

Torys on Intellectual Property

Canadian Trade-marks Office Changes Practice on Time Extensions

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Effective March 11, 2010, the Canadian Trade-marks Office is changing its policy in order to limit the granting of extensions of time during examination. The current practice allows for several extensions of time to be granted when the applicant provides sufficient reasons for the extension request.

Under the new practice notice, the office will generally grant only a single six-month extension of time to respond to an examiner's report. The office has provided a list of possible exceptions to this practice. For example, if the examiner's report cites as confusing a mark that is the subject of expungement or opposition proceedings launched by the trademark applicant, further extensions of time may be granted until those proceedings are completed and resolved. Further, if the applicant is required to file a certified copy of a foreign registration document, and that registration has not yet been issued, further extensions of time may be granted. Please visit the website shown below to obtain the full list of exceptions to the new policy.

As a result of this change, clients should be aware that they will need to be prepared to respond to all issues raised by the examiner in a timely manner.

We encourage you to consult the new [practice notice](#). **T**

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To discuss these issues, please contact the authors.

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