s. 44
 - first published, deemed to be, CA, s. 4(3)
 - grant of interest in, CA, ss. 13(4), 14, 57, 58
 - importation
 - • books
 - • exception, CA, s. 45
 - • generally, CA, ss. 44–45
 - industrial designs and topographies, CA, ss. 63–64.2
 - information record, *see* record-keeping
 - infringement, *see* INFRINGEMENT — COPYRIGHT
 - infringing, defined, CA, s. 2
 - joint authorship, CA, s. 9
 - lecture, defined, CA, s. 2
 - legal representatives, defined, CA, s. 2
 - levy on blank audio recording media
 - • civil remedies, CA, s. 88
 - • distribution of levies paid, CA, ss. 84–85
 - • exemption from, CA, s. 86
 - • filing of proposed tariffs, CA, s. 83
 - • liability to pay, CA, s. 82
 - • microSD cards exclusion regulations, SOR/2012-226
 - • regulations, CA, s. 87
 - • right of remuneration to artists, CA, s. 81

Index

COPYRIGHT (*cont'd*)

- libraries, archives or museums
 - defined, CA, s. 2
 - educational institutions, within, CA, s. 30.4
 - excepted from prohibitions on infringement, CA, ss. 30.1–30.4
 - licence to print books of others, *see under* LICENCES — COPYRIGHT
 - literary work, defined, CA, s. 2
 - limitations
 - Barbados, CA, SOR/2014-181 s. 5
 - Bolivia, CA, SOR/2014-181 s. 1
 - Cabo Verde, CA, SOR/2014-181 s. 5
 - Congo, CA, s. SOR/2014-181 s. 5
 - Costa Rica, CA, SOR/2014-181 s. 7
 - Japan, CA, SOR/2014-181 s. 2
 - Lebanon, CA, SOR/2014-181 s. 3
 - Lesotho, CA, SOR/2014-181 s. 1
 - Monaco, CA, SOR/2014-181 s. 5
 - People's Republic of China, CA, SOR/2014-181 s. 6
 - Singapore, CA, SOR/2014-181 s. 2
 - United States, CA, s. SOR/2014-181 s. 2
 - Vietnam, CA, SOR/2014-181 s. 4
 - live aural performance, CA, s. 15(2.1)
 - maker, defined, CA, ss. 2, 2.11
 - Minister, defined, CA, s. 2
 - moral rights, *see* MORAL RIGHTS
 - moral rights, defined, CA, s. 2
 - museums, *see* libraries, archives and museums
 - musical work, defined, CA, s. 2
 - National Archives of Canada, CA, s. 30.5
 - networks, prescribed, CA, SOR/99-348
 - new media transmitter, defined, CA, s. 31(1)
 - non-profit organization, definition, CA, s. 32.02
 - offences, generally, CA, ss. 42, 43
 - ownership of, CA, ss. 13, 14
 - perceptual disability, defined, CA, s. 2
 - performance, defined, CA, s. 2
 - performer's performance
 - assignment of rights, CA, s. 25
 - copyright in, CA, ss. 15–17
 - conditions for, CA, s. 15(2.1)
 - defined, CA, s. 2
 - first owner, CA, s. 24(a)
 - moral rights, CA, ss. 17.1–17.2
 - infringement of, CA, ss. 28.1, 28.2
 - no prejudice to other rights, CA, s. 90
 - reciprocity, CA, s. 22
 - right to remuneration, CA, ss. 19, 20
 - term of rights, CA, s. 23
 - performers' rights — WTO countries, CA, s. 26
 - performing rights, CA, ss. 67–69
 - photograph, defined, CA, s. 2
 - plate, defined, CA, s. 2
 - posthumous works, CA, s. 7
 - premises, defined, CA, s. 2
 - pre-recorded recordings, CA, s. 30.9
 - programming undertaking, defined, CA, s. 30.8(11), SOR/93-436 s. 2
 - pseudonymous works, CA, ss. 6.1, 6.2
 - publication, defined, CA, s. 2.2
 - radio performances, CA, s. 69(2)
 - receiving device, defined, CA, s. 2
 - reciprocity protection preserved, CA, s. 5(7)
 - record-keeping
 - application, CA, SOR/2001-296 s. 2

Index

- COPYRIGHT (*cont'd*)
 - • destruction of copy, CA, SOR/2001-296 7
 - • generally, CA, SOR/2001-296
 - • interpretation, CA, SOR/2001-296 s. 1
 - • marking of copy, CA, SOR/2001-296 s. 5
 - • recording of information, CA, SOR/2001-296 s. 6
 - • retention of record, CA, SOR/2001-296 s. 9
 - • sending of record, CA, SOR/2001-296 s. 8
 - Register of Copyrights, CA, ss. 53, 54, 57(4)
 - Registrar of Copyrights, CA, ss. 47-50
 - registration
 - • application for, CA, SOR/97-457 s. 5
 - • assignment or licence, of, CA, s. 57, SOR/97-457 s. 6
 - • copyright in works, who may apply, CA, s. 55(1)
 - • copyright other than works, who may apply, CA, s. 56(1)
 - • determination by Commissioner, CA, SOR/97-457 s. 7
 - • fees, CA, SOR/97-457 Sch.
 - • generally, CA, ss. 54-58
 - regulations
 - • generally, CA, s. 62
 - • issuing policy directions, CA, s. 66.91
 - remittances, payee, CA, C.R.C. 1978, c. 422, s. 35
 - rental, what constitutes, CA, s. 2.5
 - retransmission
 - • area of transmission, defined, CA, SOR/89-254 s. 2
 - • generally, CA, s. 31
 - • height of antenna above average terrain, CA, SOR/89-254 Sch.
 - • period of entitlement for non-members of collecting bodies, CA, SOR/97-164
 - • predicted contour, CA, SOR/89-254, Sch.
 - • royalties for, of distant signals, CA, SOR/91-690
 - • Sch. local signal, defined, CA, SOR/89-254, s. 3
 - • small retransmission system, CA, SOR/89-255
 - review of Act, CA, ss. 1-7
 - right to integrity, *see* MORAL RIGHTS
 - Rome Convention
 - • adherence to, CA, s. 91
 - • country, defined, CA, s. 2
 - royalty entitlements of non-members of collective bodies, CA, SOR/97-164
 - schools, *see* educational institutions
 - sculpture, defined, CA, s. 2
 - small cable transmission system, CA, SOR/94-755
 - sound recording
 - • assignment of rights, CA, s. 25
 - • conditions for copyright in, CA, s. 18
 - • defined, CA, s. 2
 - • first owner, CA, s. 24(b)
 - • moral rights, performance fixed in, CA, s. 17.1
 - • no prejudice to other rights, CA, s. 90
 - • reciprocity, CA, s. 22
 - • right to remuneration, CA, ss. 19, 20
 - • • deemed publication, CA, s. 19.1
 - • rights of makers, CA, s. 18
 - • term of rights, CA, s. 23

Index

COPYRIGHT (*cont'd*)

- statutory basis, CA, s. 89
- subsistence of, conditions for, CA, s. 5
- substituted right, CA, s. 60
- tariffs, procedure for proposed, CA, ss. 67–76
- telecommunication
 - defined, CA, s. 2
 - ephemeral recordings and copyright infringement, CA, 30.8
- telecommunication to public, CA, ss. 2.3, 2.4
- term of protection
 - generally, CA, s. 6
 - specific cases, CA, ss. 6.1–12
- topographies excluded, CA, s. 64.2
- topographies, generally, *see* TOPOGRAPHIES
- treaty country, defined, CA, s. 2
- UCC country, defined, CA, s. 2
- universities, *see* educational institutions
- WCT country, defined, CA, s. 2
- wireless transmission system, CA, SOR/98-307
- work made in course of employment, CA, s. 13(3)
- work, defined, CA, s. 2
- WPPT country
 - defined, CA, s. 2
 - right to renumeration, CA, s. 19(1.2)
- WTO Member, defined, CA, s. 2

COPYRIGHT — INTERNATIONAL OBLIGATIONS

- adaptation, BC, Arts 12, 14
- alteration, BC, Art. 12
- anonymous works
- enforcement, BC, Art. 15
- generally, BC, Art. 7

- applied artworks
- generally, BC, Art. 2
- term of protection, BC, Art. 7
- architecture, works of, BC, Art. 4
- arrangement, BC, Art. 12
- articles, BC, Art. 10bis
- artistic works, BC, Arts. 2, 4
- artists
- circus, RC, Art. 9
- variety, RC, Art. 9
- Assembly
 - amendment of provisions by, BC, Art. 22
 - generally, BC, Art. 22
- assimilation of nationals, UCC, Art. II
- author
 - indication of, BC, Arts. 10, 15
 - nationality of, BC, Art. 3
 - residence of, BC, Art. 3
 - unknown, BC, Art. 15
- Berne Convention
 - acceptance by non-Union countries, BC, Art. 29
 - acceptance by Union countries, BC, Art. 28
 - accession, BC, Art. 29
 - amendments, BC, Art. 26
 - applicability of, BC, Art. 32
 - application of, BC, Art. 36
 - certified copies, BC, Art. 37
 - declaration, BC, Art. 31
 - denunciation, BC, Art. 35
 - developing countries, BC, Art. 21, App.
 - disputes, BC, Art. 33
 - duration, BC, Art. 35
 - earlier Acts, BC, Arts. 32, 34
 - entry into force, BC, Arts. 18, 26, 28, 29

Index

- COPYRIGHT — INTERNATIONAL OBLIGATIONS (*cont'd*)
- • final clauses, BC, Art. 37
 - • language, BC, Art. 27
 - • national law, relation to, BC, Art. 19
 - • notifications, BC, Art. 37
 - • registration, BC, Art. 37
 - • reservations, BC, Art. 30
 - • revision, BC, Art. 27
 - • signature, BC, Art. 37
 - • special agreements, BC, Art. 20
 - • territories, BC, Art. 31
 - • transitory provisions, BC, Art. 38
 - • Universal Copyright Convention, relation to, UCC, Art. XVII
 - • WIPO Convention, relation to, BC, Art. 29bis
 - • WIPO Copyright Treaty, relation to, WCT, Arts. 1, 3, 13
 - broadcasts, *see also* broadcasting; broadcasting rights
 - protection, RC, Art. 6
 - rebroadcasts, BC, Art. 11bis
 - wire, by, BC, Art. 11bis
 - works, BC, Art. 10bis
 - broadcasting
 - defined, RC, Art. 3
 - broadcasting organizations
 - attachment of protection, RC, Art. 6
 - minimum rights, RC, Art. 13
 - relations with performers, RC, Art. 7
 - broadcasting rights, BC, Art. 11bis
 - cinematographic adaptation, BC, Art. 14
 - cinematographic reproduction, BC, Art. 14
 - cinematographic rights
 - enforcement of, BC, Art. 15
 - generally, BC, Art. 14
 - cinematographic works
 - adaptations of, BC, Art. 14
 - assimilation, BC, Art. 14bis
 - contributions to, BC, Art. 14bis
 - generally, BC, Art. 4
 - ownership, BC, Art. 14bis
 - term of protection, BC, Art. 7
 - circulation, control of, BC, Art. 17
 - circus artists, RC, Art. 9
 - collections, BC, Arts. 2, 2bis
 - compulsory licences, BC, Arts. 11bis, 13, 14
 - copies, infringing, BC, Art. 16
 - country
 - of first publication, BC, Art. 6
 - of origin, BC, Arts. 5, 18
 - current events, BC, Art. 10bis
 - definition
 - “broadcasting”, RC, Art. 3
 - national treatment, RC, Art. 2
 - “performers”, RC, Art. 3
 - “phonogram”, RC, Art. 3
 - “producer of phonograms”, RC, Art. 3
 - “publication”, RC, Art. 3; UCC, Art. VI
 - “rebroadcasting”, RC, Art. 3
 - “reproduction”, RC, Art. 3
 - derivative works, BC, Art. 2
 - developing countries, UCC, Art. Vbis
 - distribution, BC, Art. 14
 - dramatic works, BC, Art. 11
 - “droit de suite”, BC, Art. 14ter
 - ephemeral recordings, BC, Art. 11bis
 - equal protection, CA, C.R.C. 1978, c. 421
 - Executive Committee, BC, Art. 23
 - exhibition, control of, BC, Art. 17

Index

COPYRIGHT — INTERNATIONAL OBLIGATIONS (*cont'd*)

- fees
 - • grace period for payment of, PC, Art. 5bis
 - • maintenance, PC, Art. 5bis
 - finances, BC, Art. 25
 - fixation, requirement of, BC, Art. 2; RC, Arts. 17, 19
 - free uses, *see* uses, free
 - illustrations for teaching, BC, Art. 10
 - importation, BC, Arts. 13, 16
 - infringing copies, BC, Art. 16
 - Intergovernmental Committee, RC, Art. 32; UCC, Arts. XI, XII
 - International Bureau, BC, Art. 24
 - joint authorship, works of, BC, Art. 7bis
 - licenses UCC, Arts. Vter, Vquater
 - literary works, BC, Arts. 2, 11ter
 - moral rights, BC, Art. 6bis
 - musical works
 - • generally, BC, Art. 11
 - • limitation of right to record, BC, Art. 13
 - national treatment, defined, RC, Art. 2
 - nationality, BC, Art. 3
 - nationals, works of, BC, Art. 6; UCC, Art. II
 - news, BC, Art. 2
 - official texts, BC, Art. 2
 - performance
 - • joint, RC, Art. 8
 - • public, BC, Art. 11
 - performers
 - • attachment of protection, RC, Art. 4
 - • defined, RC, Art. 3
 - • minimum protection of, RC, Art. 7
 - • relations with broadcasting organizations, RC, Art. 7
- phonogram, *see also* producer of phonograms
 - • defined, RC, Art. 3
 - • formalities for, RC, Art. 11
 - • secondary uses of, RC, Art. 12
 - photographic works, BC, Art. 7
- place of publication, BC, Art. 3
- presentation, control of, BC, Art. 17
- producer of phonograms
 - • attachment of protection, RC, Art. 5
 - • defined, RC, Art. 3
 - • reproduction, right of, RC, Art. 10
 - protected works, BC, Art. 2
- protection
 - • addresses, of uses of, BC, Art. 2bis
 - • anonymous works, of, BC, Art. 7
 - • applied artworks, of, BC, Art. 7
 - • architecture, of, BC, Art. 4
 - • artistic works, of, BC, Art. 4
 - • beneficiaries of, BC, Art. 2
 - • broadcasting organizations, of, RC, Art. 2
 - • cinematographic works, of, BC, Arts. 4, 7
 - • duration of, RC, Art. 14; UCC, Art. IV
 - • eligibility criteria, BC, Arts. 3, 4
 - • lectures, of uses of, BC, Art. 2bis
 - • limitation of, BC, Art. 2bis
 - • minimum duration of, RC, Art. 14
 - • moral rights, BC, Art. 6bis
 - • obligations, BC, Art. 2
 - • performances, of, RC, Art. 4
 - • performers, of, RC, Art. 2
 - • phonogram producers, of, RC, Arts. 2, 5
 - • photographic works, of, BC, Art. 7
 - • pseudonymous works, of, BC, Art. 7

Index

COPYRIGHT — INTERNATIONAL
OBLIGATIONS (*cont'd*)
• • restrictions, BC, Art. 6
• • speeches, of, BC, Art. 2bis
• • term of, BC, Art. 7; UCC, Art. IV
• • undertaking to provide, UCC, Art. I
• pseudonymous works
• • enforcement, BC, Art. 15
• • generally, BC, Art. 7
• public
• • communication, BC, Arts. 11-11ter,
14, *see also* broadcast
• • domain, works in the, UCC, Art.
VII
• • performance, BC, Arts. 11, 14
• • recitation, BC, Art. 11ter
• publication
• • defined, RC, Art. 3; UCC, Art. VI
• • simultaneous, RC, Art. 5
• published works
• • generally, BC, Art. 3
• • simultaneously, BC, Art. 3
• quotations, BC, Art. 10
• rebroadcasting, defined, RC, Art. 3
• recordings
• • generally, BC, Arts. 9, 11bis
• • musical works, BC, Art. 13
• reproduction
• • defined, RC, Art. 3
• • generally, BC, Art. 9
• restrictions to protection, BC, Art. 6
• rights
• • author's, UCC, Arts. IVbis, V
• • broadcasting, BC, Art. 11
• • enforcement, BC, Art. 15
• • guaranteed, BC, Art. 5
• • interest in resales, to, BC, Art.
14ter
• • moral, *see* moral rights

• • performers', RC, Art. 19
• • recording, limitation of, BC, Art. 13
• • reproduction, of, BC, Art. 9; RC,
Art. 10
• • translation, of, BC, Art. 8
• Rome Convention
• • Canadian adherence to, CA, s. 91
• • copyrights, relation to other, RC,
Art. 1
• • denunciation of, RC, Art. 28
• • deposit, RC, Art. 23
• • disputes, RC, Art. 30
• • effect of, RC, Art. 20
• • entry into force, RC, Art. 25
• • exceptions to, RC, Art. 15
• • implementation of, RC, Art. 26
• • languages, RC, Art. 33
• • limits on reservations, RC, Art. 31
• • notifications, RC, Art. 34
• • party to, becoming, RC, Art. 24
• • protections, relation to other, RC,
Art. 21
• • reservations, RC, Arts. 16, 18, 31
• • revision, RC, Art. 29
• • settlement of disputes, RC, Art. 30
• • signature, RC, Art. 23
• • special agreements, RC, Art. 22
• • territories, RC, Art. 27
• • withdrawal of reservations, RC, Art.
18
• seizure, BC, Arts. 13, 16
• sound recordings, BC, Art. 9
• source, indication of, BC, Art. 10
• teaching, BC, Art. 10
• term of protection, BC, Arts. 7, 7bis
• transitory measures, BC, Art. 13
• translation, right of
• • dramatic works, of, BC, Art. 11
• • general, BC, Art. 8

Index

COPYRIGHT — INTERNATIONAL OBLIGATIONS (*cont'd*)
• • literary works, of, BC, Art. 11ter
• • musical works, of, BC, Art. 11
• Union, *see also* Berne Convention
• • Bureau of the, BC, Art. 38
• • establishment of the, BC, Art. 1
• Universal Copyright Convention
• • application of, UCC, Art. X
• • Berne Convention, relation to, UCC, Art. XVII
• • conventions, relation to other, UCC, Arts. XVIII, XIX
• • declaration, UCC, Art. XVII, App.
• • denunciation, UCC, Art. XIV
• • deposit of, UCC, Art. VIII
• • developing countries, UCC, Art. Vbis
• • disputes, UCC, Art. XV
• • domestic laws, relation to, UCC, Art. III
• • entry into force, UCC, Art. IX
• • exceptions, UCC, Arts. IVbis, Vquarter
• • languages, UCC, Art. XVI
• • notification, UCC, Art. XIII
• • registration, UCC, Art. XXI
• • reservations, UCC, Art. XX
• • restrictions, UCC, Art. V
• • scope of, UCC, Art. IVbis
• • signature, UCC, Art. VIII
• uses, free, BC, Arts. 10, 10bis
• variety artists, RC, Art. 9
• visual recordings, BC, Art. 9
• WIPO Copyright Treaty
• • assembly, WCT, Art. 15
• • Berne Convention, relation to, WCT, Arts. 1, 3, 13
• • communication rights, WCT, Art. 8
• • compilations of data, WCT, Art. 5

• • computer programs, WCT, Art. 4
• • contracting parties, WCTCP
• • databases, WCT, Art. 5
• • denunciation of, WCT, Art. 23
• • depositary, WCT, Art. 25
• • distribution rights, WCT, Art. 6
• • eligibility to become party to, WCT, Art. 17
• • effective date of, WCT, Arts. 20, 21
• • enforcement, WCT, Art. 14
• • exceptions, WCT, Art. 10
• • International Bureau, WCT, Art. 16
• • languages of, WCT, Art. 24
• • limitations, WCT, Art. 10
• • obligations
• • • generally, WCT, Art. 18
• • • rights management information, WCT, Art. 12
• • • technological measures, WCT, Art. 11
• • photographic works, WCT, Art. 9
• • rental rights, WCT, Art. 7
• • reservations, whether, WCT, Art. 22
• • rights
• • • communications, WCT, Art. 8
• • • distribution, WCT, Art. 6
• • • generally, WCT, Art. 18
• • • management information, obligations re, WCT, Art. 12
• • • rental, WCT, Art. 7
• • scope of protection, WCT, Art. 2
• • signature under, WCT, Art. 19
• • technological measures, obligations re, WCT, Art. 11
• • time, WCT, Art. 13
• WIPO Performances and Phonograms Treaty
• • assembly, WPPT, Art. 24

Index

- COPYRIGHT — INTERNATIONAL OBLIGATIONS (*cont'd*)
- • beneficiaries of protection, WPPT, Art. 3
 - • broadcasting, remuneration for, WPPT, Art. 15
 - • communication to public, remuneration for, WPPT, Art. 15
 - • conventions, relation to other, WPPT, Arts. 1, 22
 - • definitions, WPPT, Art. 2
 - • denunciation, WPPT, Art. 31
 - • depositary, WPPT, Art. 33
 - • effective date of, WPPT, Art. 29, 30
 - • eligibility to become party, WPPT, Art. 26
 - • enforcement, WPPT, Art. 23
 - • exceptions, WPPT, Art. 16
 - • formalities, WPPT, Art. 20
 - • International Bureau, WPPT, Art. 25
 - • languages of, WPPT, Art. 32
 - • limitations, WPPT, Art. 16
 - • national treatment, WPPT, Art. 4
 - • performers' rights
 - • distribution rights, WPPT, Art. 8
 - • economic rights, WPPT, Art. 6
 - • generally, WPPT, Arts. 5–10, 27
 - • make available, right to, WPPT, Art. 10
 - • moral rights, WPPT, Art. 5
 - • rental rights, WPPT, Art. 9
 - • reproduction rights, WPPT, Art. 7
 - • phonogram producers
 - • distribution rights, WPPT, Art. 12
 - • generally, WPPT, Arts. 11–12, 27
 - • make available, right to, WPPT, Art. 14
 - • rental rights, WPPT, Art. 13
 - • reproduction rights, WPPT, Art. 11
 - • remuneration, right to, WPPT, Art. 15
 - • reservations, WPPT, Art. 21
 - • rights management information, obligations re, WPPT, Art. 19
 - • signature of, WPPT, Art. 28
 - • technological measures, obligations re, WPPT, Art. 18
 - • term of protection, WPPT, Art. 17
 - • time, WPPT, Art. 22
 - wireless communication, BC, Art. 11bis
 - works
 - • anonymous, BC, Art. 7
 - • applied art, of, BC, Arts. 2, 7
 - • architecture, of, BC, Art. 4
 - • artistic, BC, Arts. 2, 4
 - • broadcasting, BC, Art. 10bis
 - • cinematographic, BC, Arts. 4, 7
 - • current events, relating to, BC, Art. 10bis
 - • derivative, BC, Art. 2
 - • dramatic, BC, Art. 11
 - • free uses of, BC, Arts. 10, 10bis
 - • joint authorship, of, BC, Art. 7bis
 - • literary, BC, Arts. 2, 11ter
 - • musical, BC, Art. 11
 - • photographic, BC, Art. 7
 - • pre-existing, BC, Art. 18
 - • protected, BC, Art. 2
 - • pseudonymous, BC, Art. 7
 - • published, BC, Art. 3
 - • simultaneously published, BC, Art. 3
 - • uses of, free, BC, Arts. 10, 10bis

Index

COPYRIGHT RULES, CA, C.R.C. 1978, c. 422, ss. 1–36

CRIMINAL ACTS

- bottles, unauthorized filling of, CC, s. 410
- computer data offence
- definitions, CC, s. 102.1(4)
- distribution, CC, s. 102.1(2)
- possession, CC, s. 102.1(1)
- punishment, CC, s. 102.1(3)
- concealing a trademark, CC, s. 410
- defacing a trademark, CC, s. 410
- forfeiture, CC, s. 412
- forging a trademark
- description, CC, s. 406
- instruments for, CC, s. 409
- offence, CC, s. 407
- passing off, CC, s. 408
- punishment, CC, s. 412
- removing a trademark, CC, s. 410
- siphons, unauthorized filling of, CC, s. 410
- used goods, reselling without disclosure, CC, s. 411

CROWN

- inventions by public servants
- administration and control of, PSIA, ss. 9(1), 9(3)–9(4)
- application for patent, PSIA, ss. 6, 7; PSIA, C.R.C. c. 1332, Forms 4–7
- appropriate minister, PSIA, s. 13(1)
- awards for, PSIA, s. 10
- definitions, PSIA, s. 2
- determination by Minister, PSIA, C.R.C. c. 1332, ss. 4–6, Form 2
- development and exploitation of, PSIA, s. 9(2)
- duties of public servant, PSIA, s. 4

- joint inventions, PSIA, s. 13(2)
- notification of signing authority, PSIA, C.R.C. c. 1332, s. 12
- offence and punishment, PSIA, s. 11
- Public Servants Inventions Act regulations, PSIA, s. 12
- Public Servants Inventions Committee, PSIA, C.R.C. c. 1332, s. 14
- report of invention to Minister, PSIA, C.R.C. c. 1332, ss. 2–3, Form 1
- waiver, abandonment or transfer of rights, PSIA, s. 8; PSIA, C.R.C. c. 1332, ss. 9–10, Form 3
- inventions vested in, PSIA, ss. 3, 5
- Patent Act binding on, PA, s. 2
- Plant Breeders' Rights Act binding on, PBRA, s. 3
- proceedings against, PSIA, ss. 5(3)–(4); PSIA, C.R.C. c. 1332, ss. 7–8
- Status of Artist Act binding on, SAA, s. 6
- where copyright belongs to, CA, s. 12

D

DEFINITIONS

- Aboriginal Peoples, CIRA-CPRR, s. 2(o)
- “account information”, CIRA-RA, Art. 1, s. 1.2
- Act
- book importation, CA, SOR/99-324, s. 1
- patent, PA, s. RSC1985cP4 1
- record-keeping, CA, s. SOR/2001-296 1
- “activation”, CIRA-RA, Art. 1, s. 1.2
- advertising revenue, CA, SOR/98-447

Index

DEFINITIONS (*cont'd*)

- “application”, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1; PT, Arts. 2(i), 2(viii)
- appropriate minister, PSIA, s. 2
- archive, CIRA-CPRR, s. 2(k)
- “Assembly”, PT, Art. 2(xvii)
- association, CIRA-CPRR, s. 2(g)
- “authorization”, PA, ss. 21.04, 21.05; PA, SOR/2005-143, s. 6
- bookseller, CA, SOR/99-324, s. 1
- “broadcaster”, CA, s. 2
- “broadcasting”, RC, Art. 3; WPPT, Art. 2(f)
- “broadcasting undertaking”, CA, s. 30.9(11)
- Canadian citizen, CIRA-CPRR, s. 2(a)
- Canadian edition, CA, SOR/99-324, s. 1
- Canadian government film agency, CA, s. SOR/99-194 s. 1
- Canadian program, CA, s. SOR/99-194 s. 1
- catalogue, CA, SOR/99-324, s. 1
- “choreographic work”, CA, s. 2
- “cinematographic works”, CA, s. 2
- “CIRA elections”, CIRA-RA, Art. 1, s. 1.2(h)
- “collective society”, CA, s. 2; s. SOR/2001-296 1
- “collective work”, CA, s. 2
- “commercially available”, CA, s. 2
- Commissioner, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
- communication to the public, WPPT, Art. 2(g)
- “communication signal”, CA, s. 2
- “compilation”, CA, s. 2
- Complainant, ICANN-RUDRP, s. 1
- “computer program”, CA, s. 2
- copy identifiers, CA, s. SOR2001-296 1
- copyrights, CA, s. 2
- corporation, CIRA-CPRR, s. 2(d)
- “country”, CA, s. 2
- current exchange rate, CA, SOR/99-324, s. 1
- department, PSIA, s. 2
- “designated Office”, PT, Art. 2(xiii)
- “Director General”, PT, Art. 2(xx)
- “domain name”, CIRA-RA, Art. 1, s. 1.2
- “educational institution”, CA, s. 2; CIRA-CPRR, s. 2(j)
- educational institution identifier, CA, s. SOR2001-296 1
- “elected Office”, PT, Art. 2(xiv)
- “engravings”, CA, s. 2
- “every original dramatic, musical and artistic work”, CA, s. 2
- “exclusive distributor”, CA, s. 2
- “exclusive licence”, CA, s. 2.7
- “fees”, CIRA-RA, Art. 1, s. 1.2
- fixation, WPPT, Art. 2(c)
- format, CA, SOR/99-324, s. 1
- “general council”, PA, s. 21.02
- “general council decision”, PA, s. 21.02
- Government, CIRA-CPRR, s. 2(p)
- Her Majesty the Queen, CIRA-CPRR, s. 2(m)
- holiday, CA, SOR/99-324, s. 1
- hospital, CIRA-CPRR, s. 2(l)
- ICANN, ICANN-RUDRP, s. 1
- Indian band, CIRA-CPRR, s. 2(n)
- industrial designs, IDA, s. 2
- “infringing”, CA, s. 2
- institution, CA, s. 1
- “international application”, PT, Art. 2(vii)

Index

- DEFINITIONS (*cont'd*)
- “International Bureau”, PT, Art. 2(xix)
 - invention, PSIA, s. 2
 - “lecture”, CA, s. 2
 - “legal representatives”, CA, s. 2
 - “libraries, archives or museums”, CA, s. 2; CIRA-CPRR, s. 2(k)
 - list price, CA, SOR/99-324, s. 1
 - “literary work”, CA, s. 2
 - “maker”, CA, ss. 2, 2.11
 - “moral rights”, CA, ss. 2, 17
 - “musical work”, CA, s. 2
 - mutual jurisdiction, ICANN-RUDRP, s. 1
 - “national application”, PT, Art. 2(vi)
 - “national law”, PT, Art. 2(x)
 - “national Office”, PT, Art. 2(xii)
 - “national patent”, PT, Art. 2(iii)
 - “national treatment”, RC, Art. 2
 - new media transmitter, CA, s. 31(1)
 - Office, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - official marks, CIRA-CPRR, s. 2(r)
 - “ordinary resident in Canada”, CIRA-CPRR, s. 3(a)
 - “Organization”, PT, Art. 2(xviii)
 - panel, ICANN-RUDRP, s. 1
 - panelist, ICANN-RUDRP, s. 1
 - partnership, CIRA-CPRR, s. 2(f)
 - party, ICANN-RUDRP, s. 1
 - “patent”, PT, Arts. 2(ii), 2(ix)
 - patent agent, CPATAA, s. 2
 - “patented product”, PA, s. 21.02
 - patents, PA, 2; PA, SOR/78-673, s. 2
 - “perceptual disability”, CA, s. 2
 - “performance”, CA, s. 2
 - “performers”, RC, Art. 3; WPPT, Art. 2(a)
 - permanent resident, CIRA-CPRR, s. 2(b)
 - “person”, CIRA-CPRR, s. 3(b)
 - “pharmaceutical product”, PA, s. 21.02, Sch. 1
 - “phonogram”, RC, Art. 3; WPPT, Art. 2(b)
 - “photograph”, CA, s. 2
 - plant breeders’ rights, PBRA, s. 2(1)
 - “plate”, CA, s. 2
 - policy, ICANN-RUDRP, s. 1
 - political party, CIRA-CPRR, s. 2(i)
 - “premises”, CA, s. 2
 - “priority date”, PT, Art. 2(xi)
 - “producer of phonograms”, RC, Art. 3; WPPT, Art. 2(d)
 - “programming undertaking”, CA, s. 30.8(11); SOR/93-436
 - provider, ICANN-RUDRP, s. 1
 - public servant, PSIA, s. 2
 - “publication”, RC, Art. 3; UCC, Art. VI; WPPT, Art. 2(e)
 - “rebroadcasting”, RC, Art. 3
 - “receiving device”, CA, s. 2
 - “receiving Office”, PT, Art. 2(xv)
 - “regional application”, PT, Art. 2(v)
 - “regional patent”, PT, Art. 2(iv)
 - registered proprietor, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - “registrant’s registrar”, CIRA-RA, Art. 1, s. 1.2
 - registrar, ICANN-RUDRP, s. 1
 - “Registrars”, CIRA-RA, Art. 1, s. 1.2
 - registration agreement, ICANN-RUDRP, s. 1
 - “registration information”, CIRA-RA, Art. 1, s. 1.2
 - “registry”, CIRA-RA, Art. 1, s. 1.2
 - “Registry PRP”, CIRA-RA, Art. 1, s. 1.2

Index

DEFINITIONS (*cont'd*)

- remaindered book, CA, SOR/99-324, s. 1
- representative for service, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
- “reproduction”, RC, Art. 3
- respondent, ICANN-RUDRP, s. 1
- retailer, CA, SOR/99-324, s. 1
- reverse domain name hijacking, ICANN-RUDRP, s. 1
- “sculpture”, CA, s. 2
- “sound recording”, CA, ss. 2, 19
- special order, CA, SOR/99-324, s. 1
- supplemental rules, ICANN-RUDRP, s. 1
- “TRIPS Agreement”, PA, s. 21.02
- “TRIPS Council”, PA, s. 21.02
- “telecommunication”, CA, s. 2
- topographies, ICTA, s. 2(1)
- trade mark registered in Canada, CIRA-CPRR, s. 2(q)
- trade-mark agent, CPATAA, s. 2
- trade union, CIRA-CPRR, s. 2(h)
- “treaty country”, CA, s. 2
- “UCC country”, CA, s. 2
- “Union”, PT, Art. 2(xvi)
- “WCT country”, CA, s. 2
- “WPPT country”, CA, s. 2
- “WTO”, PA, s. 21.02
- “WTO member”, CA, s. 2
- wireless transmission system, CA, SOR/98-307, s. SOR98-307 1

DOMAIN NAMES, *see also*
CANADIAN INTERNET
REGISTRATION AUTHORITY'S
DOMAIN NAME DISPUTE
RESOLUTION POLICY;
CANADIAN INTERNET
REGISTRATION AUTHORITY'S
DOMAIN NAME DISPUTE
RESOLUTION RULES; CANADIAN

- INTERNET REGISTRATION
AUTHORITY'S REGISTRANT
AGREEMENT; CANADIAN
INTERNET REGISTRATION
AUTHORITY'S REGISTRATION
RULES; CANADIAN PRESENCE
REQUIREMENTS FOR
REGISTRANTS; RULES FOR
UNIFORM DISPUTE RESOLUTION
POLICY; UNIFORM DOMAIN
NAME DISPUTE RESOLUTION
POLICY
- conflicting names, CIRA-RR, s. 3.5
 - domain names, generally
 - acceptable characters, CIRA-RR, s. 3.1
 - admissible, generally, CIRA-RR, s. 3
 - conflicting names, CIRA-RR, s. 3.5
 - length, CIRA-RR, s. 3.3
 - reserved/restricted names
 - country code top level domains, CIRA-RR, s. 3.4(a)
 - generally, CIRA-RR, s. 3.4
 - specifically, CIRA-RR, ss. 3.4(a)–(d)
 - domain names, proof of ownership
 - bad faith, ICANN-UDRP, s. 4(a)(iii)
 - confusingly similar, ICANN-UDRP, s. 4(a)(i)
 - legitimate interests, ICANN-UDRP, s. 4(a)(ii)
 - legitimate rights, ICANN-UDRP, s. 4(a)(iii)
 - domain names, registrations
 - cancellations, ICANN-UDRP, s. 3
 - changes, ICANN-UDRP, s. 3
 - transfers, ICANN-UDRP, s. 3
 - evidence of bad faith registration and use
 - bad faith, ICANN-UDRP, s. 4(a)(iii)

Index

- DOMAIN NAMES (*cont'd*)
 - • generally, ICANN-UDRP, s. 4(b)
 - • intentional attempt to attract users, for commercial gain, ICANN-UDRP, s. 4(b)(iv)
 - • registration to prevent owner of trademark, ICANN-UDRP, s. 4(b)(ii)
 - • registration for rent of domain name, ICANN-UDRP, s. 4(b)(i)
 - • registration for resale of domain name, ICANN-UDRP, s. 4(b)(i)
 - • registration for transfer of domain name, ICANN-UDRP, s. 4(b)(i)
 - • valuable consideration, ICANN-UDRP, s. 4(b)(i)
 - ICANN's rights, ICANN-UDRP, ss. 3, 4(h), 6, 7, *see also* INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS
 - reserved/restricted names
 - • country code top level domains, CIRA-RR, s. 3.4(a)
 - • generally, CIRA-RR, s. 3.4
 - • specifically, CIRA-RR, ss. 3.4(a)
 - Uniform Domain Name Dispute Resolution Policy, generally, ICANN-UDRP, *see also* UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY
 - use of domain names, limitations, CIRA-RA, Art. 8, s. 8.1
- F**
 - FORMS**
 - inventions by public servants
 - • determination by Minister, PSIA, C.R.C. c. 1332, Form 2
 - • petition for patent, PSIA, C.R.C. c. 1332, Forms 4–7
 - • report of invention to Minister, PSIA, C.R.C. c. 1332, Form 1
- • waiver, abandonment or transfer of rights, PSIA, C.R.C. c. 1332, Form 3
- patents, *see* PATENT; FORMS

H

- HUMANITARIAN AID, *see* PATENT; INTERNATIONAL HUMANITARIAN PURPOSES; USE OF PATENTED PRODUCTS**

I

- INDUSTRIAL DESIGN, *see also* INDUSTRIAL DESIGNS**
 - abandonment, IDOP, s. 15
 - agents and representation, IDOP, s. 2
 - application
 - • access to, IDOP, s.6
 - • amendment, IDOP, s. 17
 - • content and requirements, IDOP, s. 8
 - • filing date, IDOP, s. 7
 - • made available to public, IDOP, s. 20
 - • withdrawal, IDOP, s. 12
 - classification, IDOP, s. 9
 - communications with Industrial Design Office, IDOP, s. 1
 - examination
 - • advanced, IDOP, s. 10
 - • examiner reports, IDOP, s. 14
 - • industrial design subject matter, IDOP, s. 13
 - exclusive right
 - • maintenance, IDOP, s. 21
 - • registration and, IDOP, s. 19
 - fees, IDOP, s. 5
 - Hague applications and registrations
 - • appeal, IDOP, s. 27
 - • corrections, IDOP, s. 32

Index

- INDUSTRIAL DESIGN (*cont'd*)
- • entitlement to file, IDOP, s. 22
 - • examination and registration, IDOP, s. 25
 - • how to file, IDOP, s. 23
 - • international register and bulletin, IDOP, s. 24
 - • invalidation, IDOP, s. 29
 - • maintenance, IDOP, s. 33
 - • notification of refusal, IDOP, s. 26
 - • registration, IDOP, s. 28
 - • request for priority, IDOP, s. 30
 - • transfer, IDOP, s. 31
 - licenses and security agreements, IDOP, s. 4
 - matter specified by Commissioner of Patents under Industrial Design Act and Regulations, IDOP, Annex A
 - novelty assessment, IDOP, s. 16
 - refusal, review and appeal
 - • appeal of refusal, IDOP, s. 18.03
 - • notice of possible refusal, IDOP, s. 18.01
 - • review, IDOP, s. 18.02
 - registration
 - • delay of, IDOP, s. 11
 - • generally, IDOP, s. 19
 - regulations, generally, IDA, C.R.C. 1978, c. 964, SOR/99-460
 - • interpretation, generally, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • Act, , IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • agent, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • application, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • Commissioner, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • office, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • registered proprietor, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • representative for service, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - reinstatement, IDOP, s. 15.02
 - revision history, IDOP, Annex B
 - rules, generally
 - • amended, IDA, C.R.C. 1978, c. 964, ss. 22-24
 - • repealed, IDA, C.R.C. 1978, c. 964, ss. 22-24
 - • replaced, IDA, C.R.C. 1978, c. 964, SOR/99-460
 - transfers, IDOP, s. 3
 - transitional provisions
 - • applicability of Act to applications under former Act, IDOP, s. 34
 - • applicability of former Act, IDOP, s. 36
 - • applications without filing date, IDOP, s. 35
 - • regulations, IDOP, s. 37
 - regulations, generally, IDA, C.R.C. 1978, c. 964, SOR/99-460
 - • interpretation, generally, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • Act, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • agent, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • application, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • Commissioner, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • • Office, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1

Index

- INDUSTRIAL DESIGN (*cont'd*)
 - • registered proprietor, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - • representative for service, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 1
 - reinstatement, IDOP, s. 9
 - rules, generally
 - • amended, IDA, C.R.C. 1978, c. 964, ss. 22–24
 - • repealed, IDA, C.R.C. 1978, c. 964, ss. 22–24
 - • replaced, IDA, C.R.C. 1978, c. 964, SOR/99-460
 - search, IDOP, s. 5.2
 - subject matter
 - • examination of, IDOP, s. 6.1
 - third party correspondence, IDOP, s. 1.4
 - time
 - • extension of, IDOP, s. 7
 - withdrawal, IDOP, s. 10
 - INDUSTRIAL DESIGNS, *see also* INDUSTRIAL DESIGN
 - acquired right, IDA, s. 12(2)
 - agents, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 14
 - application filed in another country, IDA, s. 29, IDA, C.R.C. 1978, c. 964, s. 18
 - application to alter design, IDA, s. 23
 - application to register design
 - • amendment, IDA, C.R.C. 1978, c. 964, s. 16
 - • filing of, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 2, s. 11
 - • form, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 9(1), Sch. 1
 - • generally, IDA, C.R.C. 1978, c. 964, SOR/99-460, ss. 9–10
 - • objections, IDA, s. 5(2)
 - • reinstatement, IDA, s. 5(4); IDA, C.R.C. 1978, c. 964, s. 17
 - • substituted applicants, IDA, s. 4(2)
 - article, defined, IDA, s. 2
 - assignment, IDA, s. 13; IDA, C.R.C. 1978, c. 964, s. 19
 - certificate of registration, IDA, s. 7
 - clerical errors, IDA, s. 20
 - correspondence, generally, IDA, C.R.C. 1978, c. 964, ss. 3–8
 - court, appropriate, IDA, ss. 15(1), 15.2, 22
 - definitions, generally, IDA, s. 2
 - design, defined, IDA, s. 2
 - documents, IDA, C.R.C. 1978, c. 964, ss. 12–13
 - exclusive right
 - • duration, IDA, s. 10
 - • how acquired, IDA, s. 9
 - • maintenance of, IDA, C.R.C. 1978, c. 964, s. 18
 - fees, IDA, SOR/78-666; IDA, C.R.C. 1978, c. 964, ss. 9(1), 10(3), 18, 19, 21, Sch. 2
 - filing of applications, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 2
 - filing of documents and materials, IDA, C.R.C. 1978, c. 964, ss. 12–13
 - industrial design, defined, IDA, s. 2
 - infringement, action for, IDA, s. 15
 - inspection, public, IDA, s. 21
 - kit, defined, IDA, s. 2
 - limitation period, IDA, s. 18
 - materials, other, IDA, C.R.C. 1978, c. 964, ss. 12–13
 - Minister, defined, IDA, s. 2
 - prescribed, defined, IDA, s. 2
 - proprietorship, IDA, s. 12
 - Register of Industrial Designs

Index

- INDUSTRIAL DESIGNS (*cont'd*)
 - amendment to, IDA, s. 22
 - generally, IDA, s. 3
 - rectification of, IDA, s. 24
 - registration of transfer of design, IDA, s. 13(3)
 - registered proprietor
 - defined, IDA, C.R.C. 1978, c. 964, s. 1
 - maintains exclusive rights, IDA, C.R.C. 1978, c. 964, s. 18
 - registration of design, IDA, s. 6(2)
 - regulations, generally, IDA, C.R.C. 1978, c. 964, SOR/99-460
 - regulations, power to make, IDA, s. 25
 - remedies, IDA, s. 15.1
 - representative for service, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 15
 - request for priority
 - generally, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 20(1)
 - notice, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 20(2)
 - suspended, IDA, C.R.C. 1978, c. 964, SOR/99-460, s. 20(3)
 - restriction on protection, IDA, s. 5.1
 - rules, generally
 - amended, IDA, C.R.C. 1978, c. 964, ss. 22–24
 - repealed, IDA, C.R.C. 1978, c. 964, ss. 22–24
 - replaced, IDA, C.R.C. 1978, c. 964, SOR/99-460
 - set, defined, IDA, s. 2
 - transitional provisions, IDA, ss. 29.1, 30
 - use without licence prohibited, IDA, s. 11
 - useful article, defined, IDA, s. 2
 - utilitarian function, defined, IDA, s. 2
 - variants, defined, IDA, s. 2
- INDUSTRIAL DESIGNS — INTERNATIONAL OBLIGATIONS
 - exhibitions, protection at, PC, Art. 11
 - failure to work, PC, Art. 5
 - fees
 - grace period for payment of, PC, Art. 5bis
 - maintenance, PC, Art. 5bis
 - importation, PC, Art. 5
 - international exhibitions, PC, Art. 11
 - marking, PC, Art. 5
 - national industrial property service, PC, Art. 12
 - protection
 - generally, PC, Art. 5quinquies; BC, Art. 2
 - temporary, PC, Art. 11
 - rights to priority, PC, Art. 4
- INDUSTRIAL DESIGN REGULATIONS (SOR/2018-120)
 - amendments
 - limitations, IDR, s. 25(2)
 - time limit, IDR, s. 25(1)
 - applications
 - Hague applications, IDR, s. 19
 - one design per application, IDR, s. 20
 - optional description, IDR, s. 18
 - presentation of photographs, IDR, s. 15
 - requirements for representation of design, IDR, s. 14
 - communications
 - deemed receipt, designated establishment, IDR, s. 5(2)
 - deemed receipt, office, IDR, s. 5(1)
 - electronic, IDR, s. 6
 - manner of presentation, IDR, s. 9

Index

- INDUSTRIAL DESIGN REGULATIONS (SOR/2018-120)
 - (*cont'd*)
 - postal address, IDR, s. 7
 - submission of documents, IDR, s. 4
 - written communications, IDR, s. 2
 - application, in respect of, IDR, s. 8(1)
 - registered design, in respect of, IDR, s. 8(2)
 - definitions, IDR, s. 1
 - examination
 - advanced examination, IDR, s. 23
 - delayed registration, IDR, s. 24
 - registrability, IDR, s. 22(1)
 - fees, IDR, ss. 37–39
 - Hague agreement, implementation
 - appeal or invalidation, IDR, s. 50(1)–(6)
 - corrections, IDR, s. 51(1)–(7)
 - duration of exclusive right, IDR, s. 46(1)
 - priority, request for, IDR, s. 45(2)
 - register, IDR, s. 40(1)–(3)
 - maintenance of exclusive right, IDR, s. 33(1)
 - priority
 - previously filed application, copy of, IDR, s. 27(1)
 - request for priority, withdrawal, IDR, s. 28(1)
 - representation before the office
 - agent, power to appoint, IDR, s. 12(1)
- INFRINGEMENT
 - copyright, *see* INFRINGEMENT; COPYRIGHT
 - industrial designs
 - action for infringement, IDA, s. 15
 - defence, IDA, s. 17
 - patent, *see under*PATENT
 - plant breeders' rights, *see* INFRINGEMENT; PLANT BREEDERS' RIGHTS
 - topographies, *see under*TOPOGRAPHIES
 - trademarks, TMA, s. 20
- INFRINGEMENT — COPYRIGHT
 - civil actions
 - injunction only remedy, CA, s. 39
 - limitation period, CA, s. 43.1
 - presumptions, CA, s. 34.1
 - proof of profits, CA, s. 35(2)
 - recovery of copies/plates, CA, s. 38
 - statutory damages, CA, s. 38
 - civil remedies, generally, CA, ss. 34–41
 - technological protection measures, CA, s. 41
 - computer programs, CA, s. 64.2
 - copying
 - international aspects, BC, Art. 16
 - private use, for, CA, s. 80
 - criminal remedies, generally, CA, ss. 42, 43
 - technological protection measures, circumvention of, CA, s. 42(3.1)
 - ephemeral recordings, CA, s. 30.8
 - exceptions
 - backup copies, CA, s. 29.24
 - computer programs, CA, s. 30.6
 - encryption research, CA, s. 30.62
 - interoperability, CA, s. 30.61
 - security, CA, s. 30.63
 - educational institutions, CA, ss. 29.4–30, 30.3, 30.4
 - lessons, communication of, CA, s. 30.01
 - reprographic reproduction, CA, s. 30.02

Index

- INFRINGEMENT —**
COPYRIGHT (cont'd)
- • • work available through internet, CA, s. 30.04
 - • fair dealing, CA, ss. 29–29.2
 - • education, CA, s. 29
 - • parody, CA, s. 29
 - • private study, CA, s. 29
 - • research, CA, s. 29
 - • satire, CA, s. 29
 - • incidental inclusion, CA, s. 30.7
 - • later listening or viewing, reproduction for, CA, s. 29.23
 - • Library Archives of Canada, CA, s. 30.5
 - • miscellaneous, CA, s. 32.2
 - • network services, CA, s. 31.1
 - • no motive of gain, CA, s. 29.3
 - • non-commercial user generated content, CA, s. 29.21
 - • no right to equitable remuneration, CA, s. 32.3
 - • persons with perceptual difficulties, CA, s. 32
 - • photograph or portrait, CA, s. 32.2
 - • private purpose, reproduction, CA, s. 29.22
 - • retransmission, CA, s. 31
 - • statutory obligations, CA, s. 32.1
 - • technological process, temporary reproduction for, CA, s. 30.71
 - generally, CA, s. 27(1)
 - infringing, defined, CA, s. 2
 - injunctions, CA, ss. 39, 40
 - libraries, archives and museums, CA, ss. 30.1–30.4
 - • digital form copies, CA, s. 30.2(5.02)
 - moral rights, CA, ss. 28.1, 28.2
 - National Archives of Canada, CA, s. 30.5
 - non-infringement re certain designs, CA, s. 64
 - non-infringement re useful article features, CA, s. 64.1
 - parallel importation of books, CA, s. 27.1
 - plates, CA, s. 27(4)
 - pre-recorded recordings, CA, s. 30.9
 - public performance for profit, CA, s. 27(5)
 - secondary infringement, CA, s. 27(2), (3)
 - • copy made outside Canada, CA, s. 27(2.1)
 - • lesson, relating to, CA, ss. 27(2.2), 30.01
 - • provision of service, by
 - • digital network, CA, ss. 27(2.3), 38.1(1.11)
 - • internet, CA, s. 27(2.3)
 - telecommunication, CA, s. 30.8
- INFRINGEMENT — PLANT BREEDERS' RIGHTS**
- admissibility of foreign certificates, PBRA, s. 47
 - appeals, PBRA, ss. 41(3), 49(2), 50
 - costs, Commissioner's, PBRA, s. 48
 - courts, appropriate, PBRA, ss. 42, 43
 - declarations, PBRA, s. 43(4)
 - defences, PBRA, s. 46
 - holder required to proceed, PBRA, s. 45; PBRA, SOR/91-594, s. 16
 - infringement, generally, PBRA, s. 41(1)
 - judgments to filed, PBRA, s. 52
 - limitation periods, PBRA, ss. 50(2), 61
 - relief, available, PBRA, s. 41(2)
 - rights declared invalid, PBRA, ss. 43(3), 44
 - security, PBRA, s. 43(5), (6)

Index

INFRINGEMENT — PLANT BREEDERS' RIGHTS (*cont'd*)

- transmission of documents to court, PBRA, s. 51

INJUNCTIONS

- copyright, CA, ss. 39, 40

INTEGRATED CIRCUIT

TOPOGRAPHY, *see*
TOPOGRAPHIES

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS, *see also* INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS POLICIES; UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY

- date of commencement of administrative proceeding, ICANN-UDRP, s. 4(c)
- definitions, generally, ICANN-UDRP, s. 1
- general powers, of panel, ICANN-UDRP, s. 10
- ICANN, defined, ICANN-RUDRP, s. 1
- ICANN's right
 - cancellations of domain name registrations, ICANN-UDRP, s. 3
 - changes to domain name registrations, ICANN-UDRP, s. 3
 - involvement in disputes, ICANN-UDRP, ss. 4(h), 6
 - maintaining the status quo, ICANN-UDRP, s. 7
 - transfers of domain name registrations, ICANN-UDRP, s. 3
- Uniform Domain Name Dispute Resolution Policy, generally, ICANN-UDRP, *see also* UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS POLICIES

- date of commencement of administrative proceeding, ICANN-UDRP, s. 4(c)
- definitions, generally, ICANN-UDRP, s. 1
- general powers, of panel, ICANN-UDRP, s. 10
- ICANN, defined, ICANN-RUDRP, s. 1
- ICANN's rights
 - cancellations of domain name registrations, ICANN-UDRP, s. 3
 - changes to domain name registrations, ICANN-UDRP, s. 3
 - involvement in disputes, ICANN-UDRP, ss. 4(h), 6
 - maintaining the status quo, ICANN-UDRP, s. 7
 - transfers of domain name registrations, ICANN-UDRP, s. 3
- Uniform Domain Name Dispute Resolution Policy, generally, ICANN-UDRP, *see also* UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY

L

LICENCES — COPYRIGHT

- exclusive licence
 - defined, CA, s. 2.7
 - effect of grant, CA, s. 13(7)
- grant of licence, CA, s. 13(4)
- international aspects
 - compulsory licences, BC, Arts. 11bis, 13, 14
 - generally, UCC, Arts. Vter, Vquater

LIMITATION PERIODS

- copyright actions, CA, s. 43
- industrial designs, IDA, s. 18

Index

LIMITATION PERIODS (*cont'd*)

- patents
- • appeals, decision of re-examination board, PA, s. 48.5(2)
- • appeals, generally, PA, s. 18(2)
- • infringement, PA, s. 55.01
- • offences, patented medicine, PA, s. 76.1(3)
- plant breeders' rights, PBRA, ss. 50(2), 61
- topographies, ICTA, s. 12

M

MARRAKESH TREATY TO FACILITATE ACCESS TO PUBLISHED WORKS

- assembly, MT, Art. 13
- beneficiary persons, MT, Art. 3
- cross-border exchange, MT, Art. 5, Art. 9
- definitions, MT, Art. 2
- denunciation, MT, Art. 20
- depositary, MT, Art. 22
- entry into force, MT, Art. 18
- implementation, MT, Art. 10
- importation, MT, Art. 6
- International Bureau, MT, Art. 14
- languages, MT, Art. 21
- limitations and exceptions, general obligations, MT, Art. 11, Art. 12
- national law limitations and exceptions, MT, Art. 4
- party to treaty
- • contracting parties, MTCP
- • effective date, MT, Art. 19
- • eligibility, MT, Art. 15
- privacy, respect for, MT, Art. 8
- relation to other conventions and treaties, MT, Art. 1
- rights and obligations, MT, Art. 16

- signature, MT, Art. 17

- technological measures, obligations, MT, Art. 7

MEDICINE, *see* PATENTED MEDICINES

MORAL RIGHTS

- compensation, restoration of moral rights, CA, ss. 32.4–32.6, 33–33.1
- copyright, generally, CA, ss. 14.1, 14.2
- infringement, CA, ss. 28.1, 28.2
- international aspects, BC, Art. 6bis
- moral rights, defined, CA, s. 2
- performer's performances, in, CA, ss. 17.1–17.2
- • succession of, CA, s. 17.2(2)
- • waiver of, CA, s. 17.1(4)
- remedies for infringement, CA, s. 34(2)

N

NICE AGREEMENT CONCERNING THE INTERNATIONAL CLASSIFICATION OF GOODS AND SERVICES FOR THE PURPOSES OF THE REGISTRATION OF MARKS

- amendment of Articles 5 to 8, NA, Art. 8
- assembly of the Special Union, NA, Art. 5
- committee of experts, NA, Art. 3
- denunciation, NA, Art. 12
- depository functions, NA, Art. 14
- duration, NA, Art. 10
- establishment of a Special Union, NA, Art. 1
- finances, NA, Art. 7
- International Bureau, NA, Art. 6
- languages, NA, Art. 14

Index

NICE AGREEMENT CONCERNING
THE INTERNATIONAL
CLASSIFICATION OF GOODS AND
SERVICES FOR THE PURPOSES OF
THE REGISTRATION OF
MARKS (*cont'd*)

- legal effect and use of the classification, NA, Art. 2
- notification, entry into force and publication of changes, NA, Art. 4
- notifications, NA, Art. 14
- ratification and accession, NA, Art. 9
- reference to Article 24 of the Paris Convention, NA, Art. 13
- revision, NA, Art. 11
- signature, NA, Art. 14

O

OFFENCES

- copyright, generally, CA, ss. 42, 43
- industrial designs, IDA, s. 16
- patents
 - offences, generally, PA, ss. 75–76.1
 - patented medicine, PA, s. 76.1
- plant breeders' rights, PBRA, ss. 53, 54
- trademarks
 - bottles, unauthorized filling of, CC, s. 410
 - concealing, CC, s. 410
 - defacing, CC, s. 410
 - forfeiture, CC, s. 412
 - forging, CC, ss. 406, 407, 409
 - instruments for forging, CC, s. 409
 - passing off, CC, s. 408
 - punishment, CC, s. 412
 - removing, CC, s. 410
 - siphons, unauthorized filling of, CC, s. 410
 - used goods, reselling without disclosure, CC, s. 411

P

PATENT, *see also* PATENT; ABUSE OF RIGHTS; PATENT; APPLICATION FOR; PATENT; PATENT OFFICE PRACTICE; PATENT RULES

- abstract theorem may not be patented, PA, s. 27(8)
- abuse of rights, *see* PATENT; ABUSE OF RIGHTS
- addition to specification, PA, s. 28.01(1)
- aircraft, patents relating to, PA, s. 23
- annual report, PA, s. 26
- appeals
 - abuse of rights proceedings, PA, s. 71
 - decision of re-examination board, PA, s. 48.5
 - decisions to be mailed to parties, PA, s. 18
 - grant of injunction, PA, s. 57(2)
 - judgment voiding patent, PA, s. 63
 - minor officials, from, PA, s. 4(5)
 - procedure, PA, s. 17
 - refusal to grant patent, from, PA, s. 41
 - time limit, generally, PA, s. 18(2)
- applicant, defined, PA, s. 2
- application to vary/expunge entry, PA, s. 52
- applications filed before October 1, 1989, PA, ss. 78.22
- biological material, PA, s. 38.1
- certificate of supplementary protection
 - abuse of rights, PA, ss. 127–128
 - administrative matters, PA, ss. 119–122
 - application, PA, ss. 106–112
 - certificate, PA, ss. 113–117
 - costs of proceedings, PA, s. 131

Index

- PATENT (*cont'd*)
 - • electronic form, PA, s. 129
 - • evidence, certified copies as, PA, s. 130
 - • infringement and impeachment, PA, ss. 124–126
 - • regulations, PA, s. 134, SOR/2017-165
 - • Service Fees Act, application, PA, s. 133
 - • time limit, PA, s. 132
 - • transfer, PA, s. 118
 - • use by government, PA, s. 123
 - certified copies of patents as evidence, PA, s. 14
 - claim date, defined, PA, s. 2
 - Commissioner of Patents, PA, s. 4
 - Commissioner, Assistant, PA, s. 5
 - Commissioner, defined, PA, s. 2
 - contents of, PA, s. 42
 - costs, PA, s. 25
 - counter statement, *see under* PATENT; ABUSE OF RIGHTS
 - Crown, binding on, PA, s. 2
 - definitions, PA, s. 2
 - destroyed/lost patents, PA, s. 9
 - disclaimer, PA, s. 48
 - divisional applications, PA, s. 36
 - document storage, PA, s. 8.1
 - drawings, PA, ss. 37, 38.2
 - electronic submission of documents/fees, PA, ss. 8.1, 129
 - examination, PA, s. 35
 - exclusive licence, *see under* PATENT; ABUSE OF RIGHTS
 - filing date, defined, PA, s. 2
 - filing in a foreign language, PA, s. 12(1)(j.72)
 - form of, PA, s. 43
 - forms, *see* PATENT; FORMS
 - government, use of patents by, PA, ss. 19–19.4
 - grant of, generally, PA, ss. 42–46
 - humanitarian aid, *see* PATENT; INTERNATIONAL HUMANITARIAN PURPOSES; USE OF PATENTED PRODUCTS
 - impeachment of, PA, s. 60
 - improvements, PA, s. 32
 - information whether foreign patent pending
 - infringement
 - • court, appropriate, PA, s. 54
 - • declaration as to, PA, s. 60
 - • defence, PA, s. 59
 - • injunction, PA, s. 57
 - • invalid claims not affecting valid claims, PA, s. 58
 - • liability, PA, s. 55
 - • limitation, PA, s. 55.01
 - • security for costs, PA, s. 60(3)
 - • third party rights, exception, PA, s. 55.11
 - • where no, PA, s. 55.2
 - inspection, public, PA, s. 10
 - invalidity, PA, s. 73.1
 - invention, defined, PA, s. 2
 - joint applications, PA, s. 31
 - judgment voiding patents to be registered, PA, s. 62
 - legal representatives, defined, PA, s. 2
 - limitation periods
 - • appeals, decision of re-examination board, PA, s. 48.5(2)
 - • appeals, generally, PA, s. 18(2)
 - • infringement, PA, s. 55.01
 - • offences, patented medicine, PA, s. 76.1(3)
 - maintenance fees
 - • application for patent, PA, s. 27.1

Index

- PATENT (*cont'd*)
 - • payable by patentee, PA, s. 46
 - medicine, *see* PATENTED MEDICINES
 - Minister, defined, PA, s. 2
 - misleading allegations/drawings, PA, s. 53
 - National Defence, Minister of, PA, ss. 20, 21
 - new, PA, s. 47
 - nuclear energy, patents relating to, PA, s. 22
 - offences, generally, PA, ss. 75–76.1
 - offences, patented medicine, PA, s. 76.1
 - office practice, *see* PATENT OFFICE PRACTICE
 - outstanding documents and information, PA, s. 28(2)
 - patent agents
 - • code of professional conduct, CPATAA, SOR/2021-165
 - • disciplinary proceedings, CPATAA, ss. 51-63
 - • investigations, CPATAA, ss. 37-50
 - • licences, CPATAA, ss. 26-28
 - • obligations, CPATAA, ss. 32-34
 - • privileged communication, PA, s. 16.1
 - • prohibitions and offences, CPATAA, ss. 67, 69-70, 73
 - • suspension, revocation and surrender of licences, CPATAA, ss. 35-36
 - patent not affecting previous purchaser, PA, s. 56
 - Patent Office
 - • generally, PA, s. 3
 - • officers not to deal in patents, PA, s. 7
 - • practice, *see* PATENT OFFICE PRACTICE
 - • staff, PA, s. 6
 - patent, defined, PA, s. 2
 - patentee, defined, PA, s. 2
 - payments to provinces, PA, RP, s. 31
 - petition
 - predecessor in title, defined, PA, s. 2
 - prescribed, defined, PA, s. 2
 - previously regularly filed applications, PA, s. 28.4
 - prior art, PA, s. 34.1
 - priority date, defined, PA, s. 2
 - publication/printing of documents, PA, s. 26.1(2)
 - re-examination, PA, ss. 48.1–48.5
 - refusal to grant
 - • appeals from, PA, s. 41
 - • generally, PA, s. 40
 - regulation, defined, PA, s. 2
 - reinstatement, PA, s. 73(3)
 - reissue, PA, s. 47
 - request for priority, defined, PA, s. 2
 - rule, defined, PA, s. 2
 - rules/regulations, power to make, PA, s. 12
 - scientific principle may not be patented, PA, s. 27(3), (8)
 - seal of office, PA, s. 13
 - secret applications, PA, ss. 20, 21
 - security for costs, PA, s. 60(3)
 - specification
 - • amendment, PA, s. 38.2
 - • generally, PA, s. 27
 - term of, PA, ss. 44–46
 - time limit deemed extended, PA, s. 78
 - transfers, PA, s. 49
 - transitional provisions, PA, ss. 78.1–78.6
 - validity, PA, s. 43(2)
 - vessels, patents relating to, PA, s. 23

Index

PATENT (*cont'd*)

- void, PA, s. 53
- war, instruments of, PA, ss. 20, 21
- work on a commercial scale
- • actions respecting, *see* PATENT; ABUSE OF RIGHTS
- • defined, PA, s. 2

PATENT — ABUSE OF RIGHTS, *see also* PATENT; PATENT

APPLICATION FOR; PATENT — INTERNATIONAL OBLIGATIONS; PATENT RULES

- appeals, PA, s. 71
- application, advertising, PA, s. 68(2)
- application, contents of, PA, s. 68(1)
- counter statement, PA, s. 69
- exclusive licence, PA, s. 66
- generally, PA, ss. 64–66, 68–71, 127–128
- licence deemed to be by deed, PA, s. 70
- opposition, PA, s. 69
- powers of Commissioner, PA, ss. 66, 127
- request for additional information, PA, s. 64
- service, PA, s. 68(2)
- work on a commercial scale, defined, PA, s. 2

PATENT — APPLICATION FOR, *see also* CROWN; FORMS; PATENT; PATENT — ABUSE OF RIGHTS; PATENT — INTERNATIONAL OBLIGATIONS; PATENT RULES

- abandoned
- • completion of application, PA, s. 27(6), (7)
- • examination, PA, s. 35
- • failure to pay maintenance fees, PA, s. 73(1)

- • generally, PA, s. 73

- claim, PA, s. 27(4), (5)
- claim date, PA, s. 28.1
- claim, subject-matter not previously disclosed, PA, s. 28.2
- divisional applications, PA, s. 36
- drawings, PA, ss. 27(5.1)–(5.2), 28.01
- examination, *see under* PATENT
- fee not paid, PA, s. 27(7)
- filing date, PA, s. 28
- forfeiture/restoration, PA, s. 73
- grant, restrictions
- • abstract theorem, PA, s. 27(8)
- • claim subject-matter obvious, PA, s. 28.3
- • claim subject-matter previously disclosed, PA, s. 28.2
- • scientific principle, PA, s. 27(8)
- invention must not be obvious, PA, s. 28.3
- joint applications, PA, s. 31
- maintenance fees, PA, s. 27.1
- previously regularly filed applications, PA, s. 28.4
- priority, request for, PA, s. 28.4
- reference to previously filed application, PA, s. 27.01
- requirements, PA, s. 27
- requirements not met, PA, s. 27(6)
- specification, PA, ss. 27(3)–(5), 28.01
- where more than one invention, PA, s. 36
- who may apply, PA, s. 27
- withdrawal of, PA, s. 28.2(2)

PATENT — FORMS

- disclaimer, PA, SOR/2019-251, Form 2
- inventions by public servants
- • determination by Minister, PSIA, C.R.C. c. 1332, Form 2

Index

- PATENT — FORMS (*cont'd*)
- • petition for patent, PSIA, C.R.C. c. 1332, Forms 4–7
 - • report of invention to Minister, PSIA, C.R.C. c. 1332, Form 1
 - • waiver, abandonment or transfer of rights, PSIA, C.R.C. c. 1332, Form 3
 - reissue, PA, SOR/2019-251, Form Form 1
 - use of patented products for international humanitarian purposes
 - • authorization
 - • • application for, PA, SOR/2005-143, Form Form 1
 - • • granted, PA, SOR/2005-143, Form Form 9
 - • • renewal, PA, SOR/2005-143, Forms Form 10, 11
 - • declarations, PA, SOR/2005-143, Forms Form 2, 3, 4, 5, 6, 7, 8
- PATENT — INTERNATIONAL HUMANITARIAN PURPOSES — USE OF PATENTED PRODUCTS**
- advisory committee, PA, s. 21.18
 - agreement
 - • commercial in nature, PA, SOR/2005-143, s. 21.17
 - • copy, duty to provide, PA, s. 21.16
 - authorization, PA, ss. 21.04, 21.05; PA, SOR/2005-143, s. 6
 - • application for, PA, s. 21.04(2); PA, SOR/2005-143, s.4
 - • conditions for granting, PA, s. 21.04(3)
 - • defined, PA, s. 21.02
 - • duration of, PA, s. 21.09
 - • form and content, PA, s. 21.05(1)
 - • non-transferable, PA, s. 21.11
 - • use non-exclusive, PA, s. 21.1
 - Commissioner
 - • granting authorization, PA, ss. 21.04(1), 21.04(3)
 - • granting renewal, PA, s. 21.12(1)
 - communications, PA, SOR/2005-143, s. 2
 - countries intending to import pharmaceutical products, PA, Sched. 2, 3
 - definitions
 - • “act”, PA, SOR/2005-143. s. 1
 - • “authorization”, PA. s. 21.02
 - • “general council”, PA, s. 21.02
 - • “general council decision”, PA, s. 21.02
 - • “patented product”, PA, s. 21.02
 - • “pharmaceutical product”, PA, s. 21.02, Sched. 1
 - • “TRIPS Agreement”, PA, s. 21.02
 - • “TRIPS Council”, PA, s. 21.02
 - • “WTO”, PA, s. 21.02
 - export notice, PA, s. 21.07
 - Foreign Affairs, Minister of, PA, s. 21.19; PA, SI/2005-47
 - forms
 - • authorization
 - • • application for, PA, SOR/2005-143, Form Form 1
 - • • granted, PA, SOR/2005-143, Form Form 9
 - • • renewal, PA, SOR/2005-143, Forms Form 10, 11
 - • declarations, PA, SOR/2005-143, Forms Form 2, 3, 4, 5, 6, 7, 8
 - product price publications, PA, SOR/2005-143, s. 11
 - renewal, PA, s. 21.12; PA, SOR/2005-143, ss. 9, 10
 - report to parliament, PA, s. 21.2(2)
 - review of legislation, PA, s. 21.2(1)
 - royalties, PA, s. 21.08; PA, SOR/2005-143, s. 8

Index

- PATENT — INTERNATIONAL
HUMANITARIAN PURPOSES — USE
OF PATENTED PRODUCTS (*cont'd*)
• schedules, PA, s. 21.03
• termination
• • expiry, PA, s. 21.13(a)
• • export, PA, s. 21.13(c)
• • Federal Court, PA, s. 21.14
• • Minister of Health, PA, s. 21.13(b)
• • removal from schedule, PA, s.
21.13(d)
• waiver, PA, s. 139.1
• website, PA, 21.06; PA, SOR/2005-
143, s. 7
- PATENT — INTERNATIONAL
OBLIGATIONS, *see also* PATENT;
INTERNATIONAL
HUMANITARIAN PURPOSES; USE
OF PATENTED PRODUCTS**
- abstract, the
 - • defective, PT, Art. 38
 - • generally, PT, Art. 8
 - • missing, PT, Art. 38
 - • modification of, PT, Art. 38
 - administrative instructions, PT, R.
89–89ter
 - agent
 - • contents of request, PT, R. 4.7
 - • generally, PT, R. 90
 - • interpretation of, PT, R. 2.2
 - aircraft, part of, PC, Art. 5ter
 - amino acid sequence
 - • disclosure, PT, R. 5.2
 - • listings, PT, R. 13ter, 23
 - applicant
 - • contents of request, PT, R. 4.5
 - • demand, making, PT, R. 54
 - • generally, PT, Art. 9, R. 18
 - • interpretation of, PT, R. 2.1
 - application

- • defined, PT, Arts. 2(i), 2(viii)
- • division of, PC, Art. 4
- • international, *see* international
application
- Assembly
- • defined, PT, Art. 2(xvii)
- • generally, PT, Art. 53, R. 85; PC,
Art. 13
- biological material, PT, R. 13bis
- claims, the
- • amendment of, PT, Arts. 19, 28, 41,
R. 46, 52, 78
- • generally, PT, Art. 6, R.6
- Committee for Technical Cooperation,
PT, Art. 56
- common representative
- • contents of request, PT, R. 4.8
- • generally, PT, R. 90
- • interpretation of, PT, R. 2.2bis
- communication of documents, PT, R.
93bis
- communication of publications, PT, R.
87
- Convention
- • accession by non-Union countries,
PC, Arts. 21, 22, 23
- • accession by Union countries, PC,
Arts. 20, 22, 23
- • amendment of, PC, Art. 17
- • application of earlier acts, PC, Art.
27
- • denunciation, PC, Art. 26
- • depositary functions, PC, Art. 29
- • disputes, PC, Art. 28
- • earlier acts, PC, Arts. 23, 27
- • entry into force, PC, Arts. 20, 21
- • implementation, domestic, PC, Art.
25
- • languages, PC, Art. 29
- • ratification of, PC, Arts. 20, 22

Index

- PATENT — INTERNATIONAL
 - OBLIGATIONS (*cont'd*)
 - • revision of, PC, Art. 18
 - • signature, PC, Art. 29
 - • special agreements, PC, Art. 19
 - • territories, PC, Art. 24
 - • transitional provisions, PC, Art. 30
 - copies, PT, Arts. 13, 22, 39, R. 21–25, 31, 62, 95
 - correspondence, PT, R. 92
 - defects, PT, Art. 14, R. 28, 37, 38, 60, 91, 91.1, 91.2, 91.3
 - definitions
 - • “application”, PT, Arts. 2(i), 2(viii)
 - • “Assembly”, PT, Art. 2(xvii)
 - • “designated Office”, PT, Art. 2(xiii)
 - • “Director General”, PT, Art. 2(xx)
 - • “elected Office”, PT, Art. 2(xiv)
 - • “international application”, PT, Art. 2(vii)
 - • “International Bureau”, PT, Art. 2(xix)
 - • “national application”, PT, Art. 2(vi)
 - • “national law”, PT, Art. 2(x)
 - • “national Office”, PT, Art. 2(xii)
 - • “national patent”, PT, Art. 2(iii)
 - • “Organization”, PT, Art. 2(xviii)
 - • “patent”, PT, Arts. 2(ii), 2(ix)
 - • “priority date”, PT, Art. 2(xi)
 - • “receiving Office”, PT, Art. 2(xv)
 - • “regional application”, PT, Art. 2(v)
 - • “regional patent”, PT, Art. 2(iv)
 - • “Union”, PT, Art. 2(xvi)
 - delay, PT, Arts. 23, 40, 48, R. 82, 82bis
 - delegation, PT, R. 84
 - description, the
 - • amendment of, PT, Arts. 28, 41, R. 52, 78
 - • generally, PT, Art. 5, R. 5
 - designated Office
 - • amendment before, PT, Art. 28, R. 52
 - • availability of copy of application to, PT, Art. 13
 - • communication to, PT, Art. 20, R. 47–47.1
 - • copy to, PT, Art. 22, R. 49
 - • defined, PT, Art. 2(xiii)
 - • excuse for delay, PT, R. 82bis
 - • fee to, PT, Art. 22, R. 49
 - • opportunity to correct before, PT, Art. 26
 - • review by, PT, Art. 25, R. 51
 - • translation to, PT, Art. 22, R. 49
 - Director General, defined, PT, Art. 2(xx)
 - disputes, PT, Art. 59
 - documentation, minimum, PT, R. 34
 - drawings, the
 - • amendment of, PT, Arts. 28, 41, R. 52, 78
 - • generally, PT, Art. 7, R. 7
 - elected Office
 - • amendment before, PT, Art. 41, R. 78
 - • copy to, PT, Art. 39, R. 76–77
 - • defined, PT, Art. 2(xiv)
 - • excuse for delay, PT, R. 82bis
 - • fee to, PT, Art. 39, R. 76–77
 - • results of national examination in, PT, Art. 42
 - • translation to, PT, Art. 39, R. 76–77
 - errors, *see* defects
 - Executive Committee, PT, Art. 54; PC, Art. 14
 - fees, *see also* time limits

Index

PATENT — INTERNATIONAL
OBLIGATIONS (*cont'd*)
• • extension of time limits, PT, R. 16bis
• • grace period for payment of, PC, Art. 5bis
• • handling, PT, R. 57
• • international filing, PT, R. 15
• • maintenance, PC, Art. 5bis
• • non-payment of, PT, R. 27
• • preliminary examination, PT, R. 58
• • priority document, PT, R. 76
• • schedule of, PT, R. 96
• • search, PT, R. 16
• • transmittal, PT, R. 14
• failure to work, PC, Art. 5
• filing date, PT, Art. 11
• finances, PT, Art. 57; PC, Art. 16
• Gazette, PT, Art. 55, R. 86
• humanitarian aid, *see* PATENT;
INTERNATIONAL
HUMANITARIAN PURPOSES; USE
OF PATENTED PRODUCTS
• importation, PC, Arts. 5, 5quater
• industrial property
• • scope of, PC, Art. 1
• • service, national, PC, Art. 12
• insufficient working, PC, Art. 5
• international application
• • availability of copy of, PT, Art. 13
• • confidential nature of, PT, Art. 30
• • copy of, PT, Arts. 22, 39, R. 12bis,
21, 22
• • correction of, PT, R. 26, 26bis,
26ter
• • deemed withdrawal, PT, R. 29
• • defects in, PT, Art. 14
• • defined, PT, Art. 2(vii)
• • effects of, PT, Art. 11, R. 32

• • electronic means, by, PT, R. 89bis,
89ter
• • fee, PT, Arts. 22, 39
• • generally, PT, Art. 3
• • incorrect translation of, PT, Art. 46
• • international filing date, PT, R. 20
• • language of, PT, R. 12
• • loss of effect of, PT, Art. 24
• • physical requirements, PT, R. 11
• • receipt of, PT, R. 20
• • translation of, PT, Arts. 22, 39, 46,
R. 12, 22, 23
• • transmittal of, PT, Art. 12, R. 22
• • withdrawal, PT, R. 29, 90bis
• International Bureau
• • access to files, PT, R. 94
• • amendment of the claims before,
PT, Art. 19, R. 46
• • defects noted by, PT, R. 28
• • defined, PT, Art. 2(xix)
• • generally, PT, Art. 55; PC, Art. 15
• • receipt of record copy by, PT, R.
24
• • records, PT, R. 92bis
• • transmittal of application to, PT,
Art. 12
• international filing fee, PT, R. 15
• international preliminary examination
• • confidential nature of, PT, Art. 38
• • demand, PT, Arts. 31, 37, R. 53,
60, 61
• • elections, PT, R. 61
• • entitlement, PT, R. 54
• • fees, PT, R. 57–58bis
• • generally, PT, Art. 33
• • languages, PT, R. 55
• • prior art, PT, R. 64, 65
• • report, PT, Arts. 35, 36, R. 70–74
• • start of, PT, R. 69

Index

PATENT — INTERNATIONAL OBLIGATIONS (*cont'd*)
• • time limit, PT, R. 69
• • unity of invention, lack of, PT, R. 68
• International Preliminary Examining Authority
• • amendments for, PT, R. 62
• • competent, PT, R. 59
• • generally, PT, Art. 32
• • procedure before, PT, Art. 34, R. 66–67
• • requirements, PT, R. 63
• • translations for, PT, R. 62bis
• international publication
• • effects of, PT, Art. 29
• • generally, PT, Art. 21, R. 48
• international search
• • general, PT, Art. 15
• • relevant prior art, PT, R. 33
• • report, PT, Art. 18, R. 43–45
• • supplementary international search, PT, R. 45bis
• • time limit, PT, R. 42
• • unity of invention, lack of, PT, R. 40
• International Searching Authority
• • competent, PT, R. 35
• • confidentiality, PT, R. 44ter
• • contents of request, PT, R. 4.14bis
• • generally, PT, Art. 16
• • preliminary report on patentability, PT, R. 44bis
• • procedure before, PT, Art. 17, R. 39
• • receipt of search copy by, PT, R. 25
• • requirements, PT, R. 36
• • transmittal of application to, PT, Art. 12

• • written opinion of, PT, R. 43bis, 62bis, 66bis.1
• inventor, name in patent, PC, Art. 4ter
• marking, PC, Art. 5
• minimum documentation, PT, R. 34
• mistakes, rectification of obvious, PT, R. 43.6bis, 66.4bis
• national application, defined, PT, Art. 2(vi)
• national examination
• • generally, PT, Art. 40
• • results of, PT, Art. 42
• national industrial property service, PC, Art. 12
• national law, defined, PT, Art. 2(x)
• national Office, defined, PT, Art. 2(xii)
• national patent, defined, PT, Art. 2(iii)
• national procedure, PT, Art. 23
• national processing, PT, R. 49bis
• national requirements, PT, Art. 27, R. 51bis
• national treatment, PC, Art. 2
• nucleotide sequence
• • disclosure, PT, R. 5.2
• • listings, PT, R. 13ter, 23
• Organization, defined, PT, Art. 2(xviii)
• patent
• • defined, PT, Arts. 2(ii), 2(ix)
• • independence of, PC, Art. 4bis
• • simultaneous with patent in another country, PC, Art. 4bis
• patent information services, PT, Art. 50
• patentability, PC, Art. 4quater
• patented process, PC, Art. 5quater
• priority
• • claiming, PT, Art. 8, R.26bis
• • date, defined, PT, Art. 2(xi)

Index

PATENT — INTERNATIONAL
OBLIGATIONS (*cont'd*)
• • document, PT, R. 17, 76
• • restoration of right to, PT, R. 49ter
• • rights to, PC, Art. 4
• process, made by a patented, PC, Art. 5quater
• prohibited expressions, PT, R. 9
• protection
• • seeking certain kinds of, PT, Art. 43
• • seeking two kinds of, PT, Art. 44
• publications, PT, R. 87
• receiving Office
• • correction of application by, PT, R. 26–26ter
• • defined, PT, Art. 2(xv)
• • generally, PT, Art. 10, R. 19
• • records, PT, R. 93
• regional application, defined, PT, Art. 2(v)
• regional patent, defined, PT, Art. 2(iv)
• regional patent treaties, PT, Art. 45
• regulations
• • amendment of, PT, R. 88
• • generally, PT, Art. 58
• request, the
• • availability of forms, PT, R. 3.2
• • checklist, PT, R. 3.3
• • contents, PT, R. 4
• • form of, PT, R. 3.1
• • generally, PT, Art. 4
• • particulars, PT, R. 3.4
• restoration, PC, Art. 5bis, PT, R. 26bis.3, 49ter
• restrictions of sale, PC, Art. 4quater
• right to practice, PT, Art. 49, R. 83
• search
• • copy, transmittal of, PT, R. 23

• • fee, PT, R. 16
• • results of earlier search, PT, R. 41
• signature
• • contents of request, PT, R. 4.1, 4.15
• • Convention, PC, Art. 29
• • interpretation of, PT, R. 2.3
• signs, PT, R. 10
• technical assistance, PT, Art. 51
• terminology, PT, R. 10
• time
• • calculation, PT, R. 80
• • interpretation, PT, R. 79
• • modification, PT, R. 81
• time limits, PT, Arts. 47, 48, R. 30, 42, 50, 54bis, 58bis, 80–81
• title, missing or defective, PT, R. 37
• transmittal
• • fee, PT, R. 14
• • record copy, R. 22
• • search copy, R. 23
• • sequence listing, R. 23
• • translation, R. 22, 23
• Treaty
• • abbreviation for, PT, R. 1.1
• • amendments to, PT, Art. 61
• • becoming party to, PT, Art. 62
• • denunciation, PT, Art. 66
• • depositary functions, PT, Art. 68
• • entry into force, PT, Art. 63
• • gradual application, PT, Art. 65
• • language, PT, Art. 67
• • notifications, PT, Art. 69
• • relational provisions, PT, Art. 52
• • reservations, PT, Art. 64
• • revisions to, PT, Art. 60
• • signature, PT, Art. 67
• Union
• • Assembly of the, PC, Art. 13

Index

- PATENT — INTERNATIONAL
 - OBLIGATIONS (*cont'd*)
 - defined, PT, Art. 2(xvi)
 - establishment of, PT, Art. 1; PC, Art. 1
 - nationals, treatment of, PC, Arts. 2, 3
 - unity of invention
 - generally, PT, R. 13
 - lack of, PT, R. 40, 68
 - vehicles, part of, PC, Art. 5ter
 - vessels, part of, PC, Art. 5ter
 - PATENT OFFICE PRACTICE
 - abandonment and reinstatement of patent applications
 - abandonment, MOPOP, s. 9.02
 - courtesy letters of abandonment, MOPOP, s. 9.02.03
 - s. 73(1) of *Patent Act*, deemed abandonment of applications under, MOPOP, s. 9.02.01
 - s. 73(2) of *Patent Act*, deemed abandonment of applications under, MOPOP, s. 9.02.02
 - due care, MOPOP, s. 9.04
 - contents of request for reinstatement of application deemed abandoned, MOPOP, ss. 9.04.04, 9.04.05
 - determination of due care by Commissioner of Patents, MOPOP, s. 9.04.02
 - due care standard, MOPOP, s. 9.04.03
 - office procedure, MOPOP, ss. 9.04.07-9.04.09
 - recommended information to include with request, MOPOP, s. 9.04.06
 - transitional provisions, MOPOP, s. 9.04.01
 - generally, MOPOP, s. 9.01
 - • reinstatement , MOPOP, s. 9.03
 - • reinstatements requiring determination of due care, MOPOP, s. 9.03.01
 - • single request for multiple abandonments, MOPOP, s. 9.03.03
 - • time period, MOPOP, s. 9.03.02
 - third party rights, MOPOP, s. 9.05
 - abstracts
 - examination, MOPOP, s. 13.03
 - examples, MOPOP, s. 13.04
 - generally, MOPOP, s. 13.01
 - reference characters in abstracts, MOPOP, s. 13.02
 - administrative practice of examination
 - advanced examination , MOPOP, s. 11.03
 - advancing examination, MOPOP, s. 11.03.01
 - applications related to green technology, MOPOP, s. 11.03.02
 - Patent Prosecution Highway, MOPOP, s. 11.03.03
 - amendments of patent applications , MOPOP, s. 11.04
 - amendments in response to examiner's requisition, MOPOP, s. 11.04.03
 - amendments to PCT applications, MOPOP, s. 11.04.02
 - format and requirements for submitting amendments, MOPOP, s. 11.04.04
 - other submissions related to application accompanying amendment, MOPOP, s. 11.04.05
 - voluntary amendments, MOPOP, s. 11.04.01
 - examination timelines, MOPOP, s. 11.02

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • request for examination, MOPOP, s. 11.01
 - • late fee period, MOPOP, s. 11.01.02
 - • time limit, MOPOP, s. 11.01.01
 - allowance, final fee and issuance of patents
 - • allowance and notice of allowance, MOPOP, s. 25.01
 - • exception — amendment of obvious error, MOPOP, s. 25.01.02
 - • no amendments after allowance, MOPOP, s. 25.01.01
 - • issuance of patent or payment of final fee, MOPOP, s. 25.03
 - • withdrawal of allowance, MOPOP, s. 25.02
 - • withdrawal by Commissioner, MOPOP, s. 25.02.02
 - • withdrawal upon request by applicant, MOPOP, s. 25.02.01
 - anticipation, obviousness and double-patenting
 - • anticipation, MOPOP, s. 18.01
 - • assessing anticipation, MOPOP, s. 18.01.02
 - • implicit or inherent disclosure, MOPOP, s. 18.01.04
 - • prior art when assessing anticipation, MOPOP, s. 18.01.01
 - • prior sale or use, MOPOP, s. 18.01.03
 - • related teachings, MOPOP, s. 18.01.05
 - • claim date, MOPOP, s. 18.03
 - • based on multiple previously filed applications, MOPOP, s. 18.03.01
 - • US continuation and continuation-in-part applications, MOPOP, s. 18.03.02
 - • double-patenting, MOPOP, s. 18.06
 - • co-pending applications, MOPOP, s. 18.06.03
 - • division at the direction of the Officer, MOPOP, s. 18.06.04
 - • existing patent, MOPOP, s. 18.06.02
 - • establishing publication date of prior art, MOPOP, s. 18.05
 - • verifying content of priority documents, MOPOP, s. 18.05.01
 - • grace period, MOPOP, s. 18.04
 - • obviousness, MOPOP, s. 18.02
 - • aggregations, MOPOP, s. 18.02.04
 - • assessing obviousness, MOPOP, s. 18.02.02
 - • obvious to try considerations, MOPOP, s. 18.02.03
 - • obviousness and utility, MOPOP, s. 18.02.05
 - • obviousness of anticipated claims, MOPOP, s. 18.02.06
 - • prior art when assessing obviousness, MOPOP, s. 18.02.01
 - • provisos, MOPOP, s. 18.08
 - • selections, MOPOP, s. 18.07
 - biotechnology and medicinal inventions
 - • antibodies, MOPOP, s. 23.07
 - • fully human monoclonal antibodies, MOPOP, s. 23.07.04
 - • humanized and chimeric monoclonal antibodies, MOPOP, s. 23.07.03
 - • monoclonal antibodies, MOPOP, s. 23.07.02
 - • polyclonal antibodies, MOPOP, s. 23.07.01
 - • utility, and, MOPOP, s. 23.07.05

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • Appendix 1 — Deposits of biological material, MOPOP, s. 23.10
 - • Appendix 2 — Steps for obtaining samples of biological materials, MOPOP, s. 23.11
 - • deposits of biological materials, MOPOP, s. 23.06
 - • • anticipation considerations, MOPOP, s. 23.06.02
 - • • sufficiency of disclosure considerations, MOPOP, s. 23.06.01
 - • • generally, MOPOP, s. 23.01
 - • • living matter, MOPOP, s. 23.02
 - • • bioinformatics, MOPOP, s. 23.02.04
 - • • higher and lower life forms, MOPOP, s. 23.02.01
 - • • organs and tissues, MOPOP, s. 23.02.02
 - • • processes to produce life forms, MOPOP, s. 23.02.03
 - • medical methods and uses
 - • • kits and packages, MOPOP, s. 23.03.03
 - • • medical and surgical methods, MOPOP, s. 23.03.01
 - • • medical diagnostic methods, MOPOP, s. 23.03.04
 - • nucleic acids and proteins
 - • defining by functional limitation, MOPOP, s. 23.05.02
 - • defining by structure, MOPOP, s. 23.05.01
 - • hybridizing nucleic acids, MOPOP, s. 23.05.04
 - • nucleic acid and amino acid terminology, MOPOP, s. 23.05.03
 - • obviousness, considerations, MOPOP, s. 23.05.06
 - • • sequence alignment methods, MOPOP, s. 23.05.05
 - • • sequence listings, MOPOP, s. 23.05.07
 - • reach-through claims, MOPOP, s. 23.09
 - • sufficiency of description, MOPOP, s. 23.04
 - • synergistic chemical combinations, MOPOP, s. 23.08
 - claims
 - • basic requirements, MOPOP, s. 16.01
 - • clarity, MOPOP, s. 16.03
 - • • ambiguity in claims, MOPOP, s. 16.03.02
 - • • antecedents, MOPOP, s. 16.03.01
 - • • negative limitations, MOPOP, s. 16.03.03
 - • combinations, MOPOP, s. 6.07
 - • aggregation, MOPOP, s. 16.07.02
 - • exhaustive combinations, MOPOP, s. 16.07.01
 - • completeness of claims, MOPOP, s. 16.04
 - • construction, principles, MOPOP, s. 16.02
 - • dependent claims and formalities requirements, MOPOP, s. 16.06
 - • • page numbering, MOPOP, s. 16.06.01
 - • jurisprudence, MOPOP, s. 16.13
 - • Markush claims, MOPOP, s. 16.11
 - • means claims, MOPOP, s. 16.09
 - • process, method, method of use and use claims, MOPOP, s. 16.10
 - • • method of use and use claims, MOPOP, s. 16.10.02
 - • • process and method claims, MOPOP, s. 16.10.01
 - • product claims, MOPOP, s. 16.08

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • product-by-process claims, MOPOP, s. 16.08.01
 - • selection patents, MOPOP, s. 16.12
 - • support, MOPOP, s. 16.05
 - • claims referring to description or drawings, MOPOP, s. 16.05.01
 - • ranges not specifically described, MOPOP, s. 16.05.03
 - • scope in relation to description, MOPOP, s. 16.05.02
 - compliance requirements
 - • compliant applications, MOPOP, s. 4.01
 - • drawings, MOPOP, s. 4.05
 - • formatting requirements, MOPOP, s. 4.09
 - • inventor information and establishing entitlement, MOPOP, s. 4.06
 - • notice of non-compliance, MOPOP, s. 4.02
 - • petition, MOPOP, s. 4.03
 - • sequence listings, MOPOP, s. 4.04
 - • translation, notice requiring, MOPOP, s. 4.08
 - • translation of description or previously filed application, MOPOP, s. 4.07
 - computer-implemented inventions
 - • claims, MOPOP, s. 22.08
 - • computer claims, MOPOP, s. 22.08.02
 - • computer-implemented method claims, MOPOP, s. 22.08.01
 - • means statements in claims, MOPOP, s. 22.08.05
 - • mixed claim types, MOPOP, s. 22.08.06
 - • software product claims, MOPOP, s. 22.08.04
 - • system claims, MOPOP, s. 22.08.03
 - • examining computer claims, MOPOP, s. 22.03
 - • adapting computer to solve problem, MOPOP, s. 22.03.01
 - • examples, MOPOP, s. 22.03.03
 - • patentability and programming, MOPOP, s. 22.03.02
 - • generally, MOPOP, s. 22.01
 - • ingenuity, MOPOP, s. 22.07
 - • novelty, MOPOP, s. 22.06
 - • anticipation by prior use, MOPOP, s. 22.06.01
 - • special topics, MOPOP, s. 22.09
 - • computer-aided design (CAD) programs, MOPOP, s. 22.09.04
 - • data structures, MOPOP, s. 22.09.02
 - • databases, MOPOP, s. 22.09.03
 - • graphical user interfaces, MOPOP, s. 22.09.01
 - • signals, MOPOP, s. 22.09.05
 - • subject-matter, MOPOP, s. 22.02
 - • art, MOPOP, s. 22.02.01
 - • composition of matter, MOPOP, s. 22.02.05
 - • machine, MOPOP, s. 22.02.03
 - • manufacture, MOPOP, s. 22.02.04
 - • process, MOPOP, s. 22.02.02
 - • sufficiency, MOPOP, s. 22.05
 - • common general knowledge and programming, MOPOP, s. 22.05.03
 - • source code or pseudocode, MOPOP, s. 22.05.02
 - • written description and enablement, MOPOP, s. 22.05.01
 - • utility, MOPOP, s. 22.04
 - correction of granted patents

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • content of request to correct errors, MOPOP, s. 28.05
 - • effect of error correction, MOPOP, s. 28.06
 - • error in name of patentee or inventor, MOPOP, s. 28.03
 - • generally, MOPOP, s. 28.01
 - • obvious error in specifications or drawings, MOPOP, s. 28.04
 - • obvious errors by Commissioner, MOPOP, s. 28.02
 - cover page publication and corrections, MOPOP, s. 8.04
 - description
 - • amendments to description, MOPOP, s. 14.08
 - • combinations, MOPOP, s. 14.04.03
 - • disclosing solution to practical problem, MOPOP, s. 14.03
 - • disclosure, general requirements, MOPOP, s. 14.02
 - • addressee is person skilled in the art, MOPOP, s. 14.02.02
 - • addressee not to be presented with problems to solve, MOPOP, s. 14.02.05
 - • misleading or erroneous statements, MOPOP, s. 14.02.04
 - • proper disclosure, MOPOP, s. 14.02.01
 - • supplemented by common knowledge, MOPOP, s. 14.02.03
 - • theory of the invention, MOPOP, s. 14.02.06
 - • form of the description, MOPOP, s. 14.06
 - • formalities requirements of description
 - • drawings, graphics and tables, MOPOP, s. 14.07.02
 - • identification of documents, MOPOP, s. 14.07.04
 - • identification of trademarks, MOPOP, s. 14.07.03
 - • pages of the description, MOPOP, s. 14.07.01
 - • generally, MOPOP, s. 14.01
 - • office actions on description, MOPOP, s. 14.09
 - • special topics
 - • applicant as lexicographer, MOPOP, s. 14.05.03
 - • description by reference to claims, MOPOP, s. 14.05.05
 - • disclosure of biotechnological inventions, MOPOP, s. 14.05.02
 - • disclosure of trademarked products, MOPOP, s. 14.05.04
 - • functional limitations, MOPOP, s. 14.05.01
 - • foreign practice or law, references to, MOPOP, s. 14.05.07
 - • statements expanding scope of claims, MOPOP, s. 14.05.06
 - disclaimer, MOPOP, s. 29.01
 - • effect, MOPOP, s. 29.01.03
 - • filing, MOPOP, s. 29.01.01
 - • roles of Patent Office and the courts, MOPOP, s. 29.01.02
 - drawings
 - • amendments, MOPOP, s. 15.01.01
 - • generally, MOPOP, s. 15.01
 - • photographs, MOPOP, s. 15.02
 - examination fundamentals
 - • examination, MOPOP, s. 12.01
 - • examiner's reports, MOPOP, s. 12.04
 - • biological deposit requisitions, MOPOP, s. 12.04.02

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • • requisitions concerning foreign applications, MOPOP, s. 12.04.01
 - • • withdrawal of examiner's report, MOPOP, s. 12.04.03
 - • interviews, MOPOP, s. 12.06
 - • applicant-initiated interviews, MOPOP, s. 12.06.01
 - • examiner-initiated interviews, MOPOP, s. 12.06.02
 - • other notices during examination
 - • accessibility of priority documents, MOPOP, s. 12.05.03
 - • additional drawings, MOPOP, s. 12.05.01
 - • translation of priority documents, MOPOP, s. 12.05.02
 - • purposive construction, MOPOP, s. 12.02
 - • • considerations for construction, MOPOP, s. 12.02.02
 - • • examination once claims have been construed, MOPOP, s. 12.02.03
 - • examples, MOPOP, s. 12.02.04
 - • steps, MOPOP, s. 12.02.01
 - • search of prior art, MOPOP, s. 12.03
 - fees
 - • client service standards, MOPOP, s. 10.06
 - • paying fees, MOPOP, s. 10.03
 - • fee payment form, MOPOP, s. 10.03.02
 - • general authorization statements, MOPOP, s. 10.03.03
 - • methods of payment, MOPOP, s. 10.03.01
 - • performance targets, MOPOP, s. 10.07
 - • refunds, MOPOP, s. 10.04
 - • small entity fees, MOPOP, s. 10.02
 - • • small entity declaration, MOPOP, s. 10.02.02
 - • • small entity defined, MOPOP, s. 10.02.01
 - • tariff of fees, MOPOP, s. 10.01
 - • PCT schedule of fees, MOPOP, s. 10.01.01
 - • waiver of fees, MOPOP, s. 10.05
 - final actions and post-rejection practice
 - • appeals of Commissioner's decisions, MOPOP, s. 26.09
 - • Commissioner's decision, MOPOP, s. 26.08
 - • • amendments required by Commissioner, MOPOP, s. 26.08.03
 - • application refused, MOPOP, s. 26.08.02
 - • rejection not justified and application allowable, MOPOP, s. 26.08.01
 - • examination before rejection, MOPOP, s. 26.03
 - • generally, MOPOP, ss. 26.01, 26.02
 - • prosecution following decision of Court, MOPOP, s. 26.10
 - • rejecting applications, MOPOP, s. 26.04
 - • • *Final Action Report*, MOPOP, s. 26.04.01
 - • responses to *Final Action*, MOPOP, s. 26.05
 - • • responses that overcome the rejection, MOPOP, s. 26.05.01
 - • • responses that do not overcome the rejection, MOPOP, s. 26.05.02
 - • review of rejected application, MOPOP, s. 26.07

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • communication with applicant, MOPOP, s. 26.07.02
 - • decisions without hearing, MOPOP, s. 26.07.05
 - • issues arising during review process, MOPOP, s. 26.07.03
 - • opportunity to be heard, MOPOP, s. 26.07.04
 - • recommendation to Commissioner, MOPOP, s. 26.07.06
 - • referral to Patent Appeal Board, MOPOP, s. 26.07.01
 - • summary of reasons, MOPOP, s. 26.06
 - guide to notices, letters and requisitions
 - • Commissioner's notices, MOPOP, s. 34.02
 - • information in notices, MOPOP, s. 34.02.01
 - • list, MOPOP, s. 34.02.02
 - • courtesy letters, MOPOP, s. 34.03
 - • information in, MOPOP, s. 34.03.01
 - • examiner requisitions and notices, MOPOP, s. 34.04
 - • generally, MOPOP, s. 34.01
 - maintenance fees for patent applications, MOPOP, s. 8.01
 - • amounts and due dates for fees, MOPOP, s. 8.01.01
 - • divisional applications, for, MOPOP, s. 8.01.03
 - • late fee period, MOPOP, s. 8.01.02
 - • PCT national phase entry applications, for, MOPOP, s. 8.01.04
 - new subject-matter, MOPOP, s. 20.01
 - • divisional applications, MOPOP, s. 20.01.02
 - • general requirements, MOPOP, s. 20.01.01
 - ownership, inventorship, transfers, changes of names
 - • changes of name (applicant), MOPOP, s. 6.06
 - • certificate of name change, MOPOP, s. 6.06.02
 - • request to record name change, MOPOP, s. 6.06.01
 - • correcting applicant names/identities, MOPOP, s. 6.03
 - • content of request to correct errors, MOPOP, s. 6.03.03
 - • correction of identity, MOPOP, s. 6.03.02
 - • correction of identity vs correction of name, MOPOP, s. 6.03.01
 - • effect of correction of error in application, MOPOP, s. 6.03.04
 - • correcting inventor names/identities, MOPOP, s. 6.04
 - • content of request to correct name/identity, MOPOP, s. 6.04.03
 - • correction of identity, MOPOP, s. 6.04.01
 - • correction of name, MOPOP, s. 6.04.02
 - • effect of correction of name/identity, MOPOP, s. 6.04.04
 - • joint inventors, MOPOP, s. 6.02
 - • ownership
 - • adding/removing applicants, MOPOP, s. 6.01.03
 - • jurisdiction of Federal Court, MOPOP, s. 6.01.04
 - • maintaining chain of title, MOPOP, s. 6.01.02
 - • ownership, MOPOP, s. 6.01.01

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • protecting privacy on Canadian Patents Database, MOPOP, s. 6.08
 - • registration of related documents, MOPOP, s. 6.07
 - • • certificate of, MOPOP, s. 6.07.02
 - • • request to register document, MOPOP, s. 6.07.01
 - • transfers, MOPOP, s. 6.05
 - • • recording certificate, MOPOP, s. 6.05.02
 - • • removal of transfer recording, MOPOP, s. 6.05.03
 - • • request to record, MOPOP, s. 6.05.01
 - patent application, filing
 - divisional applications
 - • • actions deemed taken, MOPOP, s. 3.04.08
 - • • application fee, MOPOP, s. 3.04.04
 - • • deadline for filing, MOPOP, s. 3.04.07
 - • • failure to meet requirements of s. 89 of *Patent Rules*, consequences, MOPOP, s. 3.04.06
 - • • filing requirements, MOPOP, s. 3.04.02
 - • • maintenance fees, MOPOP, s. 3.04.05
 - • • notices re original application, MOPOP, s. 3.04.09
 - • • original application, meaning, MOPOP, s. 3.04.01
 - • • public inspection, MOPOP, s. 3.04.10
 - • • specification and drawings submitted on presentation date, MOPOP, s. 3.04.03
 - • filing a regular Canadian application, MOPOP, s. 3.02
 - • addition to specification or addition of drawing, MOPOP, s. 3.02.05
 - • application fee, MOPOP, s. 3.02.06
 - • description provided in other than English or French, MOPOP, s. 3.02.03
 - • failure to provide all information/documents to secure filing date, MOPOP, s. 3.02.02
 - • filing certificate, MOPOP, s. 3.02.08
 - • filing date, requirements to obtain, MOPOP, s. 3.02.01
 - • numbering of applications, MOPOP, s. 3.02.07
 - • reference to previous application in place of description, MOPOP, s. 3.02.04
 - • withdrawal of application, MOPOP, s. 3.02.09
 - • PCT national phase applications, MOPOP, s. 3.03
 - • types of applications, MOPOP, s. 3.01
 - patent application, withdrawal, MOPOP, s. 8.03
 - effect on opening of applications, MOPOP, s. 8.03.01
 - effect on opening to public inspection, MOPOP, s. 8.03.02
 - patent application, withdrawal, MOPOP, s. 8.03
 - effect on opening of applications, MOPOP, s. 8.03.01
 - effect on opening to public inspection, MOPOP, s. 8.03.02
 - Patent Cooperation Treaty — National Phase Entry
 - • applicability of Canadian patent legislation, MOPOP, s. 33.07

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • correction of error in name of applicant, MOPOP, s. 33.06
 - • extensions of time, MOPOP, s. 33.08
 - • filing date of a PCT national phase application, MOPOP, s. 33.09
 - • form to request national phase entry in Canada, MOPOP, s. 33.11
 - • further information, MOPOP, s. 33.12
 - • generally, MOPOP, s. 33.01
 - • national phase entry date, MOPOP, s. 33.03
 - • national phase entry requirements for Canada, MOPOP, s. 33.02
 - • extension in case of attempted payment, MOPOP, s. 33.02.02
 - • reinstatement of rights for national phase entry, MOPOP, s. 33.02.01
 - • notice of discrepancy in applicant name(s), MOPOP, s. 33.05
 - • open to public inspection (OPI) date for PCT national phase applications, MOPOP, s. 33.04
 - • restoration of right of priority, MOPOP, s. 33.10
 - patent maintenance fees, deemed expiry and reversal of deemed expiry
 - • deemed expiry of patents, MOPOP, s. 27.02
 - • courtesy letters, MOPOP, s. 27.02.01
 - • reversal, MOPOP, s. 27.02.02
 - • time period for reversal, MOPOP, s. 27.02.03
 - • due care, MOPOP, s. 27.03
 - • contents of request for reversal of deemed expiry, MOPOP, s. 27.03.04
 - • determination by Commissioner of Patents, MOPOP, s. 27.03.02
 - • due care standard, MOPOP, s. 27.03.03
 - • office procedure, MOPOP, ss. 27.03.06-27.03.08
 - • recommended information to include with request, MOPOP, s. 27.03.05
 - • transitional provisions, MOPOP, s. 27.03.01
 - • maintenance fees, MOPOP, s. 27.01
 - • amounts and due dates, MOPOP, s. 27.01.01
 - • late and non-payment, MOPOP, s. 27.01.02
 - patent office, communicating with
 - • generally, MOPOP, s. 2.01
 - • time
 - • date of receipt, documents, information or fees, MOPOP, s. 2.03.01
 - • extensions of time, MOPOP, s. 2.03.03
 - • time limits, MOPOP, s. 2.03.02
 - • time limits, PCT national phase applications before national phase entry, MOPOP, s. 2.03.04
 - • written communications
 - • addresses, updating, MOPOP, s. 2.02.04
 - • Commissioner of Patents or Patent Office, from, MOPOP, s. 2.02.09
 - • delivery, MOPOP, s. 2.02.05
 - • electronic formats, acceptable, MOPOP, s. 2.02.07
 - • electronic means, submission of documents, information and fees, MOPOP, s. 2.02.06
 - • electronic media, submission of documents, information and fees, MOPOP, s. 2.02.08
 - • format, MOPOP, s. 2.02.02

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • • submission, general requirements, MOPOP, s. 2.02.01
 - • • who can communicate with Patent Office, MOPOP, s. 2.02.03
 - patent office, generally, MOPOP, ss. 1.01-1.04
 - priority
 - • applications files before European Patent Office, MOPOP, s. 7.12
 - • applications filed before intergovernmental authority, MOPOP, s. 7.09
 - • applications filed before international organisation, MOPOP, s. 7.10
 - • applications filed before the PCT, MOPOP, s. 7.11
 - • considered withdrawal of request, MOPOP, s. 7.07
 - • copy of priority application, MOPOP, s. 7.04
 - • • Commissioner's Notice to submit copy of documents, MOPOP, s. 7.04.04
 - • • digital library, MOPOP, s. 7.04.01
 - • • exception, copy not available, MOPOP, s. 7.04.05
 - • • exception, copy not required, MOPOP, s. 7.04.02
 - • • time period to submit documents, MOPOP, s. 7.04.03
 - • extensions of time not permissible, MOPOP, s. 7.13
 - • generally, MOPOP, ss. 7.01, 7.02
 - • requesting priority, MOPOP, s. 7.03
 - • correction of priority information, MOPOP, ss. 7.03.03, 7.03.04
 - • making the request, MOPOP, s. 7.03.01
 - • • time period, MOPOP, s. 7.03.02
 - • restoration of right of priority, MOPOP, s. 7.06
 - • request to restore, MOPOP, s. 7.06.02
 - • restoration of right, MOPOP, s. 7.06.01
 - • right deemed restored, MOPOP, s. 7.06.04
 - • time period for request, MOPOP, s. 7.06.03
 - • time period extended for prescribed and designated days, MOPOP, s. 7.14
 - • transfer of ownership, MOPOP, s. 7.15.01
 - • translation of priority document, MOPOP, s. 7.05
 - • types of recognised priority documents, MOPOP, s. 7.15.02
 - • withdrawal of request, MOPOP, s. 7.08
 - protests and filings of prior art prior to grant
 - applying protests or filings of prior art, MOPOP, s. 24.03
 - • confidentiality, MOPOP, s. 24.04
 - • filings of prior art, MOPOP, s. 24.01
 - • protests, MOPOP, s. 24.02
 - public inspection, MOPOP, s. 8.02
 - • applications open to inspection, MOPOP, s. 8.02.04
 - • Canadian Patent Office Record, MOPOP, s. 8.02.06
 - • Canadian Patents Database, MOPOP, s. 8.02.05
 - • confidentiality of unopened applications, MOPOP, s. 8.02.03
 - • early inspection, MOPOP, s. 8.02.02

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • PCT national phase applications, of, MOPOP, s. 8.02.01
 - re-examination, MOPOP, s. 30.01
 - appeals, MOPOP, s. 30.01.06
 - completion, MOPOP, s. 30.01.04
 - effect of re-examination certificate, MOPOP, s. 30.01.05
 - request, MOPOP, s. 30.01.01
 - stages
 - • first stage: determination of substantial new question of patentability, MOPOP, s. 30.01.02
 - • second stage, MOPOP, s. 30.01.03
 - reissue, MOPOP, s. 31.01
 - • appeal from refusal, MOPOP, s. 31.01.11
 - • application, MOPOP, s. 31.01.06
 - • claiming more or less, MOPOP, s. 31.01.04
 - • effect, MOPOP, s. 31.01.10
 - • examination of application, MOPOP, s. 31.01.07
 - • insufficient description and specification, MOPOP, s. 31.01.03
 - • multiple applications, MOPOP, s. 31.01.08
 - • patent must be “defective or inoperative”, MOPOP, s. 31.01.02
 - • reissue of reissued patent, MOPOP, s. 31.01.09
 - • same invention, MOPOP, s. 31.01.05
 - • time limit for filing application, MOPOP, s. 31.01.01
 - representation
 - associate patent agents, MOPOP, s. 5.06
 - • • appointment, MOPOP, s. 5.06.02
 - • • Commissioner's notice, MOPOP, s. 5.06.01
 - • • default appointment, MOPOP, s. 5.06.03
 - • • revocation of appointment, MOPOP, s. 5.06.04
 - • common representative, MOPOP, s. 5.04
 - • • appointment, MOPOP, ss. 5.04.01, 5.04.02
 - • • default, by, MOPOP, ss. 5.04.03-5.04.05
 - • default correspondent, MOPOP, s. 5.08
 - • disregarded communication, MOPOP, s. 5.09
 - • applicant or patentee who is not common representative, MOPOP, s. 5.09.01
 - • patent agent not appointed, MOPOP, s. 5.09.02
 - • generally, MOPOP, s. 5.01
 - • patent agents, MOPOP, s. 5.05
 - • appointment, MOPOP, s. 5.05.03
 - • Commissioner's notice, MOPOP, s. 5.05.02
 - • default appointment, MOPOP, ss. 5.05.04, 5.05.05
 - • requirement to appoint, MOPOP, s. 5.05.01
 - • revocation of appointment, MOPOP, s. 5.05.06
 - • qualifying examination for Canadian patent agents, MOPOP, s. 5.02
 - • entry on register, MOPOP, s. 5.02.02
 - • maintaining name on register, MOPOP, s. 5.02.03
 - • refusal to recognize agent, MOPOP, s. 5.02.06
 - • register of patent agents, MOPOP, s. 5.02.01

Index

- PATENT OFFICE PRACTICE (*cont'd*)
- • • reinstatement following removal, MOPOP, s. 5.02.05
 - • • removal from register, MOPOP, s. 5.02.04
 - • • updates to register, name and address, MOPOP, s. 5.02.07
 - • representation requirements, MOPOP, s. 5.07
 - • • list of actions and persons authorized to represent, MOPOP, s. 5.07.02
 - • • procedures, MOPOP, s. 5.07.03
 - • • representation during prosecution of patent application, MOPOP, s. 5.07.01
 - • succession of patent agent, MOPOP, s. 5.03
 - special characters, MOPOP, s. 8.05
 - statutory subject-matter
 - • excluded subject-matter, MOPOP, s. 17.03
 - • • features of solely intellectual or aesthetic significance, MOPOP, s. 17.03.05
 - • • fine arts, MOPOP, s. 17.03.07
 - • • forms of energy, MOPOP, s. 17.03.04
 - • • games, MOPOP, s. 17.03.09
 - • • higher life forms, MOPOP, s. 17.03.03
 - • • methods of medical treatment or surgery, MOPOP, s. 17.03.02
 - • • printed matter, MOPOP, s. 17.03.06
 - • • schemes, plans, rules and mental processes, MOPOP, s. 17.03.08
 - • • scientific principles and abstract theorems, MOPOP, s. 17.03.01
 - • inventions must not be disembodied, MOPOP, s. 17.02
 - • subject-matter, MOPOP, s. 17.01
 - • • art, MOPOP, s. 17.01.01
 - • • composition of matter, MOPOP, s. 17.01.05
 - • • machine, MOPOP, s. 17.01.03
 - • • manufacture, MOPOP, s. 17.01.04
 - • • process, MOPOP, s. 17.01.02
 - transitional provisions
 - • abandonment and reinstatement of patent applications, MOPOP, s. 32.08
 - • allowance, final fee and issuance of patents, MOPOP, s. 32.10
 - • communicating with Patent Office, MOPOP, s. 32.02
 - • • extension of time, MOPOP, s. 32.02.02
 - • • extension of time to “top-up” small entity fees, MOPOP, s. 32.02.03
 - • • presentation of documents, MOPOP, s. 32.02.01
 - • compliance requirements
 - • • abandonment after October 30, 2019 following failure to respond to Commissioner’s requisitions under former *Patent Rules*, MOPOP, s. 32.04.03
 - • • presentation and parts of application, MOPOP, s. 32.04.01
 - • • statement or declaration of entitlement, MOPOP, s. 32.04.02
 - • examination
 - • • examination in progress, MOPOP, s. 32.09.02
 - • • requesting examination, MOPOP, s. 32.09.01
 - • filing patent application
 - • divisional applications, MOPOP, s. 32.03.02
 - • • regular Canadian patent application, MOPOP, s. 32.03.01

Index

- PATENT OFFICE PRACTICE (*cont'd*)
 - generally, MOPOP, s. 32.01
 - maintenance fees for patent applications, MOPOP, s. 32.07
 - maintenance fees for patents, deemed expiry and reversal of deemed expiry, MOPOP, s. 32.11
 - PCT (National Phase Entry), MOPOP, s. 32.12
 - priority, MOPOP, s. 32.06
 - restoration of right of priority, MOPOP, s. 32.06.01
 - representation
 - appointed patent agents and associated patent agents, MOPOP, s. 32.05.02
 - common representative, MOPOP, s. 32.05.01
 - communications sent before refusal to recognize agent or removal of agent from register, MOPOP, s. 32.05.03
 - procedures related to patents, MOPOP, s. 32.05.04
 - unity of invention
 - *a priori* and *a posteriori* evaluation, MOPOP, s. 21.06
 - Canadian unity standard harmonious with PCT standard, MOPOP, s. 21.04
 - examining for, MOPOP, s. 21.07
 - content of report, MOPOP, s. 21.07.01
 - election of invention, MOPOP, s. 21.07.05
 - explaining lack of unity defect, MOPOP, s. 21.07.02
 - referral to Commissioner of Patents, MOPOP, s. 21.07.06
 - responding to requisition, MOPOP, s. 21.07.04
 - when lack of unity defect can be identified, MOPOP, s. 21.07.03
 - general inventive concept, MOPOP, s. 21.05
 - generally, MOPOP, ss. 21.01, 21.02
 - one invention only, defined, MOPOP, s. 21.03
 - specific guidance
 - claims in different categories of invention, MOPOP, s. 21.08.01
 - intermediates and final products, MOPOP, s. 21.08.05
 - Markush groups and lists of alternatives, MOPOP, s. 21.08.04
 - multi-step methods of preparation, MOPOP, s. 21.08.06
 - unity and provisos, MOPOP, s. 21.08.07
 - unity of invention and utility, MOPOP, s. 21.08.03
 - unity without claim to inventive linking feature, MOPOP, s. 21.08.02
 - utility, MOPOP, s. 19.01
 - controllability and reproducibility, MOPOP, s. 19.01.01
 - demonstration or sound prediction, MOPOP, s. 19.01.02
 - office actions, MOPOP, s. 19.02
 - provisos and utility, MOPOP, s. 19.01.04
 - requirements for sound prediction, MOPOP, s. 19.01.03
- PATENT RULES**, *see also* PATENT; PATENT — ABUSE OF RIGHTS; PATENT — APPLICATION FOR
 - abandonment and reinstatement, PA, SOR/2019-251, ss. 131–135
 - addition to specification or addition of drawing, PA, SOR/2019-251, s. 72
 - amendment to specification and drawings, PA, SOR/2019-251, ss. 99–103

Index

PATENT RULES (*cont'd*)

- common representative, appointment, PA, SOR/2019-251, s. 26
- communications
- • acknowledgement by Commissioner, PA, SOR/2019-251, s. 12
- • address, PA, SOR/2019-251, s. 7
- • communication sent before general refusal, PA, SOR/2019-251, s. 11
- • manner of submission, PA, SOR/2019-251, s. 10
- • minimum content, PA, SOR/2019-251, s. 9
- • one patent or application per communication, PA, SOR/2019-251, s. 8
- • written, PA, SOR/2019-251, s. 6
- confidentiality
- • information re application for patent, PA, SOR/2019-251, s. 16
- • withdrawal of request for priority, prescribed date, PA, SOR/2019-251, s. 17
- • withdrawn application, prescribed date, PA, SOR/2019-251, s. 18
- corrections, PA, SOR/2019-251, ss. 104–111
- definitions, PA, SOR/2019-251, s. 1
- deposit of biological material, PA, SOR/2019-251, ss. 93–99
- disclaimer of any part of patent, PA, SOR/2019-251, ss. 120–121
- divisional applications, PA, SOR/2019-251, ss. 88–92
- examination
- • advancing, PA, SOR/2019-251, s. 84
- • basic fee of final fee, PA, SOR/2019-251, s. 87
- • notice, PA, SOR/2019-251, ss. 85–86
- • • exemption, PA, SOR/2019-251, s. 198.1
- extension of time
- • • prescribed days, PA, SOR/2019-251, s. 5
- • time fixed by Rules, PA, SOR/2019-251, s. 3
- • time fixed by s. 18(2) of Act, PA, SOR/2019-251, s. 4
- fees
- • refund, PA, SOR/2019-251, s. 139
- • services, PA, SOR/2019-251, ss. 136–138
- • tariff, PA, SOR/2019-251, Sch. Sch. 2
- • waiver, PA, SOR/2019-251, s. 140
- filing date, PA, SOR/2019-251, s. 71
- government-owned patents
- • inspection of defence-related application for patent, PA, SOR/2019-251, s. 43
- • notice to applicant, PA, SOR/2019-251, s. 42
- maintenance fees — application for patent, PA, SOR/2019-251, ss. 68–70
- non-compliant application for patent, PA, SOR/2019-251, ss. 64–66
- patent agents, appointment
- • address, PA, SOR/2019-251, s. 29
- • notice requiring appointment, PA, SOR/2019-251, s. 31
- • patent agent by default, PA, SOR/2019-251, s. 30
- • power to appoint, PA, SOR/2019-251, s. 27
- • power to appoint associate agent, PA, SOR/2019-251, s. 28
- • successor patent agent, PA, SOR/2019-251, s. 32
- Patent Cooperation Treaty
- • definitions, PA, SOR/2019-251, s. 141

Index

PATENT RULES (*cont'd*)

- • international phase, PA, SOR/2019-251, ss. 143–151
- • national phase, PA, SOR/2019-251, ss. 152–164
- presentation of application for patent
- • abstract, PA, SOR/2019-251, s. 55
- • claims, PA, SOR/2019-251, ss. 60–63
- • description, PA, SOR/2019-251, ss. 56, 57
- • disclaimer, PA, SOR/2019-251, s. 48, Form 2
- • drawings, PA, SOR/2019-251, s. 59
- • generally, PA, SOR/2019-251, ss. 44–52
- • inventors and entitlement, PA, SOR/2019-251, s. 54
- • petition, PA, SOR/2019-251, s. 53
- • sequence listings, PA, SOR/2019-251, s. 58
- presentation of documents to Commissioner or Patent Office
- • documents not in English or French, PA, SOR/2019-251, s. 15
- • layout, PA, SOR/2019-251, s. 14
- • manner of submission, PA, SOR/2019-251, s. 13
- reference to previously filed application for patent, PA, SOR/2019-251, s. 67
- register of patent agents
- • amendment of register, PA, SOR/2019-251, s. 25
- • eligibility for qualifying examination, PA, SOR/2019-251, s. 19
- • entry on register, PA, SOR/2019-251, s. 22
- • establishment of Examining Board, PA, SOR/2019-251, s. 20
- • frequency of qualifying examination, PA, SOR/2019-251, s. 21
- • maintaining name on register, PA, SOR/2019-251, s. 23
- • reinstatement, PA, SOR/2019-251, s. 24
- priority
- • request for priority, PA, SOR/2019-251, ss. 73–76
- • restoration of right of, PA, SOR/2019-251, ss. 77–78
- re-examination, PA, SOR/2019-251, ss. 122–123
- registration of documents and recording of transfers, PA, SOR/2019-251, ss. 124–127
- reissue, PA, SOR/2019-251, ss. 118–119, Form 1
- representation
- • clarification, PA, SOR/2019-251, s. 38
- • effect of act by associate patent agent, PA, SOR/2019-251, s. 35
- • effect of act by common representative, PA, SOR/2019-251, s. 33
- • effect of act by patent agent, PA, SOR/2019-251, s. 34
- • interview with officer or employee, PA, SOR/2019-251, s. 39
- • notice of disregarded communication, PA, SOR/2019-251, ss. 40, 41
- • procedure relating to patent, PA, SOR/2019-251, s. 37
- • prosecuting or maintaining in effect application for patent, PA, SOR/2019-251, s. 36
- request for examination
- • contents of request, PA, SOR/2019-251, s. 79

Index

PATENT RULES (*cont'd*)

- • examination fee, PA, SOR/2019-251, s. 80
- • late fee, PA, SOR/2019-251, s. 82
- • prescribed time — s. 35(2) of Act, PA, SOR/2019-251, s. 81
- • prescribed time — ss. 35(5) and 73(1)(e) of Act, PA, SOR/2019-251, s. 83
- rights, abuse of, PA, SOR/2019-251, ss. 129–130
- rights accorded by patent, maintaining, PA, SOR/2019-251, ss. 112–117
- third party rights, PA, SOR/2019-251, s. 128
- transitional provisions
- • definitions, PA, SOR/2019-251, s. 165
- • category 1 applications, PA, SOR/2019-251, ss. 168–176
- • category 2 applications, PA, SOR/2019-251, ss. 177–187
- • category 3 applications, PA, SOR/2019-251, ss. 188–204
- • certain patents, rules re, PA, SOR/2019-251, ss. 205–209
- • other rules, PA, SOR/2019-251, ss. 210–235
- • maintenance fee, PA, SOR/2019-251, Sch. Sch. 3

PATENTED MEDICINES, *see also* PATENT; INTERNATIONAL HUMANITARIAN PURPOSES; USE OF PATENTED PRODUCTS

- Notice of Compliance Regulations, PA, SOR/93-133
- • Notice of Compliance, PA, SOR/93-133, s. 7
- • Patent List, PA, SOR/93-133, s. 4
- • Register, PA, SOR/93-133, s. 3
- • deletion from register, PA, SOR/93-133 s. 3.1

- • Right of Action, PA, SOR/93-133, ss. 6, 8
- • second person filing submission, PA, SOR/93-133, s. 5
- • service, PA, SOR/93-133, s. 9
- • supplement to new drug submission, PA, SOR/93-133, s. 4.1
- Patented Medicines Regulations, PA, SOR/94-688
- • Information Respecting the Identity and Price of Medicines, PA, SOR/94-688, ss. 3, 4
- • Revenues and Research and Development Expenditures, PA, SOR/94-688, ss. 5, 6
- patented or protected medicines
- • excessive prices, PA, ss. 83–87
- • inquiries, PA, s. 90
- • meetings with Minister, PA, s. 102
- • Patented Medicine Prices Review Board, PA, ss. 91–100
- • pricing information, PA, ss. 80–82
- • regulations, PA, ss. 101–103
- • sales and expense information, PA, ss. 88–89
- Supplementary Protection for Inventions — Medicinal Ingredients, PA, ss. 104–106

PERFORATED ROLLS, *see* RECORDS, COPYRIGHT

PLANT BREEDERS' RIGHTS

- Act, application, PBRA, s. 4
- advertise, defined, PBRA, s. 2(1)
- advisory committee, PBRA, ss. 73, 74
- advisory committee, defined, PBRA, s. 2(1)
- agent, defined, PBRA, s. 2(1)
- agents, PBRA, ss. 9(2), 39, 40; PBRA, SOR/91-594, s. 15
- agreement country, defined, PBRA, s. 2(1)

Index

PLANT BREEDERS' RIGHTS (*cont'd*)

- annual fee, PBRA, s. 6(2)
- annual report, PBRA, s. 78
- appeals, *see* INFRINGEMENT; PLANT BREEDERS' RIGHTS
- applicant, defined, PBRA, s. 2(1)
- application for plant breeder's rights, *see* PLANT BREEDERS' RIGHTS; APPLICATION FOR
- breeder, defined, PBRA, s. 2(1)
- Canadian Food Inspection Agency
- • employees, administration or enforcement of Act by, PBRA, s. 75(1)(h)
- • powers of President to appoint Commissioner, PBRA, s. 56
- categories, PBRA, SOR/91-594, Sch. I
- category, defined, PBRA, s. 2(1)
- certificate of Commissioner, PBRA, s. 65
- certificate of examiner admissible, PBRA, s. 54
- civil remedies., *see* INFRINGEMENT; PLANT BREEDERS' RIGHTS
- coming into force date, PBRA, s. 82
- Commissioner, defined, PBRA, s. 2(1)
- Commissioner, generally, PBRA, s. 56
- country of the Union, defined, PBRA, s. 2(1)
- Crown, Act binds, PBRA, s. 3
- denominations of new varieties, PBRA, ss. 14–16; PBRA, SOR/91-594, ss. 22–25
- documents, preservation of, PBRA, s. 67; PBRA SOR/91-594, s. 17
- errors, rectification of, PBRA, s. 66
- fees, PBRA, SOR/91-594, ss. 29, 30, Sch. II
- holder, defined, PBRA, s. 2(1)
- ignorance no defence, PBRA, s. 72
- index of plant varieties, PBRA, s. 62
- index, defined, PBRA, s. 2(1)
- infringement, *see* INFRINGEMENT; PLANT BREEDERS' RIGHTS
- infringement, defined, PBRA, s. 2(1)
- inspection, PBRA s. 67(2)
- legal representative, defined, PBRA, s. 2(1)
- licences, compulsory, PBRA, ss. 32, 33; PBRA, SOR/91-594, ss. 27, 28
- matter of common knowledge, PBRA, SOR/91-594, s. 5
- Minister, defined, PBRA, s. 2(1)
- new varieties of plant, PBRA, s. 4(2)
- new variety, defined, PBRA, s. 2(1)
- non-residents, PBRA, ss. 9(2), 39, 40; PBRA, SOR/91-594, s. 15
- notices, PBRA, ss. 68, 69
- offences, PBRA, ss. 53, 54
- plant breeder's rights, assignment of, PBRA, s. 31; PBRA, SOR/91-594, ss. 12, 26
- plant breeder's rights, defined, PBRA, s. 2(1)
- plant breeder's rights, grant of
- • annulment/revocation, PBRA, ss. 34–37; PBRA, SOR/91-594, ss. SOR/91-594 13, 14
- • automatic licensing, PBRA, s. 29
- • generally, PBRA, s. 27(1)
- • joint applicants, to, PBRA, s. 28
- • refusal, PBRA, s. 27(2), (4)
- • registration of, PBRA, s. 27(3)
- plant breeder's rights, nature of, PBRA, s. 5
- plant breeder's rights, surrender of, PBRA, s. 38
- Plant Breeders' Rights Office, PBRA, ss. 56–61
- Plant Varieties Journal, PBRA, s. 71
- plant variety, defined, PBRA, s. 2(1)
- prescribed, defined, PBRA, s. 2(1)

Index

PLANT BREEDERS' RIGHTS (*cont'd*)

- proclamation date, PBRA, s. 82
- propagating material, defined, PBRA, s. 2(1)
- propagating material, maintenance of, PBRA, s. 30
- prosecutions
- • limitation period, PBRA, s. 53(7)
- • Minister's certificate, PBRA, s. 53(8)
- protective direction, defined, PBRA, s. 2(1)
- protective directions, PBRA, ss. 19–21; PBRA, SOR/91-504, ss. 20, 21
- provisional protection, PBRA, ss. 19–21
- publication in Canada Gazette, PBRA, s. 70
- register, PBRA, ss. 63, 64
- register, defined, PBRA, s. 2(1)
- regulations, application, PBRA, SOR/91-594, s. 3
- regulations, generally, PBRA, SOR/91-594
- regulations, power to make, PBRA, s. 75
- review of Act, PBRA, ss. 77, 78
- Seeds Act unaffected, PBRA, s. 76
- sell, defined, PBRA, s. 2(1)
- tests and trials, PBRA, ss. 23, 24
- time limits extended, PBRA, s. 61
- trademark prohibition, TMA, ss. 10.1, 11.1
- transitional provisions, PBRA, ss. 79–81

PLANT BREEDERS' RIGHTS, APPLICATION FOR

- abandonment of, PBRA, s. 26; PBRA, SOR/91-594, ss. 10, 11
- amendment of, PBRA, s. 18
- contents, PBRA, SOR/91-594, s. 19

- entitlement to apply, PBRA, ss. 7, 8
- how to be made, PBRA, s. 9
- materials to be considered, PBRA, ss. 23, 24
- objections to, PBRA, ss. 22, 25; PBRA, SOR/91-594, s. 8
- priority and dating of, PBRA, ss. 10–13
- rejection of, PBRA, s. 17
- restriction on publication, PBRA, s. 67(4)
- tests and trials, foreign, PBRA, s. 24
- tests and trials, PBRA, s. 23(2), (3)
- withdrawn papers to be returned, PBRA, s. 67(3); PBRA, SOR/91-594, s. 18

POSTHUMOUS WORKS, CA, s. 7

PRODUCERS, *see* COPYRIGHT

PSEUDONYMOUS WORKS, CA, ss. 6.1, 6.2; BC, Arts. 7, 15

R

RESIDENCE

- copyright
- • international aspects, BC, Art. 3

RETRANSMISSION, *see under* COPYRIGHT

RIGHT TO INTEGRITY, *see* MORAL RIGHTS

RULES FOR UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY, *see also* UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY; INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS; INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS POLICIES

- actual notice, achieving, ICANN-RUDRP, s. 2

Index

RULES FOR UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY (*cont'd*)
• admissibility of evidence, ICANN-RUDRP, s. 10(d)
• approved dispute resolution providers, list of, ICANN-AP
• • CPR Institute for Dispute Resolution, ICANN-AP
• • eResolution, ICANN-AP
• • The National Arbitration Forum, ICANN-AP
• • World Intellectual Property Organization, ICANN-AP
• communications
• • generally, ICANN-RUDRP, s. 2
• • means of, ICANN-RUDRP, s. 2(b)
• • of decision, to parties, ICANN-RUDRP, s. 16
• complaints
• • approved dispute resolution providers, list of, ICANN-AP
• • form of, ICANN-RUDRP, s. 3(b)
• • grounds, specified, ICANN-RUDRP, s. 3(b)(ix)
• • initiating an administrative proceeding, ICANN-RUDRP, s. 3 (a)
• consolidation of multiple domain names, ICANN-RUDRP, s. 10(e)
• court proceedings, effect of, ICANN-RUDRP, s. 18
• default, by either party, ICANN-RUDRP, s. 14
• default by Respondent, ICANN-RUDRP, s. 5(e)
• definitions, generally, ICANN-RUDRP, s. 1
• dispute resolution, ICANN-UDRP, s. 4
• disputes
• • bad faith, ICANN-UDRP, s. 4(a)(i)

• • confusingly similar, ICANN-UDRP, s. 4(a)(i)
• • legitimate interests, ICANN-UDRP, s. 4(a)(ii)
• • legitimate rights, ICANN-UDRP, s. 4(a)(ii)
• • subject to mandatory administrative proceeding, ICANN-UDRP, s. 4
• domain names
• • bad faith, ICANN-UDRP, s. 4(a)(iii)
• • confusingly similar, ICANN-UDRP, s. 4(a)(i)
• • legitimate interests, ICANN-UDRP, s. 4(a)(ii)
• • legitimate rights, ICANN-UDRP, s. 4(a)(iii)
• domain names, registrations
• • cancellations, ICANN-UDRP, s. 3
• • changes, ICANN-UDRP, s. 3
• • transfers, ICANN-UDRP, s. 3
• evidence of registration in bad faith, ICANN-UDRP, s. 4(b)
• evidence of use in bad faith, ICANN-UDRP, s. 4(b)
• evidence, ICANN-RUDRP, s. 10(d)
• exclusion of liability, ICANN-RUDRP, s. 20
• fees, generally, ICANN-RUDRP, s. 19; ICANN-UDRP, s. 4(g)
• further statements, request, ICANN-RUDRP, s. 12
• general powers, of panel, ICANN-RUDRP, s. 10
• hearings, ICANN-RUDRP, s. 13
• in-person hearings, ICANN-RUDRP, s. 13
• language of proceedings, ICANN-RUDRP, s. 11(b)
• liability, exclusion of, ICANN-RUDRP, s. 20

Index

- RULES FOR UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY (*cont'd*)
- materiality of evidence, ICANN-RUDRP, s. 10(d)
 - notice, initiating legal proceedings, ICANN-RUDRP, s. 18(b)
 - notice to Respondent, ICANN-RUDRP, s. 2
 - notification of decision, ICANN-UDRP, s. 4(j)
 - panel
 - appointment of, ICANN, A.2, ss. 5(c), 6
 - communication, between parties and, ICANN-RUDRP, s. 8
 - considerations of evidence, ICANN-RUDRP, s. 10(d)
 - default, proceeding in case of, ICANN-RUDRP, s. 14
 - further statements, request, ICANN-RUDRP, s. 12
 - impartiality, ICANN-RUDRP, s. 7
 - independence, ICANN-RUDRP, s. 7
 - in-person hearings, ICANN-RUDRP, s. 13
 - language of proceedings, ICANN-RUDRP, s. 11(b)
 - settlement of dispute, ICANN-RUDRP, s. 17
 - termination of proceeding, ICANN-RUDRP, ss. 17, 18(a)
 - timing of decision, ICANN-RUDRP, s. 6(f)
 - transmission of file, to, ICANN-RUDRP, s. 9
 - panel decisions
 - based on, ICANN-RUDRP, s. 15(a)
 - communication of, to parties, ICANN-RUDRP, s. 16

- • dissenting opinions, ICANN-RUDRP, s. 15(e)
- • generally, ICANN-RUDRP, s. 15
- • in writing, ICANN-RUDRP, s. 15(d)
- • majority, ICANN-RUDRP, s. 15(c)
- • publication of decision, ICANN-RUDRP, s. 16(b)
- • timing of, ICANN-RUDRP, ss. 6(f), 15(b)
- procedure in case of non-response, ICANN-RUDRP, s. 5(e)
- publication of decision, ICANN-UDRP, s. 4(j); ICANN-RUDRP, s. 16(b)
- purpose, ICANN-UDRP, s. 1
- relevance of evidence, ICANN-RUDRP, s. 10(e)
- representations, registrant, ICANN-UDRP, s. 2
- response, generally, ICANN-RUDRP, s. 5
- rules for Uniform Domain Name Dispute Resolution Policy
- • amendments to, ICANN-RUDRP, s. 21
- • generally, ICANN-RUDRP
- settlement of dispute, ICANN-RUDRP, s. 17
- termination of proceeding, ICANN-RUDRP, ss. 17, 18(a)
- timing of decision, ICANN-RUDRP, s. 6(f)
- weight of evidence, ICANN-RUDRP, s. 10(d)

S

- SINGAPORE TREATY ON THE LAW OF TRADEMARKS
- abbreviated expressions, STLT, Art. 1
 - application, STLT, Art. 3

Index

SINGAPORE TREATY ON THE LAW OF TRADEMARKS (*cont'd*)

- application of the TLT 1994, STLT, Art. 27
- assembly, STLT, Art. 23
- becoming party to the Treaty, STLT, Art. 26
- changes in names or addresses, STLT, Art. 10
- change in ownership, STLT, Art. 11
- classification of goods and services, STLT, Art. 9
- correction of a mistake, STLT, Art. 12
- depositary, STLT, Art. 32
- denunciation of the Treaty, STLT, Art. 30
- division of application and registration, STLT, Art. 7
- duration and renewal of registration, STLT, Art. 13
- effects of the non-recordal of a license, STLT, Art. 19
- entry into force, STLT, Art. 28
- filing date, STLT, Art. 5
- indication of the license, STLT, Art. 20
- international bureau, STLT, Art. 24
- languages of the Treaty, STLT, Art. 31
- marks to which the Treaty applies, STLT, Art. 2
- obligation to comply with the Paris Convention, STLT, Art. 15
- observations in case of intended refusal, STLT, Art. 21
- regulations, STLT, Art. 22
- relief measures in case of failure to comply with time limits, STLT, Art. 14
- representation, STLT, Art. 4

- request for amendment or cancellation of the recordal of a license, STLT, Art. 18
- request for recordal of a license, STLT, Art. 17
- reservations, STLT, Art. 29
- revision or amendment, STLT, Art. 25
- service marks, STLT, Art. 16
- single registration for goods and services, STLT, Art. 6

STATUS OF THE ARTIST

- applications, SAA, SOR/2014-176, s. 5
- bargaining and scale agreements, SAA, ss. 31–36
- Canada Industrial Relations Boards, SAA, ss. 16–22
- certification of artists' associations, SAA, ss. 23–30
- certification proceedings, SAA, SOR/2014-176, s. 5, ss. 23–26
- complaints, SAA, SOR/2014-176, s. 32
- declaration respecting pressure tactic, SAA, SOR/2014-176, s. 33
- exclusions, SAA, s. 9
- federal court, SAA, SOR/2014-176, s. 39
- filing documents, SAA, SOR/2014-176, ss. 11–14
- freedom, SAA, s. 8
- interventions, SAA, SOR/2014-176, s. 10
- joint application to change termination date of scale agreement, SAA, SOR/2014-176, s. 31
- notice of constitutional questions, SAA, SOR/2014-176, s. 22
- offences, SAA, s. 57
- representation votes, SAA, SOR/2014-176, s. 27

Index

STATUS OF THE ARTIST (*cont'd*)

- requests for leave, SAA, SOR/2014-176, s. 9
- revocation of certification, SAA, SOR/2014-176, s. 28
- presumptions, SAA, s. 9
- prohibitions, SAA, s. 46
- remedies, SAA, s. 46
- summons, SAA, SOR/2014-176, s. 21
- unfair practices, SAA, s. 50

T

TOPOGRAPHIES

- agent, appointment of, ICTA SOR/93-212, s. 10
- coming into force date, ICTA, s. 35
- commercial exploitation, first, deemed, ICTA, s. 2(3)
- commercially exploit, defined, ICTA, s. 2(1)
- commercially exploited, deemed, ICTA, s. 2(2)
- copies, ICTA, SOR/93-212, s. 26
- correspondence/communications, ICTA, SOR/93-212, ss. 3-9
- court, appropriate, ICTA, ss. 23, 24
- court, transmission to, ICTA, SOR/93-212, s. 27
- creator of topography, deemed, ICTA, s. 2(4)
- Crown, binding on, ICTA, s. 2.1
- definitions, generally, ICTA, s. 2(1)
- excluded from Copyright Act, CA, s. 64.2
- exclusive right
 - duration, ICTA, s. 5
 - on registration, ICTA, s. 3
- fees, ICTA, SOR/93-212, s. 28, Sch.
- filing date, defined, ICTA, s. 2(1)
- importation, deemed, ICTA, s. 2(2)
 - infringement
 - action for, ICTA, s. 8
 - changes in register not applicable, ICTA, s. 13
 - commercial exploitation, after, ICTA, s. 11
 - detention of infringing products, ICTA, s. 14
 - general rule, ICTA, s. 6(1)
 - innocent, ICTA, s. 10
 - limitation period, ICTA, s. 12
 - power of court to grant relief, ICTA, s. 9
 - where no infringement, ICTA, s. 6(2), (3)
 - inspection, public, ICTA, s. 22; ICTA, SOR/93-212, s. 25
 - integrated circuit product, defined, ICTA, s. 2(1)
 - licences permissible, ICTA, s. 7; ICTA, SOR/93-212, s. 24
 - Minister, defined, ICTA, s. 2(1)
 - national, defined, ICTA, s. 2(1)
 - original topography, ICTA, s. 4(2), (3)
 - other laws not affected, ICTA, s. 26
 - prescribed, defined, ICTA, s. 2(1)
 - proclamation date, ICTA, s. 35
 - reciprocating countries, ICTA, SOR/93-282
 - register, defined, ICTA, s. 2(1)
 - register, ICTA, ss. 15, 21; ICTA, SOR/93-212, ss. 21, 22
 - registered topography, defined, ICTA, s. 2(1)
 - Registrar of Topographies, ICTA, s. 25
 - Registrar, defined, ICTA, s. 2(1)
 - registration
 - application for, ICTA, ss. 16, 17; ICTA, SOR/93-212, ss. 12-20

Index

- TOPOGRAPHIES (*cont'd*)
 - • certificate of, ICTA, s. 19; ICTA, SOR/93-212, s. 23
 - • conditions precedent, ICTA, s. 4
 - • effect of, ICTA, s. 3
 - • generally, ICTA, s. 18
 - • invalidity of, ICTA, s. 20
 - representative for service, appointment of, ICTA, SOR/93-212, s. 11
 - review of Act, ICTA, s. 28
 - topography, defined, ICTA, s. 2(1)
 - transfer of interest, ICTA, s. 7; ICTA, SOR/93-212, s. 24
 - use of registered topographies
 - • appeal, ICTA, s. 7.3
 - • application by government, ICTA, s. 7.1(1)
 - • authorization not transferable, ICTA, s. 7.1(6)
 - • notice, ICTA, s. 7.1(3)
 - • prescribed uses, ICTA, s. 7.2
 - • regulations, ICTA, s. 7.4
 - • remuneration, ICTA, s. 7.1(4)
 - • termination of authorization, ICTA, s. 7.1(5)
 - • terms of use, ICTA, s. 7.1(2)
- TRADEMARK EXAMINATION PROCEDURE, *see also***
TRADEMARKS; TRADEMARKS — INTERNATIONAL OBLIGATIONS; TRADEMARKS — REGISTRATION
 - application as to form, of
 - • applicant, address of, TME, s. II.5.2
 - • applicant, claim of entitlement, TME, s. II.5.7
 - • applicant, identity of, TME, s. II.5.1
 - • applicant, signature of, TME, s. II.5.8
 - • Canada, based on making known in, TME, s. II.7.2
 - • Canada, based on use in, TME, s. II.7.1
 - • certification marks, for, TME, s. II.7.5
 - • contents, common, TME, s. II.5
 - • contents, special, TME, ss. II.6, II.7
 - • date of first use or making known, TME, s. V.9
 - • description of mark, TME, s. II.5.3
 - • description of wares or services, TME, s. II.5.4
 - • disclaimers, TME, s. IV.11
 - • distinguishing guises, TME, s. IV.3
 - • drawings, TME, s. II.6.2
 - • early examination, request for, TME, s. II.2
 - • entitlement, statement of claim of, TME, s. II.5.7
 - • extending statement of wares/services, TME, s. II.7.6
 - • first use, date of, TME, s. II.5.5
 - • formal requirements, TME, s. II.3
 - • generally, TME, Part II
 - • identification of mark, TME, s. II.5.3
 - • identity of applicant, TME, s. II.5.1
 - • making known, date of, TME, s. II.5.5
 - • mark, identification and description of, TME, s. II.5.3
 - • Nice Classification, TME, s. II.6.4
 - • predecessor in title, TME, s. II.6.1
 - • pre-examination, TME, s. II.1
 - • proposed use in Canada, TME, s. II.7.4
 - • registration in/for a Union country, TME, s. II.7.3
 - • requirements, formal, TME, s. II.3
 - • section 14 benefits, claiming, TME, s. IV.13.1

Index

TRADEMARK EXAMINATION
PROCEDURE (*cont'd*)
• • services, description of, TME, s. II.5.4
• • services, statement of, TME, s. II.5.4
• • signature of applicant, TME, s. II.5.8
• • sound, TME, s. IV.4
• • specimens, TME, s. II.6.3
• • trademark agents and representatives for service, TME, s. II.5.6
• • types, TME, s. II.4
• • Union country, based on, TME, s. II.7.3
• • use, TME, ss. II.7.1, II.7.3, II.7.4
• • wares, description of, TME, s. II.5.4
• • wares, statement of, TME, s. II.5.4
• confusion, *see also* search
• abandoned applications, TME, ss. III.6.4, V.15
• advertisement, TME, s. V.11.2
• associated marks, TME, s. III.5.2
• certification mark, TME, ss. III.5.3, III.7.5
• circumstances, surrounding, TME, ss. III.2.1
• definition of, TME, s. III.2
• doubt as to, TME, s. III.3.1
• entitlement dates, TME, s. V.9
• entitlement when co-pending applications, TME, s. III.6.3
• generally, TME, Part III
• Newfoundland registrations, with, TME, s. III.5.4
• notification, TME, s. III.6.2
• reference sources, TME, s. IV.5.12
• registered mark, with, TME, s. III.5.1

• • test of, TME, s. III.3
• examination
• • clearly descriptive, TME, s. IV.6
• • colour, TME, s. IV.3.3
• • compound surnames, TME, s. IV.5.8
• • confusion, TME, s. IV.9
• • consent for use, TME, s. IV.10.14
• • deceptively misdescriptive, TME, s. IV.6
• • disclaimers, TME, s. IV.11
• • distinctive character, not without, TME, s. IV.13
• • distinctiveness, TME, s. IV.12
• • distinguishing guise, TME, s. IV.3
• • drawings, TME, s. II.6.2
• • functionality, TME, s. IV.3.8
• • generally, TME, Part IV
• • geographical indications, TME, s. IV.10.16
• • goods or services, names of, TME, s. IV.7
• • historical significance, TME, s. IV.5.13
• • information from government services, TME, s. IV.8
• • informing applicants, TME, s. IV.10.13
• • initials, TME, s. IV.6.15
• • names, TME, s. IV.5
• • plant variety denominations, TME, s. IV.10.15
• • pluralized names, TME, ss. IV.5.9
• • possessive, names in, TME, s. IV.5.10
• • “primarily”, meaning of, TME, s. IV.5.4
• • primary meaning, test for, TME, s. IV.5.5
• • prohibited marks, TME, s. IV.10
• • purpose of, TME, s. IV.1

Index

- TRADEMARK EXAMINATION PROCEDURE (*cont'd*)
- • reference sources, TME, s. IV.5.12
 - • representation of wares, TME, ss. IV.3.4
 - • signatures, TME, s. IV.10.8
 - • suggestive trademarks, TME, s. IV.6.10
 - • surnames, TME, s. IV.5
 - • trademark defined, TME, s. IV.2
 - • word, TME, s. IV.5.1
 - examiner's report
 - • abandonment of application, TME, ss. V.13.1
 - • failure to reply, applicant's, TME, s. V.13
 - • first actions, TME, s. V.2
 - • generally, TME, Part V
 - • goods, TME, Part V.3
 - • multiple claims, TME, s. V.10
 - • letter of refusal, TME, s. V.16
 - • objection to registration, TME, s. V.1
 - • second actions, TME, s. V.11
 - • services, TME, s. V.3
 - • standard paragraphs, TME, ss. V.4, V.5, V.6, V.7, V.8
 - • subsequent actions, TME, s. V.12
 - • third actions, TME, ss. V.11, V.12
 - • time extensions, TME, s. V.14
 - generally, TME, Part I
 - reference sources, TME, s. IV.5.12
 - search, III.4, *see also* confusion
- TRADEMARKS**, *see also*
- TRADEMARKS; EXAMINATION PROCEDURE; TRADEMARKS — INTERNATIONAL OBLIGATIONS; TRADEMARKS — REGISTRATION
- acceptable uses, TMA, s. 9(2)

- action for depreciating value of goodwill, TMA, s. 22
- additional representations, TMA, s. 43
- additional requests for information, TMA, ss. 43–45
- appeals, TMA, ss. 56, 59
- application to amend register, TMA, ss. 57–59
- application to extend statement of goods or services, TMA, s. 41(2)
- associated trademarks, TMA, s. 15
- attacks based on previous use/making known, TMA, s. 17
- bottles, unauthorized filling of, CC, s. 410
- Canada Customs and Revenue Agency (CCRA), D19-4-3
- certification mark, TMA, ss. 2, 23–25
- change of purpose, TMA, s. 49
- concealing, CC, s. 410
- concurrent use of confusing marks, TMA, s. 21
- confusing, defined, TMA, ss. 2, 6
- Convention, defined, TMA, s. 2
- country of origin, defined, TMA, s. 2
- country of the Union, defined, TMA, s. 2
- court, appropriate, TMA, ss. 55, 57
- defacing, CC, s. 410
- detained goods, TMA, ss. 51.05–51.12
- disclaimer, TMA, s. 35
- distinctive, defined, TMA, s. 2
- documents to be transmitted to court, TMA, s. 60
- effect on non-user, TMA, s. 45(3)
- evidence, TMA, s. 54
- evidence of user, TMA, s. 45
- extensions of time, TMA, ss. 39(2), (3), 47
- forfeiture, CC, s. 412

Index

TRADEMARKS (*cont'd*)

- forging
- • description, CC, s. 406
- • instruments for, CC, s. 409
- • offence, CC, s. 407
- • geographical indication
- • acquired rights, TMA, s. 11.2
- • Canada-Korea indications, TMA, s. 11.23
- • CETA indications, TMA, s. 11.22
- • definition, TMA, ss. 2, 11.11
- • list, TMA, s. 11.12
- • • objection proceedings, TMA, s. 11.13
- • • statement of Minister, TMA, s. 11.12
- • prohibition, exceptions to
- • • comparative advertising, TMA, s. 11.16(2), (3)
- • • continued use, TMA, s. 11.17
- • • customary names, TMA, s. 11.18(2)
- • • disuse, TMA, s. 11.18(1)
- • • failures to take proceedings, TMA, s. 11.19
- • • generic names, spirits, TMA, s. 11.18(4)
- • • generic names, wines, TMA, s. 11.18(3)
- • • personal names, TMA, s. 11.16(1)
- • • prohibition, agricultural products or food, TMA, s. 11.15
- • • prohibition, spirits, TMA, ss. 11.14, 11.17
- • • prohibition, wines, TMA, ss. 11.14, 11.17
- • powers of Governor in Council, TMA, s. 11.24
- • removal from list, TMA, s. 11.21
- hearing, TMA, s. 59(3)
- importation and exportation definitions, TMA, s. 51.02
- imports, prohibition, TMA, s. 53(4)
- indexes, TMA, s. 28
- infringement, TMA, s. 20
- injunctions, TMA, ss. 53, 53.2
- inspection, public, TMA, s. 29
- institution of proceedings, TMA, s. 58
- judgments to be filed, TMA, s. 61
- legal proceedings, generally, TMA, ss. 52–61
- licences, TMA, s. 50
- list of trademark agents, TMA, s. 28(2)
- Newfoundland provisions, TMA, ss. 67, 68
- notice to set out grounds, TMA, s. 59(1)
- offences
 - • bottles, unauthorized filling of, CC, s. 410
 - • concealing mark, CC, s. 410
 - • defacing mark, CC, s. 410
 - • forfeiture, CC, s. 412
 - • forging, CC, ss. 406, 407, 409
 - • instruments for forging, CC, s. 409
 - • passing off, CC, s. 408
 - • punishment, CC, s. 412, TMA s. 51.01
 - • removing, CC, s. 410
 - • siphons, unauthorized filling of, CC, s. 410
 - • used goods, reselling without disclosure, CC, s. 411
- offending goods, custody of, TMA, s. 53
- offending goods, detention of, TMA, s. 53.1
- offending goods, exportation of, TMA, s. 53.3
- owner, defined, TMA, s. 2

Index

- TRADEMARKS (*cont'd*)
 - package, defined, TMA, s. 2
 - passing off, CC, s. 408
 - person interested, defined, TMA, s. 2
 - person, defined, TMA, s. 2
 - pharmaceutical preparation, TMA, s. 51
 - prescribed, defined, TMA, s. 2
 - prohibited marks, TMA, ss. 9–11.1
 - prohibited uses, TMA s. 9(1)
 - prohibitions, TMA, ss. 7, 51.03
 - proposed certification mark, defined, TMA, s. 2
 - proposed trademarks, TMA, ss. 16(3), 40(2), (3)
 - protected geographical indication, defined, TMA, s. 2
 - punishment, CC, s. 412
 - register of trademarks
 - amendment to, TMA, ss. 41, 44(2)
 - generally, TMA, ss. 26, 27
 - register under *Unfair Competition Act*, TMA, s. 27
 - register, defined, TMA, s. 2
 - registered trademark, defined, TMA, s. 2
 - registered user, defined, TMA, s. 2
 - registrable trademarks
 - when confusing marks registrable, TMA, s. 15
 - when distinguishing guises registrable, TMA, s. 13
 - when marks registered abroad registrable, TMA, s. 14
 - when trademark registrable, TMA, s. 12
 - Registrar of Trademarks, TMA, s. 63
 - Registrar, defined, TMA, s. 2
 - registration, *see* TRADEMARKS; REGISTRATION
 - regulations, power to make, TMA, s. 65
 - related companies, defined, TMA, s. 2
 - release, defined, TMA s. 2
 - remedies, TMA, ss. 53, 53.2, 53.3
 - request for assistance, TMA, s. 51.04
 - removing, CC, s. 410
 - reply, TMA, s. 59(2)
 - representative for service, defined, TMA, s. 2
 - service, TMA, s. 42
 - sign, defined, TMA, s. 2
 - siphons, unauthorized filling of, CC, s. 410
 - time limits deemed extended, TMA, s. 66
 - trademark agents, TMA, s. 28(2)
 - code of professional conduct, CPATAA, SOR/2021-165
 - disciplinary proceedings, CPATAA, ss. 51-63
 - investigations, CPATAA, ss. 37-50
 - licences, CPATAA, ss. 29-31
 - obligations, CPATAA, ss. 32-34
 - privileged communication, TMA, s. 51.13
 - prohibitions and offences, CPATAA, ss. 68-69, 71, 73
 - suspension, revocation and surrender of licences, CPATAA, ss. 35-36
 - trademark, defined, TMA, s. 2
 - trade name, defined, TMA, s. 2
 - transfers, TMA, s. 48; TMA, SOR/96-195, ss. 48–50
 - use by related companies, TMA, s. 51
 - use, defined, TMA, s. 2
 - used goods, reselling without disclosure, CC, s. 411
 - warranty of lawful use, TMA, s. 8

Index

TRADEMARKS (*cont'd*)

- when deemed to be adopted, TMA, s. 3
- when deemed to be made known, TMA, s. 5
- when deemed to be used, TMA, s. 4
- where registered before July 1, 1954, TMA, s. 44
- where trademark/certification mark confusing, TMA, s. 24
- WTO Agreement, defined, TMA, s. 2
- WTO Member, defined, TMA, s. 2

TRADEMARKS —

INTERNATIONAL

OBLIGATIONS, *see also*

TRADEMARKS; TRADEMARKS — EXAMINATION PROCEDURE; TRADEMARKS — REGISTRATION

- acceptable marks, OPMA, s. 3(4)
- application
 - international, *see* international application
 - national, MP, Art. 9quinquies
 - regional, MP, Art. 9quinquies
 - to court, application, OPMA, ss. 5(2), 8(2)
- Assembly, MP, Art. 10
- assignment, PC, Art. 6quater
- COC
 - defined, OPMA, s. 2
- collective marks, PC, Art. 7bis
- common Office, MP, Art. 9quater
- CPC
 - defined, OPMA, s. 2
- documentary evidence, MP, Art. 5bis
- emblems, PC, Art. 6ter
- exhibitions, protection at, PC, Art. 11
- failure to use, PC, Art. 5
- false indications of producer / source
 - generally, PC, Art. 10

- • remedies, PC, Art. 10ter
- fees
- • grace period for payment of, PC, Art. 5bis
- • maintenance, PC, Art. 5bis
- finances, MP, Art. 12
- forms, PC, Art. 5
- goods to which mark is applied, PC, Art. 7
- importation, PC, Arts. 9, 10
- imported wares
- • exportation of, OPMA, s. 9
- • release of goods, OPMA, s. 8
- international application, MP, Art. 3
- International Bureau, MP, Art. 11
- international exhibitions, PC, Art. 11
- International Register
- • copies of entries in, MP, Art. 5ter
- • extracts from, MP, Art. 5ter
- international registration
 - • change in ownership, MP, Art. 9
 - • dependence of, MP, Art. 6
 - • effects of, MP, Arts. 2, 4, 5
 - • extension, request for, MP Art. 3ter
 - • fees, MP, Art. 8
 - • generally, MP, Art. 2
 - • independence of, MP, Art. 6
 - • invalidation of effects of, MP, Art. 5
 - • ownership, MP, Art. 9
 - • period of validity, MP, Art. 6
 - • recordals, MP, Arts. 9–9ter
 - • refusal, MP, Art. 5
 - • renewal of, MP, Art. 7
 - • replacing national / regional, MP, Art. 4bis
 - • territorial effect, MP, Art. 3bis
 - • territorial extension, MP, Art. 3ter
 - • transformation, MP, Art. 9quinquies

Index

- TRADEMARKS — INTERNATIONAL OBLIGATIONS (*cont'd*)
- • validity, period of, MP, Art. 6
 - Madrid Protocol
 - • agreements, relation to other, MP, Art. 9sexies
 - • amendment of, MP, Art. 13
 - • depository functions, MP, Art. 16
 - • entry into force, MP, Art. 14
 - • languages, MP, Art. 16
 - • party, becoming, MP, Art. 14
 - • signature, MP, Art. 16
 - • Union, membership in, MP, Art. 1
 - marking, PC, Art. 5
 - name of agent or representative, PC, Art. 6 septies
 - national application, MP, Art. 9quinquies
 - national industrial property service, PC, Art. 12
 - national registration, MP, Art. 4bis
 - official hallmarks, PC, Art. 6ter
 - prohibitions, PC, Art. 6ter
 - prohibited acts, OPMA, s. 4(1)
 - • injunction, OPMA, s. 6
 - • proximity to mark, OPMA, s. 4(3)
 - • remedies to prohibited acts, OPMA, s. 5
 - • • limitation period, OPMA, s. 7
 - prohibited marks, OPMA, s. 3(1) and (2)
 - protection
 - • independence, PC, Art. 6
 - • international registration, through, MP Art. 2
 - • temporary, PC, Art. 11
 - • Union, throughout, PC, Art. 6quinquies
 - recordals
 - • fees, MP, Art. 9ter
 - • other matters, MP, Art. 9bis
 - • ownership change of registration, MP, Art. 9
 - regional application, MP, Art. 9quinquies
 - regional registration, MP, Art. 4bis
 - registration
 - • authorization, without, PC, Art. 6 septies
 - • conditions of, PC, Art. 6
 - • international, *see* international registration
 - • national, MP, Art. 4bis
 - • regional, MP, Art. 4bis
 - rights to priority, PC, Art. 4
 - seizure, PC, Arts. 9, 10
 - service marks, PC, Art. 6 sexies
 - trade names
 - • false indications, PC, Art. 10ter
 - • generally, PC, Art. 8
 - • importation, PC, Art. 9
 - • remedies, PC, Art. 10ter
 - • seizure, PC, Art. 9
 - • unfair competition, PC, Art. 10ter
 - • unlawful bearing, PC, Art. 9
 - unfair competition
 - • generally, PC, Art. 10bis
 - • remedies, PC, Art. 10ter
 - unlawful bearing, PC, Art. 9
 - use
 - • by co-proprietors, PC, Art. 5
 - • legitimacy of, MP, Art. 5bis
 - well-known marks, PC, Art. 6bis
- TRADEMARKS PRACTICE IN CORRESPONDENCE PROCEDURES**
- clients unable to communicate with CIPO, TMOB-PN-CP, s. 7

Index

- TRADEMARKS PRACTICE IN CORRESPONDENCE PROCEDURES (*cont'd*)
- electronic correspondence, TMOB-PN-CP, s. 2
 - • electronic medium, TMOB-PN-CP, s. 2.3
 - • facsimile, TMOB-PN-CP, s. 2.1
 - • online, TMOB-PN-CP, s. 2.2
 - electronic formats accepted, details, TMOB-PN-CP, s. 3
 - physical delivery, TMOB-PN-CP, s. 1
 - • designated establishments, TMOB-PN-CP, s. 1.1
 - • registered mail, TMOB-PN-CP, s. 1.2
 - statutory holidays, TMOB-PN-CP, s. 5
 - unexpected office closure, procedures, TMOB-PN-CP, s. 6
- TRADEMARKS PRACTICE IN OPPOSITION PROCEEDINGS
- amended applications, TMOB-PN-OP VIII
 - appeals, TMOB-PN-OP XI
 - correspondence, TMOB-PN-OP I
 - cross-examination, TMOB-PN-OP IX
 - • extension of time, TMOB-PN-OP IX.1
 - evidence, TMOB-PN-OP VI
 - • consequences for failure to file, TMOB-PN-OP VI.1
 - extensions of time, TMOB-PN-OP V
 - • exceptional circumstances, TMOB-PN-OP V.3
 - • • assignment, TMOB-PN-OP V.3.4
 - • • change in instructing principal/agent, TMOB-PN-OP V.3.2
 - • • circumstances beyond control, TMOB-PN-OP V.3.3
- • • co-pending oppositions, TMOB-PN-OP V.3.1
 - • • finalizing settlement, TMOB-PN-OP V.3.6
 - • • revised application, TMOB-PN-OP V.3.5
 - • general benchmarks, TMOB-PN-OP V.1
 - • • cooling-off period, TMOB-PN-OP V.1.1
 - • • maximums, TMOB-PN-OP V.1.2
 - • retroactive, TMOB-PN-OP V.2
 - hearings, TMOB-PN-OP X
 - • cancellation, TMOB-PN-OP X.7
 - • change to schedule, TMOB-PN-OP X.4
 - • jurisprudence, TMOB-PN-OP X.8
 - • postponement, TMOB-PN-OP X.6
 - • request to be heard, TMOB-PN-OP X.1
 - • scheduling, TMOB-PN-OP X.2
 - • short notice, TMOB-PN-OP X.3
 - • simultaneous translation, TMOB-PN-OP X.5
 - joint opponents, TMOB-PN-OP III
 - leave - Rule 40 and 44(1), TMOB-PN-OP XII
 - review of statement of opposition, TMOB-PN-OP IV
 - • interlocutory rulings, TMOB-PN-OP IV.1
 - • • effect on filing of counterstatement, TMOB-PN-OP IV.1.1
 - service, TMOB-PN-OP II
- TRADEMARKS PRACTICE IN SUMMARY CANCELLATION PROCEEDINGS
- appeals, TMOB-PN-SCP X
 - correspondence, TMOB-PN-SCP I
 - cross-examination, TMOB-PN-SCP V

Index

- TRADEMARKS PRACTICE IN SUMMARY CANCELLATION PROCEEDINGS (*cont'd*)
- decision, TMOB-PN-SCP IX
 - discontinuance, TMOB-PN-SCP VIII
 - evidence, TMOB-PN-SCP III
 - registrant's failure to file, TMOB-PN-SCP III.1
 - special circumstances excusing non-use, TMOB-PN-SCP III.3
 - use of registered trademark, TMOB-PN-SCP III.2
 - extensions of time for filing evidence, TMOB-PN-SCP IV
 - benchmarks, TMOB-PN-SCP IV.1
 - extensions beyond benchmarks, TMOB-PN-SCP IV.2
 - amendment of registration, TMOB-PN-SCP IV.2.5
 - assignment of registration, TMOB-PN-SCP IV.2.3
 - cancellation of registration, TMOB-PN-SCP IV.2.4
 - change of instructing principal/agent, TMOB-PN-SCP IV.2.1
 - circumstances beyond control of person, TMOB-PN-SCP IV.2.2
 - retroactive, TMOB-PN-SCP IV.3
 - hearings, TMOB-PN-SCP VII
 - cancellation, TMOB-PN-SCP VII.6
 - changes to scheduled hearing, TMOB-PN-SCP VII.3
 - jurisprudence, TMOB-PN-SCP VII.7
 - postponement, TMOB-PN-SCP VII.5
 - request to be heard, TMOB-PN-SCP VII.1
 - scheduling, TMOB-PN-SCP VII.2
 - simultaneous translation, TMOB-PN-SCP VII.4
 - section 45 notice, TMOB-PN-SCP II
 - issuance, TMOB-PN-SCP II.3
 - trademark on register less than three years, TMOB-PN-SCP II.2
 - trademark on register more than three years, TMOB-PN-SCP II.1
 - amended statement of wares/services, TMOB-PN-SCP II.1.2
 - good reasons not to issue notice, TMOB-PN-SCP II.1.3
 - required fee, TMOB-PN-SCP II.1.1
 - written representations, TMOB-PN-SCP VI
 - extension of time, TMOB-PN-SCP VI.3
 - registered owner, TMOB-PN-SCP VI.2
 - requesting party, TMOB-PN-SCP VI.1
- TRADEMARKS — REGISTRATION,**
see also TRADEMARKS; TRADEMARKS — EXAMINATION PROCEDURE; TRADEMARKS — INTERNATIONAL OBLIGATIONS
- application for
 - abandonment, TMA, ss. 36, 38(7.2), 40(3)
 - advertisement of, TMA, s. 37
 - based on registration abroad, TMA, s. 31
 - commercial association, by, TMA, s. 33
 - date of filing, TMA, s. 34; TMA, C.R.C. 1978, c. 1559, s. 28
 - disclaimer, TMA, s. 35
 - doubtful cases, TMA, s. 37(3)
 - generally, TMA, ss. 30–33
 - proposed trademark, TMA, s. 40(2)
 - refusal, TMA, s. 37

Index

TRADEMARKS —

REGISTRATION (*cont'd*)

- • statement of opposition, TMA, ss. 38, 39(2), (3)
- • trade unions, by, TMA, s. 33
- • when to be allowed, TMA, s. 39
- • when to be refused, TMA, s. 37
- certificate of, TMA, s. 40(1)
- form and effect of, TMA, s. 40(4)
- invalid, TMA, s. 18
- persons entitled to
 - • marks registered and used abroad, TMA, s. 16(2)
 - • marks used/made known in Canada, TMA, s. 16(1)
 - • previous use or making known, TMA, s. 16(5)
 - • proposed marks, TMA, s. 16(3)
 - • where application for confusing mark pending, TMA, s. 16(4)
- publication of, TMA, s. 64
- register amendment, TMA, s. 41(1)
- renewal, TMA, s. 46
- rights conferred by, TMA, s. 19
- to be restricted, TMA, s. 32(2)
- validity and effect of, TMA, s. 17

TRADEMARKS REGULATIONS

- advertisement, TMR, s. 41
- definitions, TMR, s. 1
- divisional application, TMR, ss. 39-40
- documents, fees for copies, TMR, ss. 94, 95
- extension of time, TMR, ss. 14, 15
- fees
 - • documents, fees for copies, TMR, ss. 94, 95
 - • extending statement of goods and services, TMR, s. 60
 - • extension of time, TMR, s. 14
 - • manner of providing, TMR, s. 10

- • notice, for purpose of s. 44(1) of Act, TMR, s. 62
- • objection proceeding under s. 11.13 of Act, TMR, s. 78
- • opposition proceeding under s. 38 of Act, TMR, s. 42
- • proceedings under s. 45 of Act, TMR, s. 67
- • prohibited marks, TMR, s. 26
- • refund, TMR, s. 12
- • registration, application for, TMR, s. 32
- • renewal of registration, TMR, s. 75
- • transfer of application for registration of trademark, TMR, s. 36
- • transfer of registered trademark, TMR, s. 64
- • waiver, TMR, s.
- Madrid Protocol, implementation
 - • abandonment, TMR, s. 119
 - • amendment of register, TMR, ss. 133-142
 - • application for international registration
 - • conditions, TMR, s. 98
 - • contents and form, TMR, s. 99
 - • functions of registrar, TMR, s. 100
 - • change in ownership of international registration
 - • request for recording, TMR, s. 101
 - • transmission to International Bureau, TMR, s. 102
 - • correction of international registration, effect on Protocol application, TMR, ss. 114-118
 - • definitions, TMR, s. 96
 - • denunciation, TMR, s. 150
 - • divisional application, TMR, ss. 122-124

Index

TRADEMARKS REGULATIONS
(cont'd)

- • examination, TMR, ss. 120-121
- • non-application of s. 66 of Act, TMR, s. 97
- • opposition, TMR, ss. 125-130
- • registration of trademarks, TMR, ss. 131-132
- • renewal, TMR, ss. 143-144
- • territorial extension to Canada
- • • amendment or withdrawal of Protocol application, TMR, ss. 107-113
- • • filing date, TMR, ss. 105-106
- • • non-registrable trademarks, TMR, s. 104
- • • Protocol application, TMR, s. 103
- • transfer, TMR, ss. 145-156
- • transformation, TMR, ss. 147-149
- objection proceeding under s. 11.13 of Act
- • amendment, TMR, s. 82
- • correspondence, TMR, s. 79
- • cross-examination, TMR, s. 91
- • deemed withdrawal, TMR, s. 85
- • evidence
- • • additional, TMR, s. 90
- • • manner of submitting, TMR, s. 83
- • • reply evidence, TMR, s. 9
- • • timing of objector's, TMR, s. 84
- • • timing of responsible authority's, TMR, s. 86
- • fee, TMR, s. 78
- • forwarding copies of documents, TMR, s. 80
- • hearing, request for, TMR, s. 93
- • indication or translation not entered on list, TMR, s. 88

- • • non-application of s. 11.13(5) of Act, TMR, s. 87
- • service, TMR, s. 81
- • written representations, TMR, s. 92
- opposition proceeding under s. 38 of Act
- • amendment, TMR, s. 48
- • correspondence, TMR, s. 43
- • counter statement, timing, TMR, s. 47
- • cross-examination, TMR, s. 56
- • deemed abandonment, TMR, s. 53
- • deemed withdrawal, TMR, s. 51
- • documents, forwarding copies, TMR, s. 44
- • evidence
- • • additional, TMR, s. 55
- • • manner of submission, TMR, s. 49
- • • reply evidence, timing, TMR, s. 54
- • • timing of applicant's, TMR, s. 52
- • • timing of opponent's, TMR, s. 50
- • • written representations, TMR, s. 57
- • fee, TMR, s. 42
- • hearing, request for, TMR, s. 58
- • service, TMR, ss. 45-46
- priority, request for, TMR, s. 33
- proceeding under s. 45 of Act
- • correspondence, TMR, s. 68
- • evidence, timing, TMR, s. 72
- • fee, TMR, s. 67
- • forwarding copies of documents, TMR, s. 69
- • hearing, request for, TMR, s. 74
- • service, TMR, ss. 70-71
- • written representations, TMR, s. 73
- register

Index

TRADEMARKS REGULATIONS
(cont'd)

- • fees, TMR, ss. 60, 62
- • merger of registrations, TMR, s. 62
- • particulars, TMR, s. 59
- • requested statement of goods or services, timing, TMR, s. 63
- registration, application for
- • amendment, TMR, s. 35
- • contents, TMR, s. 31
- • default in prosecution of application, TMR, s. 34
- • fee, TMR, s. 32
- • language, TMR, s. 28
- • manner of describing goods or services, TMR, s. 29
- • representation or description, TMR, s. 29
- • scope, TMR, s. 27
- • transfer, TMR, ss. 36-38
- renewal of registration
- • deemed date, TMR, s. 77
- • fee, TMR, s. 75
- • period, TMR, s. 76
- trademark agents
- • eligibility for examination, TMR, s. 16
- • establishment of examining board, TMR, s. 17
- • list
 - • • generally, TMR, s. 19
 - • • maintenance of name on list, TMR, s. 20
- • • reinstatement, TMR, s. 21
- • qualifying examinations, frequency, TMR, s. 18
- • representation
- • • acts by or in relation to agent, TMR, s. 24

- • • notice of appointment or revocation, TMR, s. 23
- • • persons authorized to act, TMR, s. 25
- • • power to appoint agent, TMR, s. 22
- transfer of registered trademark
- • effect of transfer, TMR, s. 66
- • fee, TMR, s. 64
- • required information, TMR, s. 65
- transitional provisions, TMR, ss. 151-162
- written communications
- • address, TMR, s. 6
- • applications for registration, re, TMR, s. 5
- • form, TMR, s. 7
- • intelligibility, TMR, s. 8
- • language, non-official, TMR, s. 9
- • limit, TMR, s. 4
- • manner of providing, TMR, s. 10
- • Registrar, intended for, TMR, s. 3

TRANS-PACIFIC PARTNERSHIP — INTELLECTUAL PROPERTY

- cooperation, Section B
- • activities and initiatives, TPP, Art. 18.13
- • contact points, TPP, Art. 18.12
- • on request, TPP, Art. 18.17
- • patent cooperation and work sharing, TPP, Art. 18.14
- • public domain, TPP, Art. 18.15
- • traditional knowledge, TPP, Art. 18.16
- copyright and related rights, Section H
- • collective management, TPP, Art. 18.70
- • contractual transfers, TPP, Art. 18.67
- • definitions, TPP, Art. 18.57

Index

- TRANS-PACIFIC PARTNERSHIP — INTELLECTUAL PROPERTY (*cont'd*)
- • hierarchy, no, TPP, Art. 18.61
 - • limitations and exceptions, TPP, Art. 18.64
 - • related rights, TPP, Art. 18.62
 - • right of communication, TPP, Art. 18.59
 - • right of distribution, TPP, Art. 18.60
 - • right of reproduction, TPP, Art. 18.58
 - • rights management information (RMIs), TPP, Art. 18.69
 - • technological protection measures (TPMs), TPP, Art. 18.68
 - • term of protection, TPP, Art. 18.63
 - country names, Section D, TPP, Art. 18.29
 - definitions, TPP, Art. 18.1
 - enforcement, Section I
 - • administrative procedures, TPP, Art. 18.74
 - • border measures, special measures, TPP, Art. 18.76
 - • criminal procedures, TPP, Art. 18.77
 - • general obligations, TPP, Art. 18.71
 - • government use of software, TPP, Art. 18.80
 - • presumptions, TPP, Art. 18.72
 - • trade secrets, TPP, Art. 18.78
 - exhaustion of IP rights, TPP, Art. 18.11
 - final provisions, Section K, TPP, Art. 18.83
 - geographical indications, Section E
 - industrial designs, Section G
 - • improving systems, TPP, Art. 18.56
 - • protection, TPP, Art. 18.55
 - international agreements, TPP, Art. 18.7
 - internet service providers, Section J
 - • definitions, TPP, Art. 18.81
 - • legal remedies, TPP, Art. 18.82
 - national treatment, TPP, Art. 18.8
 - nature of obligations, TPP, Art. 18.4
 - objectives, TPP, Art. 18.2
 - patents and undisclosed test or other data, Section F
 - • amendments, TPP, Art. 18.43
 - • corrections, TPP, Art. 18.43
 - • exceptions, TPP, Art. 18.40
 - • grace period, TPP, Art. 18.38
 - • observations, TPP, Art. 18.43
 - • patent filing, TPP, Art. 18.42
 - • patent revocation, TPP, Art. 18.39
 - • patentable subject matter, TPP, Art. 18.37
 - principles, TPP, Art. 18.3
 - scope of obligations, TPP, Art. 18.5
 - trademarks, Section C
 - • classifications of goods and services, TPP, Art. 18.25
 - • collective and certification marks, TPP, Art. 18.19
 - • domain names, TPP, Art. 18.28
 - • electronic trademarks system, TPP, Art. 18.24
 - • exceptions, TPP, Art. 18.21
 - • identical or similar signs, TPP, Art. 18.20
 - • procedural aspects, TPP, Art. 18.23
 - • term of protection,
 - • types of signs, TPP, Art. 18.18
 - • well-known trademarks, TPP, Art. 18.22
 - transparency, TPP, Art. 18.9
 - • administrative procedures, TPP, Art. 18.31

Index

- TRANS-PACIFIC PARTNERSHIP — INTELLECTUAL PROPERTY (*cont'd*)
• • date of protection, TPP, Art. 18.35
• • grounds of opposition and cancellation, TPP, Art. 18.32
• • international agreements, TPP, Art. 18.36
• • multi-component terms, TPP, Art. 18.34
• • recognition,

U

- UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY**, *see also* RULES FOR UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY; INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS; INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS POLICIES
• administrative proceeding *see also* dispute resolution
• • applicable disputes, generally, ICANN-UDRP, s. 4(a)
• • • bad faith, ICANN-UDRP, s. 4(a)(i)
• • • confusingly similar, ICANN-UDRP, s. 4(a)(i)
• • • legitimate interests, ICANN-UDRP, s. 4(a)(ii)
• • • legitimate rights, ICANN-UDRP, s. 4(a)(ii)
• • mandatory, ICANN-UDRP, s. 4
• admissibility of evidence, ICANN-RUDRP, s. 10(d)
• appointment of panel, ICANN-RUDRP, ss. 5(c), 6
• bad faith, ICANN-UDRP, s. 4(a)(iii)
• • intentional attempt to attract users, for commercial gain, ICANN-UDRP, s. 4(b)(iv)

- • registration to prevent owner of trademark, ICANN-UDRP, s. 4(b)(ii)
- • registration for rent of domain name, ICANN-UDRP, s. 4(b)(i)
- • registration for resale of domain name, ICANN-UDRP, s. 4(b)(i)
- • registration for transfer of domain name, ICANN-UDRP, s. 4(b)(i)
- • valuable consideration, ICANN-UDRP, s. 4(b)(i)
- communication of decision, ICANN-RUDRP, s. 16
- Complainant's responsibilities
- • appointment of administrative panel, ICANN-UDRP, s. 4(e)
- • consolidation of multiple domain names, petition for, ICANN-RUDRP, s. 10(e); ICANN-UDRP, s. 4(f)
- • initiating an administrative proceeding, ICANN-RUDRP, s. 3(a); ICANN-UDRP, s. 4(e)
- • remedies available, ICANN-UDRP, s. 4(i)
- • selection of provider, ICANN-UDRP, s. 4(d)
- complaints
- • approved dispute resolution providers, list of, ICANN-AP
- • form of, ICANN-RUDRP, s. 3(b)
- • grounds, specified, ICANN-RUDRP, s. 3(b)(ix)
- • initiating an administrative proceeding, ICANN-RUDRP, s. 3(a); ICANN-UDRP, s. 4(e)
- • notification of, generally, ICANN-RUDRP, s. 4
- confusingly similar, ICANN-UDRP, s. 4(a)(i)
- consolidation of multiple domain names, ICANN-RUDRP, s. 10(e); ICANN-UDRP, s. 4(f)

Index

- UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY (*cont'd*)
- court proceedings
 - • availability of, ICANN-UDRP, s. 4(k)
 - • effect of, ICANN-UDRP, s. 18
 - date of commencement of administrative proceeding, ICANN-UDRP, s. 4(c)
 - default, by either party, ICANN-UDRP, s. 14
 - default by Respondent, ICANN-UDRP, s. 5(e)
 - definitions, generally, ICANN-UDRP, s. 1
 - demonstrating legitimate rights, Respondent
 - • commonly known by domain name, ICANN-UDRP, s. 4(c)(ii)
 - • demonstrable preparations to use, ICANN-UDRP, s. 4(c)(i)
 - • generally, ICANN-UDRP, s. 4(c)
 - • legitimate, fair use of domain name, ICANN-UDRP, s. 4(c)(iii)
 - • legitimate, noncommercial use of domain name, ICANN-UDRP, s. 4(c)(iii)
 - • preparing response, generally, ICANN-UDRP, s. 5
 - dispute resolution
 - • disputes subject to mandatory administrative proceeding, ICANN-UDRP, s. 4
 - disputes
 - • bad faith, ICANN-UDRP, s. 4(a)(iii), *see also* bad faith; evidence of bad faith registration and use
 - • changing registrars, during, ICANN-UDRP, s. 8(b)
 - • confusingly similar, ICANN-UDRP, s. 4(a)(i)
 - • legitimate interests, ICANN-UDRP, s. 4(a)(ii), *see also* demonstrating legitimate rights, Respondent; Respondent, demonstrating legitimate rights
 - • legitimate rights, ICANN-UDRP, s. 4(a)(ii)
 - • transfers of domain name to new holder, during, ICANN-UDRP, s. 8(a)
 - domain names
 - • bad faith, ICANN-UDRP, s. 4(a)(iii), *see also* bad faith; evidence of bad faith registration and use
 - • confusingly similar, ICANN-UDRP, s. 4(a)(i)
 - • legitimate interests, ICANN-UDRP, s. 4(a)(ii)
 - • legitimate rights, ICANN-UDRP, s. 4(a)(iii)
 - domain names, registrations
 - • cancellations, ICANN-UDRP, s. 3
 - • changes, ICANN-UDRP, s. 3
 - • transfers, ICANN-UDRP, s. 3
 - evidence of bad faith registration and use
 - • bad faith, ICANN-UDRP, s. 4(a)(iii)
 - • generally, ICANN-UDRP, s. 4(b)
 - • intentional attempt to attract users, for commercial gain, ICANN-UDRP, s. 4(b)(iv)
 - • registration to prevent owner of trademark, ICANN-UDRP, s. 4(b)(ii)
 - • registration for rent of domain name, ICANN-UDRP, s. 4(b)(i)
 - • registration for resale of domain name, ICANN-UDRP, s. 4(b)(i)
 - • registration for transfer of domain name, ICANN-UDRP, s. 4(b)(i)

Index

- UNIFORM DOMAIN NAME DISPUTE
RESOLUTION POLICY (*cont'd*)
- • valuable consideration, ICANN-UDRP, s. 4(b)(i)
 - exclusion of liability, ICANN-RUDRP, s. 20
 - fees, generally, ICANN-RUDRP, s. 19; ICANN-UDRP, s. 4(g)
 - further statements, request, ICANN-RUDRP, s. 12
 - hearings, ICANN-RUDRP, s. 13
 - ICANN, defined, ICANN-RUDRP, s. 1
 - ICANN's rights
 - • cancellations of domain name registrations, ICANN-UDRP, s. 3
 - • changes to domain name registrations, ICANN-UDRP, s. 3
 - • involvement in disputes, ICANN-UDRP, ss. 4(h), 6
 - • maintaining the status quo, ICANN-UDRP, s. 7
 - • transfers of domain name registrations, ICANN-UDRP, ss. 3, 8
 - in-person hearings, ICANN-RUDRP, s. 13
 - language of proceedings, ICANN-RUDRP, s. 11(b)
 - liability, exclusion of, ICANN-RUDRP, s. 20
 - litigation, external, ICANN-UDRP, s. 5
 - mandatory administrative proceeding
 - • applicable disputes
 - • • bad faith, ICANN-UDRP, s. 4(a)(iii)
 - • • confusingly similar, ICANN-UDRP, s. 4(a)(i)
 - • • legitimate interests, ICANN-UDRP, s. 4(a)(ii)
 - • legitimate rights, ICANN-UDRP, s. 4(a)(ii)
 - • Complainant bears onus of proof, ICANN-UDRP, s. 4(a)
 - • generally, ICANN-UDRP, s. 4
 - • other disputes, ICANN-UDRP, s. 5
 - materiality of evidence, ICANN-RUDRP, s. 10(d)
 - notice, initiating legal proceedings, ICANN-RUDRP, s. 18(b)
 - notification of decision, ICANN-UDRP, s. 4(j)
 - panel
 - • appointment of, ICANN, A.2, ss. 5(c), 6
 - • communication, between parties and, ICANN-RUDRP, s. 8
 - • considerations of evidence, ICANN-RUDRP, s. 10(d)
 - • default, proceeding in case of, ICANN-RUDRP, s. 14
 - • further statements, request, ICANN-RUDRP, s. 12
 - • impartiality, ICANN-RUDRP, s. 7
 - • independence, ICANN-RUDRP, s. 7
 - • in-person hearings, ICANN-RUDRP, s. 13
 - • language of proceedings, ICANN-RUDRP, s. 11(b)
 - • settlement of dispute, ICANN-RUDRP, s. 17
 - • termination of proceeding, ICANN-RUDRP, ss. 17, 18(a)
 - • timing of decision, ICANN-RUDRP, s. 6(f)
 - • transmission of file, to, ICANN-RUDRP, s. 9
 - panel decisions
 - • based on, ICANN-RUDRP, s. 15(a)
 - • communication of, to parties, ICANN-RUDRP, s. 16

Index

- UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY (*cont'd*)
- • dissenting opinions, ICANN-RUDRP, s. 15(e)
 - • generally, ICANN-RUDRP, s. 15
 - • in writing, ICANN-RUDRP, s. 15(d)
 - • majority, ICANN-RUDRP, s. 15(c)
 - • publication of decision, ICANN-RUDRP, s. 16(b)
 - • timing of, ICANN-RUDRP, ss. 6(f), 15(b)
 - procedure in case of non-response, ICANN-RUDRP, s. 5(e)
 - publication of decision, ICANN-UDRP, s. 4(j); ICANN-RUDRP, s. 16(b)
 - purpose, ICANN-UDRP, s. 1
 - relevance of evidence, ICANN-RUDRP, s. 10(d)
 - remedies available, ICANN-UDRP, s. 4(i)
 - representations, registrant's, ICANN-UDRP, s. 2
 - Respondent, demonstrating legitimate rights
 - • commonly known by domain name, ICANN-UDRP, s. 4(c)(ii)
 - • demonstrable preparations to use, ICANN-UDRP, s. 4(c)(i)
 - • generally, ICANN-UDRP, s. 4(c)
 - • legitimate, fair use of domain name, ICANN-UDRP, s. 4(c)(iii)
 - • legitimate, noncommercial use of domain name, ICANN-UDRP, s. 4(c)(iii)
 - • preparing response, generally, ICANN-RUDRP, s. 5
 - rules for uniform domain name dispute resolution policy, generally, ICANN-RUDRP
 - settlement of dispute, ICANN-RUDRP, s. 17
 - termination of proceeding, ICANN-RUDRP, ss. 17, 18(a)
 - transfers of domain names
 - • changing registrars, during dispute, ICANN-UDRP, s. 8(b)
 - • to new holder, during dispute, ICANN-UDRP, s. 8(a)
 - timing of decision, ICANN-RUDRP, s. 6(f)
 - Uniform Domain Name Dispute Resolution Policy
 - • effect, ICANN-UDRP, Notes
 - • generally, ICANN-UDRP
 - • modifications, ICANN-UDRP, s. 9
 - • notes, ICANN-UDRP, Notes
 - • purpose, ICANN-UDRP, s. 1
 - • registrant's registrations, ICANN-UDRP, s. 2
 - weight of evidence, ICANN-RUDRP, s. 10(d)