

**Approximate costs for filing and an Industrial Design in Canada**

	<b>Our fee</b>	<b>Official fee</b>
Preparing and Filing an original application or where substantial amendments are required	\$1300	\$567 (+\$14 for each image in excess of 10)
Filing from a prepared application without substantial amendments	\$720	\$567 (+\$14 for each image in excess of 10)
Responding to an Office Action	\$375+	n/a
Reporting Notice of Approval and forwarding Certificate of Registration	\$300	
Attending to maintenance payment	\$330	\$496

All amounts in CDN dollars  
Volume discounts available  
**Total cost: budget ~\$2000**

**When to file in Canada**

- Unpublished designs can be filed any time.
- If the design has been published, an application must be filed within twelve months of publication.

**What is registrable?**

- Features of shape, configuration, pattern or ornament (or any combination of these) applied to a finished article.
- Designs applied to a portion of a finished article.
- Variants: designs that are very similar and possess the described features without substantial variation are registrable under a single application.
- Sets: design features applied to several articles constituting a set that are common amongst all pieces of the set.

*Called 'design patents' in the USA, and 'registered designs in some other countries, the formal name in Canada is "industrial design registrations'.*

### **What is not registrable?**

- Design features that are dictated solely by the article's function.
- A method of construction.
- An idea.
- Materials used in the construction of an article.

### **Information and documentation required for filing:**

- Name and address of the Applicant.
- Title identifying the finished article.
- Description identifying features that constitute the design.
- Drawings and/or photographs.
- Particulars of a foreign application for claiming priority.

### **How long is the application process?**

A relatively trouble-free application will advance through examination, approval and be registered within 12 months of the filing date for Hague applications and within 21 months for all other applications.

### **Registration term:**

10 years after the date of registration

For applications filed on or after November 5, 2018, the later of 10 years after the date of registration and 15 years after the filing date of the application

### **Maintenance fee:**

A maintenance fee must be paid before 5 years from the registration date to extend the registration to its full term

### **Drawings, drawings, drawings.**

The most common source of difficulty with applications is drawings that do not comply with the requirements. Consult our handout on Industrial Design Requirements and please provide sufficient time for assistance prior to filing.