

Canada (CA) Coverage

Patent Office Details

Canadian Intellectual Property Office
Place du Portage I
50 Victoria Street, Room C-114
Gatineau, Québec K1A 0C9
Canada

Web: cipo.ic.gc.ca

Official gazette: *Canadian Patent Office Record*

Kinds of Protection

Patents of Invention	Granted for an unextendable term of 20 years from submission date. Patents issued prior to 01.10.1989 had a term of 17 years. From 04.02.1993 pharmaceutical patents also have an unextendable term of 20 years from submission date.
Industrial Designs and Models	Can be registered

Convention & Treaty Membership

Patent Cooperation Treaty	02.01.1990
Signatory of:	Paris Convention (London text) Budapest Treaty World Intellectual Property Organization International Convention for the Protection of New Varieties of Plants World Trade Organization

Filing for Patents

Patents are granted for inventions, which are defined as any new and useful art, process, machine, composition of matter or manufacture. Inventions are also any new or useful improvement in the above.

Applications may be made, in English and French, by the inventor, his legal representative (including an assignee who may be an individual, corporation or firm), or by the inventor jointly with the owner of an interest in the invention.

Under the *International Convention*, applications claiming priority must be filed within 12 months of the original filing date. The applicant must claim priority within six months of the Canadian filing date. A copy of the foreign application or a translation is required only if requested by the patent office. Under the PCT, a PCT application designating Canada must be completed within 26 months of the priority date.

An application having a Canadian filing date after 01.10.1989 becomes open to public inspection 18 months after the Canadian filing date, or after an earlier priority date if one is claimed. For filing dates pre-01.10.1989, applications were not open to public inspection until the patent was granted.

Applications are examined as to novelty and clarity. Applications with a Canadian filing date after 01.10.1989 are only examined upon request of the applicant or a third party. If no request is made within seven years after the Canadian filing date, the application is abandoned. At any time after the patent has been granted, anyone including the patentee can apply for re-examination.

Opposition to the granting of the application can come from a third party but before the granting of the patent.

DWPI Coverage

Kind		DWPI Start Dates
A	Examined granted patent before October 1989 or OPI application from October 1989	1963
A1	OPI (from number 2000001 onwards)	14 April 1990 *
B	Reissue (old law)	11 September 1973
C	Granted patent (old and new law)	10 October 1990
E	Reissue patents granted from October 1989 (old and new law)	4 December 1990
F	Certificate for re-examined patent	8 July 2003

* Canadian A1 documents deriving from PCT entries to the national phase are only included from 2008.

DWPI Data elements online	Notes
✓ Bibliographic data	
✓ English value-add title and abstract	
✓ Manual Codes	Chemical (CPI) and Electrical (EPI)
✓ Chemical Indexing	DCR, Chemical Fragmentation, Polymer and Markush

Numeration

Kind Codes – A, A1, B, C, E, F

Publication Numbers				
Original Data	Derwent Innovation	Dialog	Questel	STN
CAnnnnnnn	CAnnnnnnn	CA nnnnnnn	CAnnnnnnn	CAnnnnnnn
CA2300724	CA2300724	CA 2300724	CA2300724	CA2300724

nnnnnnn 7 digit serial number

Application Numbers*				
Original Data	Derwent Innovation	Dialog	Questel	STN
CAYYYYnnnnnnn	CAnnnnnnnA	CA nnnnnnn	YYYYCA-nnnnnnn	CAYYYY-nnnnnnn
CA19892300724	CA2300724A	CA 2300724	1989CA-2300724	CA 1989-2300724

YYYY 4 digit year

nnnnnnn 7 digit serial number

**Full coverage of application numbers commenced from DWPI update 199216*

From 10 October 1989 onwards, document numbers form a continuous series starting at 200000, with the same number applied to both applications and patent documents.