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Canada Trademark Registration Costs and Registration Procedures

The legal basis of Canada trademark is Trade-marks Act. Canada is a member of the Paris Convention. The application may be filed on three bases (or a combination of the three bases): Use in Canada, Proposed use in Canada and Application or registration abroad and use. Canada adopts first-to-use basis for trademark protection. A trademark registration is valid for 15 years from the date of registration and could be renewed for 15 years before the expiry date.

1. Canada Trademark Registration Fees

| Services | | Fees (USD) |
|---|-----------------------------|------------|
| Step 1: Pre-filing Search | | |
| | Each class (word or device) | 270 |
| (1) Pre-filing search is not compulsory in Canada. (2) Pre-filing search is limited to Canadian Intellectual Property Office (CIPO)'s database only. (3) Pre-filing search report is delivered in 15 working days by email. | | |
| Step 2: Trademark Registration Request | | |
| | First class | 1,150 |
| | Each additional class | 350 |
| (1) Fees cover both our service fees and official filing fees. (2) Fees for trademark registration request listed above cover no more than 20 items of products or services in each class. Each item in excess of 20 will be charged with an extra fee of USD10. | | |
| Step 3: Final Registration/Certificate | | |
| | Each mark/ application | 660 |

Note:

- (1) The fixed fees quoted above apply only to trademark applications which are unopposed and proceed without complication.
- (2) All fees quoted above do not include delivery fees and fees for filing Specimens of use and documents of foreign application or registration.

2. Calculation of Registration Costs

Example 1: One mark one class

If you want to have your trademark "ABC" registered in Class 25 (clothing, footwear, headgear), that is, one mark one class, the total fees for trademark pre-filing search, registration request and certificate are:

Pre-filing search: USD270

Request for registration: USD1,150

Final registration/Certificate: USD660

TOTAL: USD2,080

Example 2: One mark two classes

If you want to have your trademark "ABC" registered in Class 25 (clothing, footwear, headgear) and Class 26 (lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers), that is, one mark two classes, the total fees for trademark pre-filing search, registration request and certificate are:

Pre-filing search: $270 + 270 = \text{USD}540$

Request for registration: $1,150 + 350 = \text{USD}1,500$

Final registration/Certificate: USD660

TOTAL: USD2,700

Example 3: Two marks one class

If you want to have your trademarks "ABC" and "DEF" registered in Class 25 (clothing, footwear, headgear), that is, two marks one class, the total fees for trademark pre-filing searches, registration requests and certificates are:

Pre-filing searches: $270 + 270 = \text{USD}540$

Request for registrations: $1,150 + 1,150 = \text{USD}2,300$

Final registrations/Certificates: $660 + 660 = \text{USD}1,320$

TOTAL: USD4,160

The costs illustrated in the examples above are based on the assumption of a smooth application, that is, no objection being raised by the CIPO or any other third party. Also, the costs stated above exclude courier charges for sending the Certificate of Registration upon acceptance of registration and fees for filing Specimens of use and documents of foreign application or registration.

It is further assumed that the number of items of products included in each class is no more than 20. Each additional item after the first 20 is charged at a fee of USD10.

3. Materials Required for Filing of Trademark Application in Canada

- (1) A duly completed trademark search/registration order form (to be provided by Kaizen).
- (2) A soft copy of the trademark in JPEG format.
- (3) A copy of identity proof of the applicant (passport for individuals and Business Registration Certificate/Certificate of Incorporation for companies).
- (4) A priority document when priority is claimed (extra charge will be charged for filing priority claim documents).
- (5) A copy of Certificate of Registration in another Union country (Application or registration abroad and use).
- (6) Specimens of use and Statement of Use in each class (Use in Canada or Proposed use in Canada).

4. Canada Trademark Application Procedures

- (1) Kaizen acknowledges the information including the specimens of mark, its goods/services and registration details, then provides the latest quotation, preliminary advice and classifies your goods/services;
- (2) After the quotation has been confirmed, client will be required to complete our Trademark Search/ Registration Order Form and send it back to Kaizen by email, fax or post;
- (3) Once receipt of the payment for pre-filing search, Kaizen will conduct the pre-filing search (if requested). The search report will be sent to client within 15 working days (based on the duration of the official search);
- (4) Client could refer to our analysis and suggestion in the search report and decide whether to file the application. Kaizen will file trademark application to the CIPO upon receipt of your payment and instruction;
- (5) The CIPO will conduct a search of the trademarks records to see if the same or similar trademark has already been registered or been applied for by another trader in the same or similar class. They will also see if the trademark satisfies the registration requirements laid down in the Trade-marks Act. If the requirements for registration are not met, the Examiner will object to the mark;
- (6) Once your trademark has been accepted for registration, it will be published on the Trade-marks Journal;
- (7) If no objection by a third party, a registration certificate will be issued by the CIPO. We will review and send the certificate to you.

5. Time scale

Currently it takes around **7 - 10** months to get a trademark registered in Canada in a smooth case.

6. Payment Term and Payment Method

Our fees for each stage of an application are to be invoiced and settled before the commencement of each stage of service. If a China or Taiwan Value-Added Tax invoice is required, 7% or 5% additional charge will be incurred.

We currently accept cheque, cash, TT and credit card through Paypal (5% additional charge will incur for paypal). [Please click here for payment methods.](#)

7. Refund Policy

No refund of fees will be made after the commencement of services. For example, if we have conducted a pre-filing search and found an identical mark is already in the register, the application will not be proceeded, the fees for pre-filing search will not be refunded. If we have already filed an application and the application is objected by the CIPO or any other party or refused, there will not be any refunded of fees.

In case you have paid our fees for all three stages of an application and the search result indicates that an identical mark is already in the register, the application will not be proceeded. The fees for services not performed, i.e., filing for application and issuing of certificate of registration will be refunded, after deducting bank wiring charge.