

REVISED TRADE-MARK AND DESIGN OFFICE PRACTICE RE: EXTENSIONS OF TIME

Date: March 11, 2010



Effective March 11, 2010, the Canadian Trade-marks and Industrial Design Offices have revised their practice with respect to the granting of extensions of time by which to respond to Examiner's Reports.

Under the newly adopted practice, it will now only be possible to secure a single six (6) month extension of time to respond to an Examiner's Report in the absence of either exceptional circumstances, or circumstances beyond the applicant's control. Some flexibility will remain for the granting of further extensions of time for reasons which include:

1. recent changes in agent
2. exceptional circumstances such as illness, bankruptcy, accident;
3. recent assignments;
4. delays in receiving certified copies from foreign trade-mark offices;
5. additional time to permit the cancellation/abandonment of cited third party trade-marks; and
6. additional time to secure consents from Official Mark holders.