

## REVISED SECTION 45 SUMMARY CANCELLATION PRACTICE

Date: September 14, 2009



Effective September 14, 2009, the Trade-marks Opposition Board is adopting a new practice with respect to the granting of extensions of time in Section 45 summary cancellation proceedings.

Under the revised practice, the Registrar will grant Registrants only a single four (4) month extension of time by which to submit evidence establishing the use of the registered mark, following receipt of a Section 45 Notice.

The Registrar has furthermore indicated that it will no longer grant Registrants retroactive extensions of time to file additional evidence once a Requesting Party files Written Submissions in support of the cancellation of the Registrant's Canadian Trade-mark Registration.