

Trademark Agent Qualifying Examination Content:

Part A focuses primarily on issues that may be raised prior to advertisement of the application in the *Trademarks Journal*.

Part B focuses primarily on issues that may be raised after advertisement of the application in the *Trademarks Journal*.

The majority of the questions in the examination focus on a core group of tasks, which must be addressed in the day-to-day practice of a trademark agent. The tasks are as follows:

1. Availability
2. Registrability
3. Applications
4. Prosecution
5. Opposition proceedings
6. Post-registration (Section 45 proceedings, renewals, transfers etc.)

Within the scope of examining competency in these core tasks, candidates are expected to be knowledgeable about pertinent issues such as:

1. Official marks
2. Certification marks
3. Non-traditional marks
4. International trademark system (Madrid Protocol)
5. Chain of title
6. Licensing
7. Transfers
8. Ethics and conflicts of interest

Candidates should have a general knowledge of the Madrid Protocol and the International Registration System and should know where to look for relevant provisions of the *Trademarks Act* and *Regulations*, but they will not be required to reference specific sections of the Common Regulations.

In addition to questions related to the core tasks, the exam may contain some questions related to issues which should be within the general knowledge of a trademark agent, such as infringement and/or passing-off and other intellectual property rights. The College's Code of Conduct found at [HERE](#) is used by the Examining Board as guidance in setting questions dealing with ethics and conflicts of interest.

The Examining Board draws from the *Trademarks Examination Manual*, Practice Notices (not already incorporated in the *Trademarks Examination Manual*, such as those relating to oppositions and Section 45 proceedings), and recent trademark-related Opposition Board and Court decisions as guidance in setting questions dealing with case law. The *Trademarks Examination Manual*, Practice Notices, and recent Opposition Board decisions are available on the Canadian Intellectual Property Office website, and recent Court decisions are available through the websites of the Federal Court of Canada, the Federal Court of Appeal and/or the Supreme Court of Canada.