

EMPOWERING CANADIAN INNOVATION: CIPO AND TCS JOIN FORCES TO BOOST IP SUPPORT FOR CANADIAN ENTITIES

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Introduction

In early January 2024, the Canadian Intellectual Property Office (CIPO) and the Trade Commissioner Service (TCS) announced by way of a memorandum of understanding their continued collaboration on promoting the awareness and use of intellectual property among Canadian small and medium-sized enterprises (SMEs), academia, and innovators (the “Collaboration”).^[1] Per a federal government survey in 2017, over 99% of Canadian enterprises are considered SMEs.^[2] As such, it is anticipated that the Collaboration will offer resources and support to the vast majority of enterprises in Canada.

The Memorandum of Understanding

Per the terms of the Collaboration, CIPO and TCS will endeavour to:

- develop educational content and tools to assist Canadian SMEs identify, protect and manage their intellectual property when doing business abroad;
- strengthen and deepen key partnerships through the [IP Village](#) and with industry and academia in a strategic manner to better inform and support exporting SMEs and underrepresented groups as they seek support on intellectual property-related issues; and
- developing a data-driven and evidence-based approach to ensure higher impact of intellectual property (IP) program delivery.

The IP Village

The IP Village is a collaboration between the Business Development Bank of Canada, CIPO, TCS, Innovation, Science and Economic Development Canada (ISED), the Intellectual Property Institute of Canada (IPIC), and the National Research Council of Canada Industrial Research Assistance Program (NRC IRAP). As part of their joint efforts, CIPO and TCS are actively involved in the IP Village to help businesses understand and leverage their IP more effectively.^[3] To enhance these initiatives, CIPO has, for example, released ten “Doing Business Abroad” guides, which offer valuable insights, tips, and links to support Canadians in safeguarding their IP

rights in various international markets. These guides offer guidance for businesses to protect their IP in Australia, Brazil, China, the European Union, Germany, India, Japan, Mexico, the United Kingdom, and the United States.^[4] The guides touch on topics including how IP is registered in these jurisdictions, the different classes of IP in different jurisdictions, how these jurisdictions enforce IP, and other helpful tips.

Conclusion

The memorandum of understanding governing the Collaboration will be effective for the next five years and highlights the importance of using a data-driven and evidence-based approach to enhance the impact of IP program delivery.

If you have any questions regarding this topic, members of [McMillan's Intellectual Property Group](#) would be pleased to assist you.

by [Pablo Tseng](#) and [Claire Wanhella](#) (Articled Student)

[1] Canadian Intellectual Property Office, [CIPO and the Trade Commissioner Service to Promote Canadian Intellectual Property Protection Abroad](#) (Canada: Canadian Intellectual Property Office, 2024) accessed 6 February 2024.

[2] In Canada, an SME is defined as an enterprise having 499 employees or less. Approximately 12% of SMEs in Canada are in the professional, scientific, and technical services industries. See Government of Canada, [Trade and Small and Medium-Sized Enterprises](#) (Canada: Government of Canada, 2019) accessed 6 February 2024.

[3] Canadian Intellectual Property Office, [IP Village: IP Resources for Your Business](#) (Canada: Canadian Intellectual Property Office, 2023) accessed 6 February 2024.

[4] Canadian Intellectual Property Office, [IP Toolbox](#) (Canada: Canadian Intellectual Property Office, 2022) accessed 6 February 2024.

A Cautionary Note

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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