



**AYLESWORTH** LLP  
BARRISTERS & SOLICITORS

# Trade-Marks: Costs & Procedures

A PDF version of this Guide is available on our website at:

<http://www.aylesworth.com>

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**TRADE-MARK PROTECTION: PROCEDURES & ESTIMATED COSTS**

Using an unregistered mark confers only limited rights on the user/ owner. Registration provides additional rights, including: (1) proof of ownership; (2) exclusive use across Canada for 15 years (subject to renewals); (3) the right to sue others for infringement; and (4) the right to apply for registration in most other countries for up to 6 months.

**Searches**

Prior to investing monies in developing a new trade-mark, and before using a mark in business or making application to register, it is prudent to undertake searches and to have the searches reviewed by counsel. There are different levels and types of searches which may be appropriate depending on the circumstances. Clients may also request a written opinion/ search summary.

	<b>Fees</b>	<b>Disbursements (Search Company fees)</b>
• Full Availability (comprehensive search)	\$500 - 800*	\$400
• Registry (check of Trade-mark registry)	\$400	\$210
• Design (for a logo)	\$400	\$240
• Combined Design/Word	\$400 - 800*	\$580
• Combined U.S./Canadian <i>* for search and legal opinion</i>	\$600 – 1,000*	\$1,005

**Application**

The following approximate fees apply for a single, straightforward trade-mark application in Canada. In the event of unanticipated complications, additional fees would be payable, based on the amount of time required to deal with the complications.

	<b>Fees</b>	<b>Disbursements (Government fees)</b>
• Initial consultation/basic pre-screening search	\$500	
• Preparing/Filing Trade-Mark Application	\$1,000	\$250
• Responding to trade-marks office prosecuting Application to conclusion	\$500 per TM office action	
• Registration and obtain Certificate	\$250	\$200

Please note that the process of obtaining registration can be relatively slow, normally between 12-20 months from application to final registration in Canada.

*For further information, please contact: Paul Bain at (416) 646-8364 or [pbain@aylaw.com](mailto:pbain@aylaw.com).*

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