

It's Official: Canada Now Part of Key WIPO Trademark Treaties, Including Madrid and Nice

By Sebastien Lapointe, Holmested & Associés, Canada

After years of waiting to hop on, Canada recently officially joined three (3) key WIPO treaties as to trademarks, including the Madrid Protocol, the Nice Agreement and the Singapore Treaty. The WIPO Director General recently received from the Canadian Ambassador Canada's instruments of accession to the treaties at issue, thereby sealing a new phase for Canada trademark law.

With national implementation legislation coming into force in the summer of 2019, Canada is thus finally ready to bring its trademark law with most other countries around the globe. All changes will come into force on June 17, 2019, in Canada.

Canada thus becomes the 104th member of the Madrid Union, and its System for the International Registration of Marks. As of writing this, the Madrid system now covers one hundred and twenty (120) countries, in total, including members of the Madrid Protocol and the Madrid Agreement.

Canada becomes the 86th member of the Nice Agreement. With its accession to the Nice Agreement, Canada finally moves away from its current practice of listing goods and services without classifying them, but merely listed in ordinary commercial terms, an expression that examiners often applied in a manner that was less than consistent, thereby leading to delays and costs for trademark applicants. Current registrations and applications will be gradually required to be updated, so as to classify the goods and services listed in each, over the course of the next few months and years.

For more information, please contact:



Sebastien Lapointe
Holmested & Associés s.e.n.c.r.l./LLP
1010 De La Gauchetière Ouest, Bur. 1230
Montréal (Québec) H3B 2N2
slapointe@holmested.ca
www.holmested.ca