

NEW PATENT INITIATIVES

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The Canadian Intellectual Property Office (CIPO) is continuing its commitment to ensuring that Canada remains at the forefront of intellectual property protection through innovative services, significant improvements in quality standards, and proactive measures designed to both strengthen relationships with its international counterparts and facilitate interaction with applicants.

New PPH initiatives

Three new Patent Prosecution Highway (PPH) Pilot Programs have been launched between Canada and other jurisdictions: Canada-Korea, Canada-Japan and Canada-Denmark. These pilot programmes will be in addition to the Canada-US PPH launched in 2008. This programme was initially intended as a one-year trial project, but was recently extended to the end of January 2011.

The goal of the PPH initiatives is to allow patent applicants in both countries to benefit from expedited examination so that corresponding patents can be obtained more quickly and efficiently. If examination work has already been conducted in the intellectual property office of the first country, and at least one claim in an application has been found to be patentable, the PPH can be initiated and an accelerated examination can be requested at the second intellectual property office. An allowed patent application in a first country can expedite prosecution and allowance of a corresponding patent application in the other country.

The new PPH Pilot Programs with Japan, Korea and Denmark launched on October 1, 2009 and are expected to run until the end of January 2011.

CIPO goes green

Another CIPO patent initiative is in the area of 'green technology'. The Canadian government is placing considerable emphasis on developing a clean energy economy in this country and wants to take a proactive stand on various environmental issues, including global warming. In accordance with this mandate and the government's priorities on the development of science and technology in Canada, CIPO is currently working on a project to expedite the examination of patent applications in the field of green technology. It is hoped that this measure will stimulate research, development and commercialisation of technologies that are environmentally friendly by providing a mechanism whereby requests for accelerated examination of patent applications relating to green technologies would be processed without payment of the standard fee.

In addition, CIPO is working on significantly improving its service standards to ensure that patent applications in accelerated examination

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really do speed through the process. In particular, CIPO is committed to producing substantive office actions within two months of receipt of an applicant's request or response.

The initiative will be subject to public consultation in autumn of this year.

CIPO public consultations and discussions

CIPO has initiated a number of public consultations, primarily on trademark prosecution.

One of the most significant items up for discussion, as it will involve amending the Canadian Trademarks Act through Parliament, is Canada's adoption and/or adherence to the Madrid Protocol and the Singapore Treaty. The consultation period is currently closed, and CIPO has posted comments from the professions on its website, including comments from the Intellectual Property Institute of Canada (IPIC) and INTA.

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