

# Board of Directors Meeting Agenda

September 20, 2024 12:00 pm ET

Online via Zoom

ITEM	TOPIC	PAGE	ACTION
<b>1. Introductory Matters/Call to Order/ Approval of Agenda/Conflicts of Interest</b>			
1.1	<b>Call to Order (R. McHugh, Chair) – 12:00 p.m.</b> Introductory Remarks	-	-
1.2	<b>Conflicts of Interest (R. McHugh, Chair) – 12:05 p.m.</b> Board members are to declare if they have any conflicts regarding matters on the agenda	-	-
1.3	<b>Approval of Agenda (R. McHugh, Chair) – 12:05 p.m.</b> Board members approve agenda as circulated or as amended if there are any additions or deletions	-	For Approval
<b>2. Approval of Minutes</b>			
2.1	<b>Approval of Minutes (R. McHugh, Chair) – 12:05 p.m.</b> <b>Motion: Be it resolved that the Minutes of the June 13, 2024 Board meeting are approved.</b> 1. Minutes – 2024-06-13 Board Meeting	4	For Approval
<b>3. Reports</b>			
	<b>Committee and other reports (Various Presenters) – 12:10 p.m.</b>  <b>Purpose</b> – CPATA’s committees play a vital role in CPATA’s regulatory initiatives. Each Committee has a unique function, as described in the reports. To consider committee recommendations presented to the Board from time to time for approval, and to otherwise meet its fiduciary oversight duties, the Board receives regular reports from each Committee. <b>Input</b> – Committee reports (listed below)		

	<p><b>Output</b> – Board considers reports and recommendations from Committees for information and adoption.  <b>Going forward</b> – Ongoing reports from Committees to advance CPATA governance and regulatory initiatives.</p> <p><b>Committee Reports:</b></p> <ol style="list-style-type: none"> <li>1. Investigations Committee (V. Rees, General Counsel, Professional Regulation)</li> <li>2. Discipline Committee (V. Rees, General Counsel, Professional Regulation)</li> <li>3. Registration Committee (J. Slabodkin, Deputy Registrar)</li> <li>4. Governance Committee (T. Conway, Committee Chair)</li> <li>5. Audit and Risk Committee (S. Walker, CFO, J. Strawczynski, CEO &amp; Registrar)</li> </ol> <p>5a: July 31, 2024 Financial Statements          5b: Legislative Compliance Memo</p> <p><b>Program Reports and CEO Report – 12:30 p.m.</b></p> <ol style="list-style-type: none"> <li>6. Professional Responsibility Program (V. Rees, General Counsel, Professional Regulation)</li> <li>7. Professional Development and Competency (oral) – (J. Slabodkin, Deputy Registrar)</li> <li>8. CEO Report (J. Strawczynski, CEO &amp; Registrar)</li> </ol>	<p>7 9 10 11 13 16 24 27 28</p>	<p>For Information and Discussion</p>
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**4. Registration Committee Skills Matrix**

4.1	<p><b>Motion regarding the Registration Committee Skills Matrix (J. Slabodkin, Deputy Registrar) – 12:45 p.m.</b></p> <p><b>Motion: Be it resolved that the Skills Matrix for the Registration Committee be approved as per the revised version appearing in the Board Meeting Package.</b></p> <p><b>Input</b> – Registration Committee Skills Matrix – Revised  <b>Output</b> – Registration Committee Skill Matrix – Approved  <b>Going forward</b> – Skills Matrix to be reviewed as required.</p> <p><b>Materials:</b>          Registration Committee Skills Matrix – Revised (redline and clean versions)</p>	<p>50</p>	<p>For Decision</p>
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**5. Committee Appointment**

5.1	<p><b>Motion regarding Committee appointment (R. McHugh, Chair) – 12:50 p.m.</b></p> <p><b>The motion for the Committee appointment will be presented at the Board meeting.</b></p>	<p>-</p>	<p>For Decision</p>
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**Other business – 12:55 p.m.**

**In Camera – 1:00 p.m.**

**In camera discussions**

#### **For Information**

1. Communications
  - [June Newsletter](#)
  - [July Newsletter](#)
  - [August Newsletter](#)
2. Professional Regulation – Decision Judicial Review
  - [Olkowski v. The College of Patent Agents and Trademark Agents – Federal Court \(fct-cf.gc.ca\)](#) (English) / [Olkowski c. The College of Patent Agents and Trademark Agents – Cour fédérale \(fct-cf.gc.ca\)](#) (French)

#### **Future meetings – 2024**

November 7/24 – Board Public meeting (In person–Ottawa)

December 5/24 – Board Public meeting (Virtual)

**Public Board of Directors  
Meeting  
Held via Zoom  
June 13, 2024  
3 p.m. ET  
Minutes**

**BOARD MEMBERS:**

Ruth McHugh, Chair  
Iris Almeida-Côté  
Amber Batool  
Karima Bawa  
Brigitte Chan  
Tom Conway  
Andrew Currier  
Steve Garland  
Scott Joliffe

**STAFF:**

Juda Strawczynski, CEO and Registrar  
Jennifer Slabodkin, Director of Registration and Education,  
Deputy Registrar  
Sean Walker, CFO  
Andres Diaz, Director of Operations  
Dana Dragomir, Director of Communications  
Anne-Thiphaine Camus, Administrator - Registration &  
Education  
Vicci Sakkas, Administrative Coordinator

1. **Introductory Matters/Call to Order/Approval of Agenda/Conflicts of Interest**

The meeting was called to order at 3:00 p.m. ET.

The Chair acknowledged that CPATA is the federal regulator of patent agents and trademark agents in the land we call Canada, the traditional and ancestral territory of many Indigenous Peoples. Ruth McHugh made opening remarks, noting specifically that CPATA launched a consultation on the 24-month apprenticeship to become a patent agent or trademark agent.

No conflicts of interest were declared.

It was noted that Juda Strawczynski would present the reports for the Investigations Committee and the Discipline Committee instead of Victoria Rees.

**Motion: Be it resolved that the agenda for the June 13 meeting of CPATA's Board of Directors be adopted.**

**Moved: Iris Almeida-Côté**

**Seconded: Karima Bawa**

**Motion carried.**

2. **Consent Agenda**

**Motion: Be it resolved that the Minutes of the March 22, 2024 Board meeting are approved.**

**Moved: Amber Batool**

**Seconded: Tom Conway**

**Motion carried.**

3. **Reports**

Juda Strawczynski gave an oral report on the work of the Investigations Committee and the Discipline Committee.

Jen Slabodkin gave an oral report on the work of the Registration Committee.

Karima Bawa gave an oral report on the work of the Governance Committee.

Sean Walker gave an oral report on the work of the Audit and Risk Committee and outlined the January Financial Statements.

Juda Strawczynski gave an oral report from the CEO.

4. **Committee Appointments**

The Board of Directors received nominee information in advance and previously discussed potential committee appointments in-camera.

**Motion: Be it resolved that:**

**a) Kiril (Liam) Grigoriev, Teresa (Terry) Jaenen, Len Polsky, Jean-Sébastien Brière, and**

**Karol Pawlina be appointed to the Investigations Committee effective immediately until June 2026;**

- b) Mark Piore be appointed Chair of the Registration Committee effective immediately until June 2026;**
- c) Tom Conway be appointed Chair of the Governance Committee effective immediately; and**
- d) Andrew Currier be appointed to the Audit and Risk Committee effective immediately.**

Tom Conway and Andrew Currier abstained from the vote because they were nominees.

**Moved: Iris Almeida-Côté**

**Seconded: Karima Bawa**

**Motion carried.**

5. **Fiscal Responsibility**

**Motion: Be it resolved the Board reappoints Grant Thornton LLP as External Auditor for CPATA's 2024 year-end audit.**

**Moved: Amber Batool**

**Seconded: Tom Conway**

**Motion carried.**

**Adjournment**

**The meeting was adjourned at 3:55 p.m. ET.**



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**Ruth McHugh**

Chair of the Board of Directors

Minutes approved on June 28, 2024

## Report of the Investigations Committee

<b>TO</b>	CPATA Board of Directors
<b>FROM</b>	Victoria Rees, General Counsel, Professional Regulation
<b>DATE</b>	September 3, 2024
<b>REPORTING PERIOD</b>	May to August 2024

### Committee Role and Authority

The Act (s. 37) provides that, “The Investigations Committee must, on the basis of a complaint or on its own initiative, conduct an investigation into a licensee’s conduct and activities if it has reasonable grounds to believe that the licensee has committed professional misconduct or was incompetent.” The Committee considers whether to commence an investigation on its own initiative on the basis of information referred to it by the Registrar, or considers complaints filed by complainants and referred to it by the Registrar.

It is the Committee’s role to evaluate whether the results of an investigation provide reasonable grounds for the Committee to believe that a licensee has committed professional misconduct or was incompetent. If there is no such evidence, the Committee must dismiss the complaint with or without advice as to best practices. If there is such evidence, the Committee must make an Application to the Discipline Committee.

### Committee Activity

From May to August, the Committee held two regularly scheduled meetings. At the May meeting, the Committee:

- Received an investigations report relating to a complaint against a patent agent, and resolved to dismiss the complaint on the basis of a lack of evidence to support the allegations of professional misconduct
- Opened two new complaints relating to two associated lawyer/trademark agents based on interim suspensions by another law society
- Considered a request for appeal of a Registrar’s decision to dismiss a complaint, and upheld the Registrar’s decision to dismiss

At the July meeting, the Committee was very pleased to welcome five new members appointed by the Board at the AGM, and to provide orientation and training to these new members. The Committee also noted for the minutes their gratitude and appreciation for two retiring members: Sanjay Goorachurn and Herman van Ommen.

The Committee received information and advice with respect to lawyer/trademark agents Singa Bui and Nicholas Cartel and in accordance with their authority under s. 37.1(1) of the Act to protect the public interest through interim orders for practice conditions, restrictions or suspension, resolved as follows:

Singa Bui – that Singa Bui be suspended until further notice

Nicholas Cartel – that the Committee accept Mr. Cartel’s written undertaking not to engage in the practice of a trademark agent until further notice

Public notice of these decisions appeared on CPATA’s website in August.

The Investigations Committee has two more regularly scheduled meetings in September and November 2024.

A handwritten signature in black ink that reads 'Kristin Dangerfield'.

**Kristin Dangerfield**

Chair of the Investigations Committee



## Report of the Discipline Committee

TO	CPATA Board of Directors
FROM	Marcel Mongeon
DATE	September 3, 2024
REPORTING PERIOD	April to August 2024

### Committee's Role and Authority

Section 51 of the Act provides that the Discipline Committee must hold an oral hearing for every application made by the Investigations Committee in order to determine whether a licensee committed professional misconduct or was incompetent. Hearings are open to the public, and by default will be conducted with the parties via Zoom and concurrently streamed on YouTube for those wishing to observe the proceedings.

### Committee Activities

The Discipline Committee met as a whole in February and June 2024. At these meetings, the committee discussed panel proceeding experiences to date, and development of additional policies to help further streamline its processes and those of the parties in preparation for proceedings. Work is underway on a Policy on Requests to Admit, and a Policy on Appeals from Investigations Committee Interim Decisions under Section 37.1(1). There is one more meeting of the whole committee scheduled this year in October.

The decision of the Discipline Committee in the matter of **Alpesh Patel** has been provided to CanLII for inclusion in their decision database.

In the matter of **Mathieu Audet**, pre-hearing conferences are ongoing.

In the matter of **Imran Siddiqui**, the hearing was held on August 20, 2024 and a Settlement Agreement on Facts and Penalty was presented. The decision is pending.

In the matter of **Eric Fincham**, the hearing has been set down for October 2, 2024.

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**Marcel Mongeon**

Chair of the Discipline Committee

## Report of the Registration Committee

TO	CPATA Board of Directors
FROM	Mark Pioro, Chair, Registration Committee
DATE	September 20, 2024
REPORTING PERIOD	June – September 2024

### Committee Role and Authority

The Registration Committee assists the Registrar in administering the College's licensing requirements. The Committee:

- sets the standards for the qualifying examinations and the evaluation of licensees; and
- when requested by an applicant or a licensee, reviews decisions made by the Registrar under the By-laws.

### Committee Recruitment and Skills Matrix

Registration staff confirmed that recruitment was only required to fill the open patent agent position. All other committee members confirmed they are seeking re-appointment by the Board.

In anticipation of launching the recruitment process, the Committee reviewed and approved some minor revisions to the Skills Matrix and are recommending them for Board consideration and adoption.

Sincerely,



**Mark Pioro**

Chair of the Registration Committee

## Report of the Governance Committee

TO	CPATA Board of Directors
FROM	Tom Conway, Chair
DATE	September 6, 2024
REPORTING PERIOD	July to September 2024

I am pleased to have assumed the role of Chair of the Governance Committee and want to take a moment to recognize the excellent work and dedication of the previous Chair, Karima Bawa, as well as of Leonora Hoicka. I look forward to engaging in the interesting work of this committee.

### Committee Activity

The Governance Committee held one meeting in September. Its business included the following:

#### Committee Succession Planning and Appointments

The Committee approved a motion to recommend that the Board make an additional appointment to the Governance Committee.

Further recommendations will be forthcoming later in the fall in respect of the Registration Committee.

#### Refining Committee Governance

The Committee is considering recommendations with respect to Committee term lengths, together with amendments to Committee Terms of Reference. The Committee expects to bring these matters to the Board later this fall.

#### Board Evaluation

The Committee continues to collaborate with staff to develop appropriate tools to assist the Board in its ongoing and annual self-evaluation process.

#### CEO Evaluation

Discussions are ongoing with respect to the various forms in which CEO evaluation has taken and will take place. For 2024, the CEO will be reporting on progress in meeting CPATA's Strategic Framework, Annual Workplan and Budget, and an integration review will be conducted by Boyden that may also be used by the Board as it considers its CEO evaluation.

The Committee will make future recommendations regarding a formalized process for annual CEO reviews.

## **Workplan**

The Committee reviewed its workplan and is satisfied with the progress to date, particularly in respect of Committee appointments. In addition to the matters referenced above, the Committee is also considering ongoing Director and Committee skills development/ education, which will include training for the Board on CPATA's financial statements.

Respectfully submitted by:

**Tom Conway**

Chair of the Governance Committee

## Report of the Audit and Risk Committee

TO	CPATA Board of Directors
FROM	Bob Plamondon
DATE	September 5, 2024
REPORTING PERIOD	June to September 2024

### Committee Role and Authority

The purpose of the Audit & Risk (A&R) Committee is to assist the Board in fulfilling its fiduciary obligations and oversight responsibilities relating to financial planning, the audit process, financial reporting, the system of corporate controls and risk management, and when required, to make recommendations to the Board for approval.

The Committee must demonstrate strong and principled advice to foster confidence in the College's financial integrity.

### Committee Activities

Since the last update to the Board in June 2024, the Committee met on July 16, (rescheduled from June 25) and September 5, 2024.

At the July 16<sup>th</sup> meeting, the Committee:

1. Welcomed Andrew Currier to the Committee
2. Reviewed the Minutes and Action Log from the May 16<sup>th</sup> meeting.
3. Reviewed the internal financial statements (January to May 2024) and supporting information with a comparison to budget and forecast for the remainder of the year for 2024. The Committee recommended approval of the financial reports for distribution to the Board. The Financial results year to date and forecasted for the remainder of the year are very positive and we should be able to contribute a sizable amount to the Financial Reserves.
4. Reviewed and approved the Legislative Compliance memo and Checklist from the CEO & Registrar and CFO.
5. Reviewed the College's Insurance coverage and policy renewals for (mid) 2024-2025. The discussion mainly focused on coverage and risk mitigation especially in the area of cyber security.

6. Significant time was spent reviewing and discussing the College's Enterprise and Regulatory Risk Register and Heat Map. There was a fulsome discussion around the various risks and what we are doing to mitigate risks where possible. The College's emergency preparedness plan was discussed, and it was noted that it is in its infancy and should continue to be developed and fine-tuned in the near future. The committee discussed their level of oversight of the emergency preparedness plan and would like to be involved in the periodic review.
7. Reviewed the Financial Areas Updates memo from the CEO & Registrar and CFO. The memo highlighted a number of areas including:
  - a. Licence Renewal Fee revenue much higher to date compared against budget.
  - b. Redemption of a portion of the Guaranteed Investment Certificate (\$2.5M) expected for July to meet cash requirements.
  - c. Discussion around the External Auditors for 2024.

At the September 5<sup>th</sup> meeting, the Committee:

1. Reviewed the Minutes and Action Log from the July 16<sup>th</sup> meeting.
2. The College's Director of Operations (Andrés Diaz) joined the meeting and presented the current draft of the Cyber Incident and Emergency Response Framework (CERF) document. This is really the first part of a multi-stage approach to Emergency Preparedness and Response, which includes 1. the CERF work, 2. Vulnerability Evaluation charts and 3. Cyber Security planning and scenarios. The committee discussed bringing this work back for review semi-annually while it is being developed and annually after that.
3. Reviewed the internal financial statements (January to July 2024) and supporting information with a comparison to budget and forecast for the remainder of the year for 2024. It was noted that we are expecting a significant surplus in 2024, \$800K above budget and \$1.2M Revenue over expenses. The Committee recommended approval of the Financial reports for distribution to the Board for the September 20<sup>th</sup> meeting.
4. Reviewed and approved the Legislative Compliance memo and Checklist from the CEO & Registrar and CFO.
5. Reviewed the Financial Areas Updates memo from the CEO & Registrar and CFO which focused mainly on the changes in the financial forecast from the previous report at the July meeting.

## Upcoming Committee meeting focus

- October 22, 2024 – This meeting will include the introduction of budget assumptions and principles for the 2025 (and future) budgets. We will discuss scenarios for the number of licensees for next year and what the exam program will generate for revenue and expenses. We will also look at inflationary costs and changes and what increases may be expected. The

following meeting in November will be when the Committee will review the final draft budget before it is presented to the Board for approval in December.

- Review of the Legislative Compliance memo and Checklist from the CEO & Registrar and CFO.
- Review of the most recent internal financial reports as they become available.
- Potential review of any amendments to financial policies.



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**Robert Plamondon**

Chair of the Audit and Risk Committee

# Financial Report

College of Patent Agents and Trademark Agents  
For the period ended July 31, 2024



Prepared by  
[swalker@cpata-cabamc.ca](mailto:swalker@cpata-cabamc.ca)

Prepared on  
August 13th,  
2024



## Statement of Financial Position

As of July 31, 2024

	TOTAL	
	AS OF JUL. 31, 2024	AS OF JUL. 31, 2023 (PY)
<b>Assets</b>		
Current Assets		
Cash and Cash Equivalent		
1010 RBC Chequing Account	492,041.32	415,604.17
1500 G.I.C	<b>2,125,488.21</b>	<b>751,423.97</b>
<b>Total Cash and Cash Equivalent</b>	<b>\$2,617,529.53</b>	<b>\$1,167,028.14</b>
1230 Other current assets	0.00	0.00
1400 Prepaid expenses	49,697.51	95,767.47
<b>Total Current Assets</b>	<b>\$2,667,227.04</b>	<b>\$1,262,795.61</b>
Non-current Assets		
Property, plant and equipment		
1600 Computer Equipment	15,212.08	11,566.00
1605 Computer Equipment - Accum Amort	-6,899.49	-4,899.56
<b>Total Property, plant and equipment</b>	<b>\$8,312.59</b>	<b>\$6,666.44</b>
<b>Total Non Current Assets</b>	<b>\$8,312.59</b>	<b>\$6,666.44</b>
<b>Total Assets</b>	<b>\$2,675,539.63</b>	<b>\$1,269,462.05</b>
<b>Liabilities and Equity</b>		
Liabilities		
Current Liabilities		
Accounts Payable (A/P)	<b>\$35,878.49</b>	<b>\$121,283.54</b>
Credit Card	<b>\$13,185.36</b>	<b>\$13,852.32</b>
2010 Accrued Payables	0.00	-7,709.52
2015 Accrued Liabilities - Comm & Reg Remuneration	17,474.97	5,000.00
2050 GST/HST Payable (Receivable)	<b>-22,190.54</b>	<b>-30,289.43</b>
2150 Payroll liabilities	0.00	0.00
<b>Total Current Liabilities</b>	<b>\$44,348.28</b>	<b>\$102,136.91</b>
Deferred Revenue		
2200 Deferred Revenue - Payments Received	1,376.25	84.00
2210 Deferred License Fees - Class 1	1,443,985.43	817,774.31
2211 Deferred License Fees - Class 2	17,708.32	10,760.28
2213 Deferred License Fees - Class 3	19,295.17	
2214 Deferred License Fees - Class 4	10,010.40	
2220 Deferred Application Fees	0.00	0.00
2250 Deferred Exam Fees	13,300.00	26,250.00
<b>Total Deferred Revenue</b>	<b>\$1,505,675.57</b>	<b>\$854,868.59</b>
<b>Total Liabilities</b>	<b>\$1,550,023.85</b>	<b>\$957,005.50</b>
Net Assets		
Unrestricted Net Assets	292,298.00	304,883.65
Excess (Deficit) of Revenues over Expenditures	833,217.78	7,572.90
<b>Total Net Assets</b>	<b>\$1,125,515.78</b>	<b>\$312,456.55</b>
<b>Total Liabilities and Equity</b>	<b>\$2,675,539.63</b>	<b>\$1,269,462.05</b>

## Statement of Operations

July 2024

	TOTAL	
	JUL. 2024	JAN - JUL., 2024 (YTD)
<b>REVENUES</b>		
4000 Licence Fee Income		
4010 Licensee fees - Class 1	289,247.08	2,021,579.57
4011 Class 1 Licence Fee Income - PY Adj		1,525.00
4020 Class 2 Agent Fees	3,541.67	24,791.68
4030 Class 3 Licence Fees	<b>4,052.78</b>	<b>27,013.24</b>
4040 Class 4 Inactive Agent fees	1,927.08	14,014.58
<b>Total 4000 Licence Fee Income</b>	<b>298,768.61</b>	<b>2,088,924.07</b>
4050 Exam fees		
4051 Knowledge Exam Fee		47,607.00
4055 Exam re-correction request		3,200.00
<b>Total 4050 Exam fees</b>		<b>50,807.00</b>
4070 Application fee income	2,572.50	53,280.55
4060 Certificate & Letters Fees	200.00	3,100.00
<b>Total 4070 Application fee income</b>	<b>2,772.50</b>	<b>56,380.55</b>
4200 Regulatory Discipline income	5,000.00	5,000.00
<b>Total REVENUES</b>	<b>\$306,541.11</b>	<b>\$2,201,111.62</b>
<b>Total Income</b>	<b>\$306,541.11</b>	<b>\$2,201,111.62</b>
<b>EXPENDITURES</b>		
5500 Wages & Benefits	<b>68,736.58</b>	<b>512,375.59</b>
6005 Professional and consulting fees		
6010 Professional fees - Accounting Services	8,333.33	58,333.85
6015 Audit Fees		-85.00
6030 Legal Fees	<b>14,028.53</b>	<b>217,179.29</b>
6060 Translation expenses	5,040.72	51,967.21
6210 Consulting - Communications	1,497.05	9,740.91
6230 Consulting - Human Resources	1,815.00	5,115.00
<b>Total 6005 Professional and consulting fees</b>	<b>30,714.63</b>	<b>342,251.26</b>
6200 Technology and Systems Expenses		
6270 IT Consultants - Network & General	1,008.10	7,520.76
6280 IT Consultant - License Systems	10,950.00	54,215.81
6290 IT Consultant - Website	471.51	15,795.58
<b>Total 6200 Technology and Systems Expenses</b>	<b>12,429.61</b>	<b>77,532.15</b>
6500 Board & Committee Governance Expenses		
6501 Board of Directors Travel & Meeting Expenses		<b>19,090.43</b>
6510 Board - Remuneration	5,000.00	57,358.33
6610 Committees - Member Compensation	<b>2,275.00</b>	<b>35,725.00</b>
<b>Total 6500 Board &amp; Committee Governance Expenses</b>	<b>7,275.00</b>	<b>112,173.76</b>

# College of Patent Agents and Trademark Agents

## Statement of Operations

July 2024



COLLEGE OF PATENT  
AGENTS & TRADEMARK AGENTS  
COLLÈGE DES AGENTS DE BREVETS ET  
DES AGENTS DE MARQUES DE COMMERCE

	TOTAL	
	JUL. 2024	JAN - JUL., 2024 (YTD)
6700 Registration & Exam Expenses		
6710 Consulting - Admissions	13,750.00	113,500.00
6720 Reg Programs - Member Compensation	4,040.00	71,929.63
6730 Exam Software costs		23,949.61
<b>Total 6700 Registration &amp; Exam Expenses</b>	<b>17,790.00</b>	<b>209,379.24</b>
7010 Bank fees and interest	137.01	1,137.98
7020 Credit Card Processing Fees	332.58	72,917.50
<b>Total 7010 Bank fees and interest</b>	<b>469.59</b>	<b>74,055.48</b>
7135 Insurance	<b>4,404.60</b>	<b>30,240.70</b>
7205 Office Expenses		
6295 Payroll provider Fees	54.00	448.19
7130 Dues and memberships		4,438.38
7215 Office - General expenses	319.26	2,469.44
7225 Telephone-Cell phone		400.50
7300 Software costs - Administration	5,768.65	19,546.70
<b>Total 7205 Office Expenses</b>	<b>6,141.91</b>	<b>27,303.21</b>
7310 Staff Travel and Training expenses	<b>2,424.46</b>	<b>11,611.20</b>
8000 Amortization	141.41	989.87
<b>Total EXPENDITURES</b>	<b>\$150,527.79</b>	<b>\$1,397,912.46</b>
OTHER INCOME		
4220 Interest earned	10,243.28	30,018.62
<b>Total Other Income</b>	<b>\$10,243.28</b>	<b>\$30,018.62</b>
<b>EXCESS (DEFICIT) OF REVENUE OVER EXPENDITURES</b>	<b>\$166,256.60</b>	<b>\$833,217.78</b>

# College of Patent Agents and Trademark Agents



## Budget vs. Actuals

January - July, 2024

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
<b>Income</b>				
4000 Licence Fee Income				
4010 Licensee fees - Class 1	2,021,580	1,749,300	272,280	116.00 %
4011 Class 1 Licence Fee Income - PY Adj	1,525		1,525	
4020 Class 2 Agent Fees	24,792	84,000	(59,208)	30.00 %
4030 Class 3 Licence Fees	<b>27,013</b>	<b>27,300</b>	<b>(287)</b>	<b>99.00 %</b>
4040 Class 4 Inactive Agent fees	14,015	15,050	(1,035)	93.00 %
<b>Total 4000 Licence Fee Income</b>	<b>2,088,924</b>	<b>1,875,650</b>	<b>213,274</b>	<b>111.00 %</b>
4050 Exam fees		0	0	
4051 Knowledge Exam Fee	47,607	64,750	(17,143)	74.00 %
4055 Exam re-correction request	3,200	15,000	(11,800)	21.00 %
<b>Total 4050 Exam fees</b>	<b>50,807</b>	<b>79,750</b>	<b>(28,943)</b>	<b>64.00 %</b>
4070 Application fee income	53,281	35,250	18,031	151.00 %
4060 Certificate & Letters Fees	3,100	1,750	1,350	177.00 %
<b>Total 4070 Application fee income</b>	<b>56,381</b>	<b>37,000</b>	<b>19,381</b>	<b>152.00 %</b>
4099 Revenue/Income Contingency		(58,333)	58,333	
4200 Regulatory Discipline income	5,000		5,000	
<b>Total Income</b>	<b>\$2,201,112</b>	<b>\$1,934,067</b>	<b>\$267,045</b>	<b>114.00 %</b>
<b>GROSS PROFIT</b>	<b>\$2,201,112</b>	<b>\$1,934,067</b>	<b>\$267,045</b>	<b>114.00 %</b>
<b>Expenses</b>				
5500 Wages & Benefits	<b>512,376</b>	<b>551,921</b>	<b>(39,545)</b>	<b>93.00 %</b>
6005 Professional and consulting fees				
6010 Professional fees - Accounting Services	58,334	58,333	1	100.00 %
6015 Audit Fees	(85)	0	(85)	
6030 Legal Fees	<b>217,179</b>	<b>261,916</b>	<b>(44,737)</b>	<b>83.00 %</b>
6050 Professional fees - Planning		8,458	(8,458)	
6060 Translation expenses	51,967	67,083	(15,116)	77.00 %
6210 Consulting - Communications	9,741	35,466	(25,725)	27.00 %
6230 Consulting - Human Resources	5,115	5,000	115	102.00 %
<b>Total 6005 Professional and consulting fees</b>	<b>342,251</b>	<b>436,256</b>	<b>(94,005)</b>	<b>78.00 %</b>
6200 Technology and Systems Expenses				
6270 IT Consultants - Network & General	7,521	7,438	83	101.00 %
6280 IT Consultant - License Systems	54,216	63,098	(8,882)	86.00 %
6290 IT Consultant - Website	15,796	7,000	8,796	226.00 %
<b>Total 6200 Technology and Systems Expenses</b>	<b>77,532</b>	<b>77,536</b>	<b>(4)</b>	<b>100.00 %</b>
6500 Board & Committee Governance Expenses				
6501 Board of Directors Travel & Meeting Expenses	<b>19,090</b>	<b>30,000</b>	<b>(10,910)</b>	<b>64.00 %</b>
6510 Board - Remuneration	57,358	54,600	2,758	105.00 %
6610 Committees - Member Compensation	<b>35,725</b>	<b>76,490</b>	<b>(40,765)</b>	<b>47.00 %</b>
<b>Total 6500 Board &amp; Committee Governance Expenses</b>	<b>112,174</b>	<b>161,090</b>	<b>(48,916)</b>	<b>70.00 %</b>
6700 Registration & Exam Expenses				
6710 Consulting - Admissions	113,500	142,917	(29,417)	79.00 %
6720 Reg Programs - Member Compensation	71,930	82,542	(10,612)	87.00 %

# College of Patent Agents and Trademark Agents



COLLEGE OF PATENT  
AGENTS & TRADEMARK AGENTS  
COLLÈGE DES AGENTS DE BREVETS ET  
DES AGENTS DE MARQUES DE COMMERCE

## Budget vs. Actuals

January - July, 2024

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
6730 Exam Software costs	23,950	29,828	(5,878)	80.00 %
<b>Total 6700 Registration &amp; Exam Expenses</b>	<b>209,379</b>	<b>255,287</b>	<b>(45,908)</b>	<b>82.00 %</b>
7010 Bank fees and interest	1,138	1,600	(462)	71.00 %
7020 Credit Card Processing Fees	72,918	68,839	4,079	106.00 %
<b>Total 7010 Bank fees and interest</b>	<b>74,055</b>	<b>70,439</b>	<b>3,616</b>	<b>105.00 %</b>
7135 Insurance				
7140 Insurance - D&O	22,470	23,199	(729)	97.00 %
7145 Insurance - Professional Fees		3,000	(3,000)	
7150 Insurance - General Liability	1,067	1,086	(19)	98.00 %
7170 Insurance - Cyber	6,704	6,840	(136)	98.00 %
<b>Total 7135 Insurance</b>	<b>30,241</b>	<b>34,125</b>	<b>(3,884)</b>	<b>89.00 %</b>
7205 Office Expenses				
6295 Payroll provider Fees	448	550	(102)	81.00 %
7130 Dues and memberships	4,438	2,345	2,093	189.00 %
7215 Office - General expenses	2,469	3,750	(1,281)	66.00 %
7225 Telephone-Cell phone	401	560	(160)	72.00 %
7300 Software costs - Administration	19,547	17,381	2,166	112.00 %
<b>Total 7205 Office Expenses</b>	<b>27,303</b>	<b>24,586</b>	<b>2,717</b>	<b>111.00 %</b>
7310 Staff Travel and Training expenses				
6330 Staffing Training	2,499	26,862	(24,363)	9.00 %
7320 Staff Travel	7,191	16,000	(8,809)	45.00 %
7325 Meals and entertainment	1,920		1,920	
<b>Total 7310 Staff Travel and Training expenses</b>	<b>11,611</b>	<b>42,862</b>	<b>(31,251)</b>	<b>27.00 %</b>
<b>Total Expenses</b>	<b>\$1,396,923</b>	<b>\$1,654,102</b>	<b>\$ (257,179)</b>	<b>84.00 %</b>
<b>NET OPERATING INCOME</b>	<b>\$804,189</b>	<b>\$279,965</b>	<b>\$524,224</b>	<b>287.00 %</b>
Other Income				
4220 Interest earned	30,019	14,583	15,436	206.00 %
<b>Total Other Income</b>	<b>\$30,019</b>	<b>\$14,583</b>	<b>\$15,436</b>	<b>206.00 %</b>
Other Expenses				
7410 Contingency		58,333	(58,333)	
8000 Amortization	990	2,100	(1,110)	47.00 %
<b>Total Other Expenses</b>	<b>\$990</b>	<b>\$60,433</b>	<b>\$ (59,443)</b>	<b>2.00 %</b>
<b>NET OTHER INCOME</b>	<b>\$29,029</b>	<b>\$ (45,850)</b>	<b>\$74,879</b>	<b>(63.00 %)</b>
<b>NET INCOME</b>	<b>\$833,218</b>	<b>\$234,114</b>	<b>\$599,103</b>	<b>356.00 %</b>

	ADMINISTRATION & OPERATIONS	BOARD & GOVERNANCE	COMMUNICATIONS & STAKEHOLDER RELATIONS	REGULATIONS - COMPLAINTS	REGULATIONS - REGISTRATION	TOTAL
<b>REVENUES</b>						
4000 Licence Fee Income						\$0.00
4010 Licensee fees - Class 1	2,021,579.57					\$2,021,579.57
4011 Class 1 Licence Fee Income - PY Adj	1,525.00					\$1,525.00
4020 Class 2 Agent Fees	24,791.68					\$24,791.68
4030 Class 3 Licence Fees	<b>27,013.24</b>					<b>\$27,013.24</b>
4040 Class 4 Inactive Agent fees	14,014.58					\$14,014.58
<b>Total 4000 Licence Fee Income</b>	<b>2,088,924.07</b>					<b>\$2,088,924.07</b>
4050 Exam fees						\$0.00
4051 Knowledge Exam Fee	47,607.00					\$47,607.00
4055 Exam re-correction request	3,200.00					\$3,200.00
<b>Total 4050 Exam fees</b>	<b>50,807.00</b>					<b>\$50,807.00</b>
4070 Application fee income	53,280.55					\$53,280.55
4060 Certificate & Letters Fees	3,100.00					\$3,100.00
<b>Total 4070 Application fee income</b>	<b>56,380.55</b>					<b>\$56,380.55</b>
4200 Regulatory Discipline income				5,000.00		\$5,000.00
<b>Total REVENUES</b>	<b>\$2,196,111.62</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>\$2,201,111.62</b>
<b>Total Income</b>	<b>\$2,196,111.62</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>\$2,201,111.62</b>
<b>EXPENDITURES</b>						
5500 Wages & Benefits	<b>509,215.45</b>	<b>3,160.14</b>				<b>\$512,375.59</b>
6005 Professional and consulting fees						\$0.00
6010 Professional fees - Accounting Services	58,333.85					\$58,333.85
6015 Audit Fees	-85.00					\$ -85.00
6030 Legal Fees	<b>697.50</b>	<b>1,350.00</b>	<b>337.50</b>	<b>210,481.29</b>	<b>4,313.00</b>	<b>\$217,179.29</b>
6060 Translation expenses	9,310.84	651.40	28,747.07		13,257.90	\$51,967.21
6210 Consulting - Communications			8,887.23		853.68	\$9,740.91
6230 Consulting - Human Resources	5,115.00					\$5,115.00
<b>Total 6005 Professional and consulting fees</b>	<b>73,372.19</b>	<b>2,001.40</b>	<b>37,971.80</b>	<b>210,481.29</b>	<b>18,424.58</b>	<b>\$342,251.26</b>
6200 Technology and Systems Expenses						\$0.00
6270 IT Consultants - Network & General	7,520.76					\$7,520.76
6280 IT Consultant - License Systems	54,215.81					\$54,215.81
6290 IT Consultant - Website			15,795.58			\$15,795.58
<b>Total 6200 Technology and Systems Expenses</b>	<b>61,736.57</b>		<b>15,795.58</b>			<b>\$77,532.15</b>
6500 Board & Committee Governance Expenses						\$0.00
6501 Board of Directors Travel & Meeting Expenses		<b>19,090.43</b>				<b>\$19,090.43</b>
6510 Board - Remuneration		57,358.33				\$57,358.33
6610 Committees - Member Compensation						\$0.00
6611 A&R Committee Remuneration	2,275.00	6,975.00				\$9,250.00
6612 Discipline Committee Remuneration		8,350.00				\$8,350.00
6613 Investigation Committee Remuneration		3,825.00				\$3,825.00
6614 Registration Committee Remuneration		2,425.00				\$2,425.00
6615 Governance Committee Remuneration	0.00	3,850.00				\$3,850.00
6616 Hearing Panel Remuneration		375.00		7,650.00		\$8,025.00
<b>Total 6610 Committees - Member Compensation</b>	<b>2,275.00</b>	<b>25,800.00</b>		<b>7,650.00</b>		<b>\$35,725.00</b>
<b>Total 6500 Board &amp; Committee Governance Expenses</b>	<b>2,275.00</b>	<b>102,248.76</b>		<b>7,650.00</b>		<b>\$112,173.76</b>
6700 Registration & Exam Expenses						\$0.00
6710 Consulting - Admissions					113,500.00	\$113,500.00
6720 Reg Programs - Member Compensation					71,929.63	\$71,929.63
6730 Exam Software costs					23,949.61	\$23,949.61
<b>Total 6700 Registration &amp; Exam Expenses</b>					<b>209,379.24</b>	<b>\$209,379.24</b>
7010 Bank fees and interest	1,137.98					\$1,137.98
7020 Credit Card Processing Fees	72,917.50					\$72,917.50
<b>Total 7010 Bank fees and interest</b>	<b>74,055.48</b>					<b>\$74,055.48</b>
7135 Insurance	<b>3,430.27</b>	<b>26,810.43</b>				<b>\$30,240.70</b>
7205 Office Expenses						\$0.00
6295 Payroll provider Fees	422.44	25.75				\$448.19
7130 Dues and memberships	4,438.38					\$4,438.38
7215 Office - General expenses	2,469.44					\$2,469.44
7225 Telephone-Cell phone	400.50					\$400.50
7300 Software costs - Administration	17,567.29	1,800.00	179.41			\$19,546.70
<b>Total 7205 Office Expenses</b>	<b>25,298.05</b>	<b>1,825.75</b>	<b>179.41</b>			<b>\$27,303.21</b>
7310 Staff Travel and Training expenses						\$0.00
6330 Staffing Training	2,499.43					\$2,499.43
7320 Staff Travel	7,191.47					\$7,191.47
7325 Meals and entertainment	1,920.30					\$1,920.30
<b>Total 7310 Staff Travel and Training expenses</b>	<b>11,611.20</b>					<b>\$11,611.20</b>
8000 Amortization	989.87					\$989.87
<b>Total EXPENDITURES</b>	<b>\$761,984.08</b>	<b>\$136,046.48</b>	<b>\$53,946.79</b>	<b>\$218,131.29</b>	<b>\$227,803.82</b>	<b>\$1,397,912.46</b>
<b>OTHER INCOME</b>						
4220 Interest earned	30,018.62					\$30,018.62
<b>Total Other Income</b>	<b>\$30,018.62</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$30,018.62</b>
<b>EXCESS (DEFICIT) OF REVENUE OVER EXPENDITURES</b>	<b>\$1,464,146.16</b>	<b>\$ -136,046.48</b>	<b>\$ -53,946.79</b>	<b>\$ -213,131.29</b>	<b>\$ -227,803.82</b>	<b>\$833,217.78</b>

	TOTAL
<b>OPERATING ACTIVITIES</b>	
Net Income	833,217.78
Adjustments to reconcile Net Income to Net Cash provided by operations:	
1400 Prepaid expenses	-33,543.41
1605 Computer Equipment - Accum Amort	989.87
2000 Accounts Payable (A/P)	-65,383.91
2025 RBC Credit Card	12,075.48
2010 Accrued Payables	-24,272.24
2015 Accrued Liabilities - Comm & Reg Remuneration	-54,525.00
2050 GST/HST Payable (Receivable)	-7,902.50
2060 GST/HST Payable (Receivable):GST/HST Suspense	14,307.14
2150 Payroll liabilities	0.00
2200 Deferred Revenue - Payments Received	1,376.25
2210 Deferred License Fees - Class 1	1,443,985.43
2211 Deferred License Fees - Class 2	17,708.32
2213 Deferred License Fees - Class 3	19,295.17
2214 Deferred License Fees - Class 4	10,010.40
2250 Deferred Exam Fees	13,300.00
<b>Total Adjustments to reconcile Net Income to Net Cash provided by operations:</b>	<b>1,347,421.00</b>
<b>Net cash provided by operating activities</b>	<b>\$2,180,638.78</b>
<b>INVESTING ACTIVITIES</b>	
1600 Computer Equipment	-3,646.08
<b>Net cash provided by investing activities</b>	<b>\$ -3,646.08</b>
<b>NET CASH INCREASE FOR PERIOD</b>	<b>\$2,176,992.70</b>
Cash at beginning of period	440,536.83
<b>CASH AT END OF PERIOD</b>	<b>\$2,617,529.53</b>

## Memorandum

<b>TO</b>	<b>Audit &amp; Risk Committee, Board of Directors</b>
<b>FROM</b>	<b>Juda Strawczynski, CEO &amp; Registrar and Sean Walker, CFO</b>
<b>DATE</b>	<b>September 5, 2024</b>
<b>SUBJECT</b>	<b>Legislative Compliance memo</b>

This memo is written to the Board of Directors of the College of Patent Agents and Trademarks Agents (CPATA) to provide an update on CPATA's legislative compliance reporting and remittance requirements.

### GST/HST

CPATA is required to file GST/HST returns for each quarter by the end of the following month. The most recent return for the period of April 1 to June 30, 2024, was filed with CRA on July 26 with a refund of \$14,288 received on August 7th. The next quarter (July to September) is due to be filed by October 31.

### Payroll Statutory Deductions

CPATA has employees and Board members who receive remuneration for their positions on the Board. As a result, CPATA is required to withhold and remit statutory deductions from payroll for the various federal government programs. These include Canada Pension Plan (CPP), Quebec Parental Insurance Plan (QPIP), Quebec Pension Plan (QPP), Employment Insurance (EI) and Income Tax (CRA and Revenu Quebec). CPATA is a monthly remitter for these Statutory deductions and must remit to the Canada Revenue Agency (CRA) and Revenu Quebec by the 15<sup>th</sup> of the month after the employees are paid.

CPATA is up to date with payroll remittances to CRA and Revenu Québec as of the end of July 2024.

### Annual Federal filing requirements with CRA

CPATA will be required to file a Not-for-Profit Organization (NPO) Information Return (T1044) for 2023 with CRA within 6 months of the year ending December 31, 2023, by June 30, 2024. CPATA is not a taxable entity so income tax will not be required, however, the returns must still be filed. Grant Thornton prepared and mailed the return in late April on CPATA's behalf and confirmation will be provided once received from CRA.

### Annual Report and Audited Financial Statements

CPATA's Annual Report was delivered to the Minister of Innovation, Science and Industry as required by s. 25<sup>1</sup> of the CPATA Act. The report was due March 31<sup>st</sup> and was tabled in Parliament by the Minister on May 6, 2024. We are also required (By-law 30) to publish a report (on website) on Board and Committee expenses paid during the year. This report has been prepared and was published along with the Audited Financial Statements on the CPATA Website before March 31 and was also provided to the Minister. This information was also presented at CPATA's AGM on June 13<sup>th</sup>.



### Privacy Act and Access to Information Act

CPATA is subject to the Privacy Act and the Access to Information Act. In accordance with section 94 of the Access to Information Act and section 72 of the Privacy Act, in early September 2023, CPATA reported on its activities in two reports to be tabled in Parliament by the Minister on our behalf. These reports have been posted on CPATA's website as well.

### Official Languages Act

CPATA is of the view that it is in full compliance with the *Official Languages Act*. Staff will receive additional training during a second lunch-and-learn before the end of 2024, as CPATA stated in the Training Plan provided to the Commissioner. As CPATA matures, the Director of Communications will continue to act as the designated Official Languages Champion and to monitor all new initiatives for linguistic equity considerations.

### Acknowledgement of Compliance

By signing below, Juda Strawczynski, CEO & Registrar and Sean Walker, CFO (outsourced) acknowledge that the statements made in this letter are accurate and that CPATA is in compliance with all statutory legislative requirements included in the Certificate below.



**Juda Strawczynski**  
**CEO & Registrar**



**Sean Walker, CPA, CGA, CIA**  
**CFO (Outsourced)**

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<sup>1</sup> **25 (1)** On or before March 31 of each year, the College must submit to the Minister a report on the College's activities during the preceding calendar year.

**(2)** The Minister must cause a copy of the report to be tabled in each House of Parliament on any of the first 15 days on which that House is sitting after the day on which the Minister receives it.

**Legislative Compliance Certificate  
CONFIRMATION OF STATUTORY OBLIGATIONS  
For the period: ending July 31, 2024**

	<b>OBLIGATION TO BE FULFILLED</b>	<b>CONFIRMED</b>
1.	Excise Tax Act (Canada) GST/HST <ul style="list-style-type: none"> <li>Quarterly report and remit required net goods and services tax</li> </ul>	<b>Yes</b>
2.	Employment Insurance Act (Canada) <ul style="list-style-type: none"> <li>Deduct, withhold, submit employer's and employee's EI premiums (handled by Wagepoint)</li> </ul>	<b>Yes</b>
3.	Canada Pension Act (Canada) <ul style="list-style-type: none"> <li>Deduct, withhold, submit employer's and employee's CPP contributions (handled by Wagepoint)</li> </ul>	<b>Yes</b>
4.	Income Tax Act (Canada) <ul style="list-style-type: none"> <li>Deduct, withhold, submit in respect of salaries (handled by Wagepoint)</li> </ul>	<b>Yes</b>
5.	Income Tax Act (Canada) <ul style="list-style-type: none"> <li>Provide Employees and other remunerated by the College with Statements of Remuneration Paid (T4 and T4A's)</li> <li>File the statements with CRA by February 28</li> </ul>	<b>Yes</b>
6.	Act Respecting the Régie De L'Assurance Maladie Du Québec - Employer's Health Tax/Health Services Fund (Quebec) <ul style="list-style-type: none"> <li>Report and remit EHT/HSF</li> </ul>	<b>Yes</b>
7.	Act Respecting Parental Insurance - Provincial Parental Insurance Plan (QPIP - Quebec) <p>Report and remit EHT/HSF</p>	<b>Yes</b>
8.	Income Tax Act (Canada) <ul style="list-style-type: none"> <li>File an Annual Non-Profit Organization (NPO) Information Return (T1044) by June 30</li> </ul>	<b>Yes</b>
9.	CPATA Act (Canada) <ul style="list-style-type: none"> <li>CPATA's Annual Report is delivered to the Minister of Innovation, Science and Industry by March 31</li> </ul>	<b>Yes</b>

## Professional Responsibility Report

TO	CPATA Board of Directors
FROM	Victoria Rees, General Counsel, Professional Regulation
DATE	September 3, 2024
REPORTING PERIOD	May to August 2024

### Professional Responsibility Program

CPATA's Professional Responsibility program covers the following regulatory areas:

- The Code of Professional Conduct and responding to ethics inquiries
- Ethics education through newsletter articles
- Responding to Agent Conduct Inquiries
- Processing and investigating complaints of professional misconduct and incompetence
- Processing and investigating concerns with unauthorized practice
- Providing support to the Investigations Committee and Discipline Committee

### Professional Responsibility Activities

The past four months have been very active in Professional Regulation. Of note was the discovery of a 'phishing' scam reported by 14 agents in the form of unauthorized practice complaints, which led to follow up with the alleged perpetrators and a Scam Notice on our website.

During this period, pre-hearing conferences were held relating to the three current Applications by the Investigations Committee.

We received and responded to three Ethics Inquiries.

We processed one complaint dismissal by the Registrar, which was appealed and subsequently upheld by the Investigations Committee.

We undertook a preliminary investigation of a new complaint filed in May and opened two additional new complaints in late August.

Preparations are also underway for three recorded Code of Conduct education programs for licensees.

## CEO Report

TO	CPATA Board of Directors
FROM	Juda Strawczynski
DATE	September 20, 2024
REPORTING PERIOD	June 1 to September 12, 2024

### Background

The purpose of this report is to provide the Board with updates on:

1. CPATA's fall policy consultations;
2. Important updates in Professional Responsibility;
3. CPATA's own intellectual property protection by obtaining official marks; and
4. Necessary follow-up to complete the 2024 renewal season.

## 1. Consultations and outreach 2024

Receiving input from the professions and other IP stakeholders is essential to the success of CPATA's initiatives. In 2024, three key consultations are being undertaken.

### i. Pathways to Licensure

#### Background

As of CPATA's coming into force, the pathway to becoming a patent agent or a trademark agent had remained largely unchanged for many years. Currently, patent agent and trademark agent trainees must complete a 24-month apprenticeship and then pass qualifying examinations. Though these requirements produced many excellent patent agents and trademark agents, CPATA has heard from licensees and other IP stakeholders that there is room for improvement. As part of its competency initiative, CPATA is assessing the merits and challenges associated with the 24-month apprenticeship model. CPATA has retained an independent, third-party consultant [Calibrate Solutions](#) to assist with this work.

#### Current consultation

In June CPATA launched a consultation to hear from licensees and others. CPATA released a [Consultation Paper](#) and is receiving input between until October 1st through a [Survey](#) of agents in training, training supervisors or other licensees, holding focus groups with intellectual property consumers, agents, and other stakeholders, and through written submissions. The deadline to participate is October 1<sup>st</sup>.

Preliminary findings from this outreach will be presented to the Board later this fall. The Board will consider findings in 2024 and early 2025, then any proposed changes will be consulted on before being finalized or implemented.

## **ii. Professional Foundations Competency Profile**

### **Background**

Shortly after coming into force in 2021, CPATA began working on a multi-year project to develop and implement competency frameworks for patent agents and trademark agents. In March 2023, CPATA adopted the [Technical Competency Profiles for Patent Agents and Trademark Agents](#), a document that describes the *technical* knowledge and skills agents need to provide competent patent and trademark agent services to their clients. In spring 2024, CPATA began to develop a Professional Foundations Competency Profile to define the *professional* skills (such as communication, managing work etc.) that must complement an agents’ technical knowledge for competent practice. CPATA retained an independent, third-party provider, [Principia Assessments Ltd.](#) to assist.

### **Current consultation**

On September 4<sup>th</sup> CPATA launched a consultation asking licensees to complete a survey before October 10<sup>th</sup> to validate the competencies by rating their frequency and importance. Survey results will be used to finalize the Professional Foundations Competency Profile to present to the Registration Committee, which will ultimately be brought to the Board in spring 2025.

## **iii. Annual Licensee Report**

### **Background**

CPATA’s By-laws require licensees to answer certain questions every year along with their licence renewal. This year, CPATA is expanding on the previous declaration questions to meet the by-law requirements and to gather the necessary information to regulate effectively. There will be mandatory questions that CPATA must ask according to the By-laws, as well as an optional demographic survey to better understand the make-up of the professions.

### **Upcoming consultation**

CPATA will be providing an opportunity for those interested to provide their input before questions are finalized. We will be publishing the draft annual licensee report questions and inviting licensees to submit feedback by email from October 15 to November 15, 2024. Feedback will be used by staff to finalize questions in late fall, with the Annual Licensee Report (2025 renewal period) to launch thereafter.

CPATA’s fall consultations can be summarized as follows:

<b>Project</b>	<b>Description</b>	<b>Dates</b>	<b>Current Outreach</b>
<a href="#">Pathways to Licensure</a>	As part of its competency initiative, CPATA is launching a multi-phase, exploratory consultation to assess the merits and challenges associated with	June 13 – October 1	<ol style="list-style-type: none"> <li><a href="#">Licensee survey</a> for CPATA agents in training, training supervisors or other licensees</li> <li>Focus groups with intellectual property consumers, agents, and</li> </ol>

	the 24-month apprenticeship model.		other stakeholders (summer and fall 2024)  3. Written submissions in response to the <a href="#">Consultation Paper</a> (June 13 – Oct 1)
<a href="#">Professional Foundations Competency Profile</a>	To complement the Technical Competency Profile, CPATA is developing a Professional Foundations Competency Profile to define the professional skills (such as communication, file management, etc.) that must complement an agent’s technical knowledge for competent practice.	Sept 5 – Oct 10	Survey of licensees to validate the professional foundations competencies.
Annual Licensee Report	Licensees must provide some information to CPATA annually during their licence renewal. CPATA is building on the declaration questions used in previous years in order to meet CPATA By-law requirements and to have the information necessary for effective regulation.	Oct 15 – Nov 15	Proposed questions for mandatory Annual Licensee Report and optional demographic survey to be published; responses to be collected by e-mail to <a href="mailto:info@cpata-cabamc.ca">info@cpata-cabamc.ca</a> .

## 2. Professional Regulation

### i. Judicial Review – *Olkowski re CPATA*

In 2022, the Investigations Committee dismissed the complaint of Andrew Olkowski against patent agent Ted Yoo. The complainant filed an application for judicial review of this decision in Federal Court. The matter was heard before Justice Furlanetto on April 3, 2024, and her decision was issued late last month. The decision upholds the Investigations Committee’s process, investigation and decision without exception, and represents a positive statement about the way we have designed and implemented the complaints investigation process.

Copies of the decision are provided below in English and French.

[Olkowski c. The College of Patent Agents and Trademark Agents – Cour fédérale \(fct-cf.gc.ca\)](#)

[Olkowski v. The College of Patent Agents and Trademark Agents – Federal Court \(fct-cf.gc.ca\)](#)

## ii. Unauthorized Practice Complaints

The Board will be aware that a fraudulent phishing scam involving communications with clients of trademark agents has been circulating over the past month. CPATA received 15 expressions of concern from different trademark agents providing helpful information about the nature and extent of the scam. Every complaint was responded to within 24 – 48 hours.

As soon as initial information of concern was received, General Counsel, Professional Regulation contacted the alleged fraudsters and issued a warning to cease and desist. Subsequently, it appears the perpetrators continued to communicate using different ‘attorney’ and company names. CPATA took the unprecedented step of issuing a notice and warning on our website to licensees and the public, providing links to relevant articles by CIPO and IPIC and including practical tips on how to avoid being scammed in this way.

[Scam Alert – Fraudulent Notices Related to Patents and Trademarks – CPATA \(cpata-cabamc.ca\)](https://cpata-cabamc.ca)

[Alerte aux arnaques – Avis frauduleux liés aux brevets et aux marques de commerce – CABAMC \(cpata-cabamc.ca\)](https://cpata-cabamc.ca)

The response from our licensees has been very positive.

However, CPATA remains concerned that it appears the same or similar phishing scams may be ongoing by the same perpetrators. In one instance, they fraudulently used the name of a licensed Canadian agent on one of their digital ‘business cards’. They operate under names including Trademark Protectors, Trademark Guardians, Trademark Peak and others.

We continue to monitor this situation closely to determine whether it may be necessary in the public interest to seek an injunction in the Federal Court. Section 68 of the CPATA Act prohibits a non-agent from holding out as a trademark agent, and section 69 creates grounds for summary conviction and fines up to \$50,000 (for a second or subsequent offence). While this is not being recommended at this time we will continue to apprise the Board of any developments that may warrant further consideration.

It should be noted that there would be many challenges to seeking an injunction against an entity or entities that exist only on the web, and whose identifying information regularly changes. A careful cost-benefit analysis would need to be undertaken to ensure the cost and time would be commensurate with the likelihood of success, and in the interests of the public.

## iii. In the matter of the Investigations Committee re Imran Siddiqui

A panel of the Discipline Committee conducted a hearing on the Notice of Application of the Investigations Committee against Imran Siddiqui on August 20, 2024. The Panel was presented with proposed Joint Submissions on Facts and Penalty, both of which were approved by way of oral decision, with written decision to follow. He is suspended for 9 months at such time as he is eligible for reinstatement to C3, reprimanded by the DC and must pay \$5000 toward costs. This outcome was the culmination of many months of negotiations and pre-hearing conferences,

and ultimately avoided the time and costs of a contested proceeding while resulting in a fair and appropriate outcome.

### 3. Intellectual Property Protection for CPATA

In 2023 CPATA began to take steps to protect its own intellectual property. CPATA sought and was granted 5 official marks between September 2023 and July 2024 protecting the College’s name, acronym and logos in English and French.

Copies of the official marks are provided below.

Obtaining official marks protection for CPATA helps establish and protect CPATA’s branding, and further solidifies the College’s position as a regulatory authority acting on behalf of the public.

### 4. 2024 Renewals

Each year, all agents must pay the annual renewal fee and provide the College with information specified in the By-laws<sup>1</sup> to maintain their registration. At the end of the renewal process, registration staff spend a significant amount of time reviewing the information and declarations provided by agents, and conducting individual follow-up to confirm the accuracy of the information provided and to collect any missing information.

From the beginning of May to the end of July, registration staff individually followed up with 77 agents. The following chart presents the issues that were addressed, and how many agents required follow-up each month until all follow-up was complete:

<b>Follow-up Issue to be addressed</b>	<b>As of May 7, 2024</b>	<b>As of June 4, 2024</b>	<b>As of July 9, 2024</b>	<b>As of July 25, 2024<sup>2</sup></b>
Professional liability insurance – confirm declared exemption	11	2	0	0
Professional liability insurance – confirm provider/policy	15	3	0	0
Declared non-compliance with s. 73 <sup>3</sup>	1	0	0	0

<sup>1</sup> By-laws s. 70-73

<sup>2</sup> July 25, 2024 was the date that all requested information related to renewal was received, and all follow-up was considered resolved.

<sup>3</sup> S. 73 of the By-laws requires licensees to advise the Registrar if:

(a) they are served with an application for bankruptcy, make an assignment of property for the benefit of creditors or present a proposal in bankruptcy to creditors under the Bankruptcy and Insolvency Act;



<b>Follow-up Issue to be addressed</b>	<b>As of May 7, 2024</b>	<b>As of June 4, 2024</b>	<b>As of July 9, 2024</b>	<b>As of July 25, 2024<sup>2</sup></b>
Declared non-compliance with Canadian Residence requirement	4	1	0	0
Class 3 Agents in Training - Training Supervisor Information	5	3	0	0
Class 3 Agents in Training - Training Supervisor Application forms	21	8	3	0
Missing or incorrect employment information	20	3	0	0
<b>Total</b>	<b>77</b>	<b>20</b>	<b>3</b>	<b>0</b>

Through this process, staff were able to proactively engage with licensees to assist them in meeting renewal requirements. Staff provided high levels of service and considered non-compliance concerns from a public protection / risk management basis. The process also enabled staff and identify areas to improve communication and instructions for the 2025 annual renewal project.

I'd like thank Jen Slabodkin and Anne-Thiphaine Camus for their diligence on this initiative.

**Juda Strawczynski**  
CEO and Registrar

- 
- (b) they have a judgment entered against them by a court;
  - (c) they are personally subject to an order for costs;
  - (d) they are charged with, plead guilty to or are found guilty of any offence under the Criminal Code, the Controlled Drugs and Substances Act, the Income Tax Act, the Excise Tax Act, a provincial act respecting securities, employment standards or official languages or any other provincial act that creates an offence that implicates an individual's integrity; or
  - (e) they have their professional licence restricted or suspended by a professional regulatory body, or are found by a professional regulatory body to have committed professional misconduct or to be incompetent within the meaning of the statute under which the body made its finding.



Date	20 sept/Sep 2023
Votre référence - Your reference	4455-09/TK
Numéro de dossier - File number	928107

WILSON LUE LLP  
250 University Avenue  
5th Floor  
Toronto  
ONTARIO M5H 3E5

Attention: Thomas Kurys

Autorité publique / Public authority  
College of Patent Agents and Trademark Agents

Marque interdite; Marque officielle - Prohibited Mark; Official Mark  
CABAMC

### AVIS D'ANNONCE D'UNE MARQUE INTERDITE

Vous êtes par la présente informé qu'un avis public à l'égard de la présente marque interdite a été donné conformément à l'article 9 de la *Loi sur les marques de commerce*.

Les détails ont été publiés sur le site Web de l'Office de la propriété intellectuelle du Canada le 20 septembre 2023.

### NOTICE OF ADVERTISEMENT OF PROHIBITED MARK

This is to notify you that public notice of this prohibited mark has been given pursuant to section 9 of the *Trademarks Act*.

The particulars have been published on the website of the Canadian Intellectual Property Office on September 20, 2023.

Registraire des marques de commerce  
Registrar of Trademarks

Contact: Section du journal/  
Journal Section  
819-997-1936



# CERTIFICAT



# CERTIFICATE

928107

*Numéro de dossier  
File number*


Autorité publique / Public authority  
College of Patent Agents and Trademark  
Agents

Date d'avis public / Date of Public Notice  
20 sept/Sep 2023

*La présente certifie que, conformément à  
l'alinéa 9(1)n(iii) de la Loi sur les  
marques de commerce, le registraire des  
marques de commerce a donné un avis public  
de l'adoption et de l'emploi au Canada de  
la présente marque officielle.*

*This is to certify that the Registrar of  
Trademarks gave public notice under  
subparagraph 9(1)(n)(iii) of the Trademarks  
Act of the adoption and use in Canada of  
this official mark.*

**CABAMC**

  
Registraire des marques de commerce  
Registrar of Trademarks

**FILE No./No DOSSIER**                      **928 107**

**ADVERTISED/ANNONCÉE DANS LE JOURNAL**

**FILING DATE/DATE DE PRODUCTION:**  
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**04 mai/May 2023**  
**20 sept/Sep 2023**

**REQUESTING PARTY/DEMANDEUR:**

College of Patent Agents and Trademark Agents  
400-411 Roosevelt Avenue,  
Ottawa  
ONTARIO  
K2A 3X9

**AGENT: (4455-09/TK)**

WILSON LUE LLP  
250 University Avenue  
5th Floor  
Toronto  
ONTARIO M5H 3E5  
ATTENTION: Thomas Kurys

**PROHIBITED MARK; OFFICIAL MARK/MARQUE INTERDITE; MARQUE OFFICIELLE:**

**CABAMC**

**GOODS/PRODUITS:**

Goods/Produits

**SERVICES:**

Services

<b>Action</b>	<b>Date</b>	<b>BF</b>	<b>Comment/Commentaires</b>
filed/produite	2023/05/04		
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requesting party name changed/changement de nom de la parti...	2023/07/31		Voir dossier / File No. 928107
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WILSON LUE LLP  
250 University Avenue  
5th Floor  
Toronto  
ONTARIO M5H 3E5

Attention: Thomas Kurys

Autorité publique / Public authority  
College of Patent Agents and Trademark Agents

Marque interdite; Marque officielle - Prohibited Mark; Official Mark  
COLLEGE OF PATENT AGENTS AND TRADEMARK AGENTS

### AVIS D'ANNONCE D'UNE MARQUE INTERDITE

Vous êtes par la présente informé qu'un avis public à l'égard de la présente marque interdite a été donné conformément à l'article 9 de la *Loi sur les marques de commerce*.

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928110

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l'alinéa 9(1)n(iii) de la Loi sur les  
marques de commerce, le registraire des  
marques de commerce a donné un avis public  
de l'adoption et de l'emploi au Canada de  
la présente marque officielle.*

*This is to certify that the Registrar of  
Trademarks gave public notice under  
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Act of the adoption and use in Canada of  
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## COLLEGE OF PATENT AGENTS AND TRADEMARK AGENTS



Registraire des marques de commerce  
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**20 sept/Sep 2023**

**REQUESTING PARTY/DEMANDEUR:**

College of Patent Agents and Trademark Agents  
400-411 Roosevelt Avenue,  
Ottawa,  
ONTARIO  
K2A 3X9

**AGENT: (4455-10)**

WILSON LUE LLP  
250 University Avenue  
5th Floor  
Toronto  
ONTARIO M5H 3E5  
ATTENTION: Thomas Kurys

**PROHIBITED MARK; OFFICIAL MARK/MARQUE INTERDITE; MARQUE OFFICIELLE:**

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Date	24 juil/Jul 2024
Votre référence - Your reference	4455-11
Numéro de dossier - File number	928111

WILSON LUE LLP  
150 York Street, Suite 400  
Toronto  
ONTARIO M5H 3S5

Attention: Thomas Kurys

Autorité publique / Public authority  
College of Patent Agents and Trademark Agents

Marque interdite; Marque officielle - Prohibited Mark; Official Mark  
COLLÈGE DES AGENTS DE BREVETS ET DES AGENTS DE MARQUES DE  
COMMERCE

### AVIS D'ANNONCE D'UNE MARQUE INTERDITE

Vous êtes par la présente informé qu'un avis public à l'égard de la présente marque interdite a été donné conformément à l'article 9 de la *Loi sur les marques de commerce*.

Les détails ont été publiés sur le site Web de l'Office de la propriété intellectuelle du Canada le 24 juillet 2024.

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Journal Section  
819-997-1936





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Date d'avis public / Date of Public Notice  
24 juil/Jul 2024

*La présente certifie que, conformément à  
l'alinéa 9(1)n)(iii) de la Loi sur les  
marques de commerce, le registraire des  
marques de commerce a donné un avis public  
de l'adoption et de l'emploi au Canada de  
la présente marque officielle.*

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## COLLÈGE DES AGENTS DE BREVETS ET DES AGENTS DE MARQUES DE COMMERCE

  
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**24 juil/Jul 2024**

**REQUESTING PARTY/DEMANDEUR:**  
College of Patent Agents and Trademark Agents  
400-411 Roosevelt Avenue,  
Ottawa,  
ONTARIO  
K2A 3X9

**AGENT: (4455-11)**  
WILSON LUE LLP  
150 York Street, Suite 400  
Toronto  
ONTARIO M5H 3S5  
ATTENTION: Thomas Kurys

**PROHIBITED MARK; OFFICIAL MARK/MARQUE INTERDITE; MARQUE OFFICIELLE:**

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Goods/Produits

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Services

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Date	20 sept/Sep 2023
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Numéro de dossier - File number	928109

WILSON LUE LLP  
250 University Avenue  
5th Floor  
Toronto  
ONTARIO M5H 3E5

Attention: Thomas Kurys

Autorité publique / Public authority  
College of Patent Agents and Trademark Agents

Marque interdite; Marque officielle - Prohibited Mark; Official Mark  
CPATA

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Les détails ont été publiés sur le site Web de l'Office de la propriété intellectuelle du Canada le 20 septembre 2023.

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Journal Section  
819-997-1936



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File number*


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Date d'avis public / Date of Public Notice  
20 sept/Sep 2023

*La présente certifie que, conformément à  
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marques de commerce, le registraire des  
marques de commerce a donné un avis public  
de l'adoption et de l'emploi au Canada de  
la présente marque officielle.*

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**20 sept/Sep 2023**

**REQUESTING PARTY/DEMANDEUR:**

College of Patent Agents and Trademark Agents  
400-411 Roosevelt Avenue,  
Ottawa,  
ONTARIO  
K2A 3X9

**AGENT: (4455-08)**

WILSON LUE LLP  
250 University Avenue  
5th Floor  
Toronto  
ONTARIO M5H 3E5  
ATTENTION: Thomas Kurys

**PROHIBITED MARK; OFFICIAL MARK/MARQUE INTERDITE; MARQUE OFFICIELLE:**

**CPATA**

**GOODS/PRODUITS:**

Goods/Produits

**SERVICES:**

Services

<b>Action</b>	<b>Date</b>	<b>BF</b>	<b>Comment/Commentaires</b>
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accepted for publication/acceptée pour publication	2023/09/14		
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Date	29 mai/May 2024
Votre référence - Your reference	4455-07/TK
Numéro de dossier - File number	928108

WILSON LUE LLP  
150 York Street, Suite 400  
Toronto  
ONTARIO M5H 3S5

Attention: Thomas Kurys

Autorité publique / Public authority  
College of Patent Agents and Trademark Agents

Marque interdite; Marque officielle - Prohibited Mark; Official Mark  
CPATA CABAMC logo

### AVIS D'ANNONCE D'UNE MARQUE INTERDITE

Vous êtes par la présente informé qu'un avis public à l'égard de la présente marque interdite a été donné conformément à l'article 9 de la *Loi sur les marques de commerce*.

Les détails ont été publiés sur le site Web de l'Office de la propriété intellectuelle du Canada le 29 mai 2024.

### NOTICE OF ADVERTISEMENT OF PROHIBITED MARK

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The particulars have been published on the website of the Canadian Intellectual Property Office on May 29, 2024.

Registraire des marques de commerce  
Registrar of Trademarks

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Journal Section  
819-997-1936



# CERTIFICAT



# CERTIFICATE



928108

*Numéro de dossier  
File number*

Autorité publique / Public authority  
College of Patent Agents and Trademark  
Agents


Date d'avis public / Date of Public Notice  
29 mai/May 2024

*La présente certifie que, conformément à  
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marques de commerce, le registraire des  
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de l'adoption et de l'emploi au Canada de  
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Act of the adoption and use in Canada of  
this official mark.*



COLLEGE OF PATENT  
AGENTS & TRADEMARK AGENTS  
COLLÈGE DES AGENTS DE BREVETS ET  
DES AGENTS DE MARQUES DE COMMERCE

  
Registraire des marques de commerce  
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**FILE No./No DOSSIER**                      **928 108**

**ADVERTISED/ANNONCÉE DANS LE JOURNAL**

**FILING DATE/DATE DE PRODUCTION:**  
**PUBLIC NOTICE DATE/DATE DE L'AVIS PUBLIC:**

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**29 mai/May 2024**

**REQUESTING PARTY/DEMANDEUR:**

College of Patent Agents and Trademark Agents  
400-411 Roosevelt Avenue,  
Ottawa,  
ONTARIO  
K2A 3X9

**AGENT: (4455-07/TK)**

WILSON LUE LLP  
150 York Street, Suite 400  
Toronto  
ONTARIO M5H 3S5  
ATTENTION: Thomas Kurys

**PROHIBITED MARK; OFFICIAL MARK/MARQUE INTERDITE; MARQUE OFFICIELLE:**

**TRADEMARK TYPE/TYPE DE MARQUE DE COMMERCE**

Design

**VISUAL REPRESENTATION/REPRÉSENTATION VISUELLE**



**DESCRIPTIVE REFERENCE/RÉFÉRENCE DESCRIPTIVE**

CPATA CABAMC logo

**GOODS/PRODUITS:**



**FILE No./No DOSSIER**

**928 108**

Goods/Produits

**SERVICES:**

Services

<b>Action</b>	<b>Date</b>	<b>BF</b>	<b>Comment/Commentaires</b>
filed/produite	2023/05/04		
created/créé	2023/05/11		
formalized/formalisée	2023/05/11		
requesting party name changed/changement de nom de la parti...	2023/07/31		Voir dossier / File No. 928108
correspondence created/correspondance créée	2023/09/14	2024/03/14	
accepted for publication/acceptée pour publication	2024/05/23		
extracted for advertisement/extrait pour publication	2024/05/24		Vol.71 Issue 3631 2024/05/29
advertised/publiée	2024/05/29		Vol.71 Issue 3631

# Registration Committee

## Skills Matrix

Approved: 19 July 2021

~~Under Review~~Reviewed – ~~July-August~~ 2024

### Introduction

CPATA regulates the patent and trademark profession in accordance with Act, Regulations, By-laws, Registrar's Policies, and the Regulatory Objectives, Standards and Principles.

For the Registration Committee, this regulatory approach includes finding ways to transparently, objectively, impartially and fairly set and approve competency standards ~~as required by the CPATA By-laws, under s. 2 of the College By-laws and adjudicate requests for review submitted under s. 5 and s. 6 of the College By-laws.~~

### Objects

The objects of the registration process are to protect and promote the public interest and preserve the integrity of the patent and trademark profession, in a manner consistent with the College's Regulatory Objectives, Standards and Principles. This includes:

- a. ~~Overseeing the Promoting and ensuring~~ competent and ethical delivery of patent and trademark services by licensees;
- b. Maintaining standards for education, training and fitness to ensure the admissions programs deliver competent trainees that meet the College's requirements for registration;
- c. Applying policies in a principled manner, proportionately, fairly and efficiently with decisions clearly explained, including their public interest rationale;
- d. Making fair decisions supported by appropriate evidence;
- e. Conducting adjudicative processes in a timely manner, to ensure fairness for applicant or licensee;
- f. Promoting equity, diversity and inclusion in the patent and trademark profession by not imposing inappropriate barriers and having due regard to the need to eliminate unlawful discrimination and harassment, considering carefully the health and capacity of those we deal with and understanding the stress that involvement with the College can cause.

### Process

The Registrar has primary responsibility for regulatory transactions with licensees, trainees and the public, including making decisions under the ~~College CPATA~~ By-laws with respect to registration. If an individual is not in agreement with a [licensing](#) decision of the Registrar, the decision can be reviewed by the Registration Committee on the request of the affected applicant or licensee.

The Registration Committee provides direction respecting registration. ~~On receipt of a request, the Registration Committee must consider the request and affirm or vary the Registrar's decision or dismiss~~

~~the request; or hold a hearing on the merits of the request and, at the conclusion of the hearing, affirm or vary the Registrar's decision or dismiss the request. The Registration Committee may request that the Registrar obtain additional information from the applicant or licensee and provide it to the Committee, at any time during the Committee's consideration of the request, including during any hearing of the request.~~

~~After reviewing a decision of the Registrar, the Committee may request additional information, approve the application under review, with or without conditions, and specify the effective date of the decision, or conduct a hearing which will produce a decision with reasons.~~

Decisions of the Registration Committee are final and cannot be reviewed by the Board.

## Role

The Registration Committee is responsible for supporting the Board's professional regulation and public protection mandate by carrying out responsibilities assigned under ~~the s. 2, s. 5 and s. 6 of the College CPATA~~ By-laws.

## Responsibilities

The Registration Committee's responsibilities include:

- Supporting the ethical and competent delivery of patent and trademark services by licensees;
- Reviewing decisions made by the Registrar ~~under the College By-laws~~ and making ~~ing~~ decisions, ~~including approving applications under review, with or without conditions, and conducting a registration hearing~~ in accordance with the Regulatory Objectives, Standards and Principles, Act, Regulations, ~~College~~ By-laws, and Registrar's Policies;
- Setting and approving standards for the evaluation of the competencies that are to be assessed by the qualifying examinations and the passing marks for those examinations to ensure that all licensees have the necessary skills and competencies to practise as patent agents and/or trademark agents.
- Recommending and commenting on revisions to By-laws, policies and procedures needed to support a registration process that is transparent, objective, impartial and fair.

## Committee Composition

The Registration Committee as a whole must possess the required skills, knowledge, attributes and experience to enable it to fulfil its responsibilities in the public interest. Most of the Committee consists of individuals who are not licensees as one means of ensuring the public is intrinsically involved in the College's public interest work. Members of the Committee bring to the table knowledge and experience with the patent and trademark agency professions, the legal profession, as well as perspectives of members of the public whom the system is designed to protect.

All Committee members must complete mandatory training prior to commencement of service and engage in such ongoing training and education during their term on the Committee as determined to be appropriate by the Chair and the Registrar.

The Committee Chair may require additional specific training.

## Specific Knowledge, Skills, Attributes and Experience

The Skills Matrix below is used to:

- i. identify the specific knowledge, skills, attributes and experience<sup>1</sup> required of the Registration Committee members individually and as a whole;
- ii. facilitate appointments that will fill gaps in the required knowledge, skills, attributes and experience; and
- iii. assist with identifying training and education needs on an ongoing basis.

Members as a whole must possess/demonstrate the following:

The College is committed to the foundational principles of equity, diversity and inclusion, which are reflected in the composition of committees and the level of cultural competence expected of committee members.

Knowledge	Skills
CPATA Act	Effective oral communications
Patent Act, <u>Patent</u> Rules and practice	Effective written communications including writing decisions with reasons
Trademark Act, <u>Trademark</u> Regulations and practice	Collegial and effective decision making
CPATA Regulations	Conflict management
CPATA By-laws	Attention to detail
CPATA Code of Professional Conduct	Organization & time management
Registrar's Policies <del>for registration for Agents in Training, Language Proficiency, Good Character &amp; Fitness to Practise, Canadian Residence, Letters of Reference, Prior Experience Assessment</del>	Practice & business management
Administrative law principles incl. fairness and natural justice	Information analysis and judgment
Charter & Human Rights	<del>Conducting interviews</del>
Equity, diversity, inclusion and access to justice principles <sup>2</sup>	<del>Decisions are</del> Making proportionate, consistent and targeted <u>decisions</u>

<sup>1</sup> Knowledge' includes understanding how CPATA operates in substance and principle, risk principles, and the prosecution of patent and trademark applications;

<sup>2</sup> 'Equity, diversity, inclusion and access to justice principles' are closely tied to cultural competence, and include having the knowledge, experience and skills to actively work to protect against and prevent individual and systemic discrimination, to cultivate appropriate attitudes toward cultural differences, and to ensure that the College's processes are open and accessible to all 8 'Fitness to practice' encompasses knowledge and

Fair Registration Practices (Transparent, Objective, Impartial, Fair)	Procedural fairness
Unconscious Bias/Implicit Bias <sup>3</sup>	Risk assessment
Indigenous Context	
<a href="#">Competence based standard setting</a>	
Experience	Attributes
Professional regulation	Active listener & strong communicator
Federal Court and administrative tribunal procedures	Fair, impartial and open-minded
Law relating to privilege and privacy	Courteous, respectful and patient
Administrative Law <sup>4</sup>	Apply confidentiality and discretion
Patent Agent services	Cultural competence <sup>5</sup>
Trademark Agent services	Ethical
Not For Profit, regulator and/or other community service	Strong work ethic
Business & innovation	Professionalism, civility, collaboration
CPATA Board, <a href="#">Committee, Advisory Group or working group</a>	Competent to use the technology facilitating the committee's work
Adult education <sup>6</sup>	Respected by peers

awareness of a range of factors that may impact or impair a licensee's ability to provide services competently and ethically, including a physical, mental or emotional condition or addiction, and the most effective ways to identify and address such situations in the public interest.

<sup>3</sup> 'Unconscious Bias/Implicit Bias' is a bias or prejudice that is present but not consciously held or recognized. (Merriam-Webster)

<sup>4</sup> Administrative law' refers to principles of fairness, natural justice, efficiency, transparency, etc. and the four basic rights: for the licensee to know the case against them and make answer; unbiased decision-makers; those who hear the application decide the case; and there are adequate reasons for the decision. (Federation of Law Societies of Canada National Adjudicator Training Curriculum)

<sup>5</sup> 'Cultural competence' refers to an ability to understand, communicate with and effectively interact with people across different cultures; acknowledge the harmful effects of discriminatory thinking and behavior on human interaction; and acquire and perform the skills necessary to lessen the effect of these influences in order to serve the pursuit of justice. ( Rose Voyvodic, "Lawyers Meet the Social Context: Understanding Cultural Competence" (2006) 84:3 The Canadian Bar Review 564 at 564)

<sup>6</sup> Adult education' experience is valuable for understanding how adults learn, how to evaluate whether learning has taken place, and developing or identifying effective educational opportunities

Fitness to practice, capacity and health impacts  
on professional practice<sup>7</sup>

Accountability, honesty and integrity

Competence assessment and standard setting

~~Knowledge of competence based standard  
setting~~

<sup>7</sup> 'Fitness to practice' encompasses knowledge and awareness of a range of factors that may impact or impair a licensee's ability to provide services competently and ethically, including a physical, mental or emotional condition or addiction, and the most effective ways to identify and address such situations in the public interest.

# Registration Committee

## Skills Matrix

Approved: 19 July 2021

Reviewed – August 2024

### Introduction

CPATA regulates the patent and trademark profession in accordance with Act, Regulations, By-laws, Registrar's Policies, and the Regulatory Objectives, Standards and Principles.

For the Registration Committee, this regulatory approach includes finding ways to transparently, objectively, impartially and fairly set and approve competency standards as required by the CPATA By-laws. .

### Objects

The objects of the registration process are to protect and promote the public interest and preserve the integrity of the patent and trademark profession, in a manner consistent with the College's Regulatory Objectives, Standards and Principles. This includes:

- a. Overseeing the competent and ethical delivery of patent and trademark services by licensees;
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- e. Conducting adjudicative processes in a timely manner, to ensure fairness for applicant or licensee;
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### Process

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The Registration Committee provides direction respecting registration. On receipt of a request, the Registration Committee must consider the request and affirm or vary the Registrar's decision or dismiss the request; or hold a hearing on the merits of the request and, at the conclusion of the hearing, affirm or vary the Registrar's decision or dismiss the request. The Registration Committee may request that the

Registrar obtain additional information from the applicant or licensee and provide it to the Committee, at any time during the Committee's consideration of the request, including during any hearing of the request.

Decisions of the Registration Committee are final and cannot be reviewed by the Board.

## Role

The Registration Committee is responsible for supporting the Board's professional regulation and public protection mandate by carrying out responsibilities assigned under the CPATA By-laws.

## Responsibilities

The Registration Committee's responsibilities include:

- Supporting the ethical and competent delivery of patent and trademark services by licensees;
- Reviewing decisions made by the Registrar and making decisions, in accordance with the Regulatory Objectives, Standards and Principles, Act, Regulations, By-laws, and Registrar's Policies;
- Setting and approving standards for the evaluation of the competencies that are to be assessed by the qualifying examinations and the passing marks for those examinations to ensure that all licensees have the necessary skills and competencies to practise as patent agents and/or trademark agents.
- Recommending and commenting on revisions to By-laws, policies and procedures needed to support a registration process that is transparent, objective, impartial and fair.

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Registrar’s Policies for registration	Practice & business management
Administrative law principles incl. fairness and natural justice	Information analysis and judgment
Charter & Human Rights	
Equity, diversity, inclusion and access to justice principles <sup>2</sup>	Making proportionate, consistent and targeted decisions
Fair Registration Practices (Transparent, Objective, Impartial, Fair)	Procedural fairness
Unconscious Bias/Implicit Bias <sup>3</sup>	Risk assessment

<sup>1</sup> Knowledge’ includes understanding how CPATA operates in substance and principle, risk principles, and the prosecution of patent and trademark applications;

<sup>2</sup> ‘Equity, diversity, inclusion and access to justice principles’ are closely tied to cultural competence, and include having the knowledge, experience and skills to actively work to protect against and prevent individual and systemic discrimination, to cultivate appropriate attitudes toward cultural differences, and to ensure that the College’s processes are open and accessible to all 8 ‘Fitness to practice’ encompasses knowledge and awareness of a range of factors that may impact or impair a licensee’s ability to provide services competently and ethically, including a physical, mental or emotional condition or addiction, and the most effective ways to identify and address such situations in the public interest.

<sup>3</sup> ‘Unconscious Bias/Implicit Bias’ is a bias or prejudice that is present but not consciously held or recognized. (Merriam-Webster)

Indigenous Context	
Competence based standard setting	
Experience	Attributes
Professional regulation	Active listener & strong communicator
Federal Court and administrative tribunal procedures	Fair, impartial and open-minded
Law relating to privilege and privacy	Courteous, respectful and patient
Administrative Law <sup>4</sup>	Apply confidentiality and discretion
Patent Agent services	Cultural competence <sup>5</sup>
Trademark Agent services	Ethical
Not For Profit, regulator and/or other community service	Strong work ethic
Business & innovation	Professionalism, civility, collaboration
CPATA Board, Committee, Advisory Group or working group	Competent to use the technology facilitating the committee's work
Adult education <sup>6</sup>	Respected by peers
Fitness to practice, capacity and health impacts on professional practice <sup>7</sup>	Accountability, honesty and integrity
Competence assessment and standard setting	

<sup>4</sup> Administrative law refers to principles of fairness, natural justice, efficiency, transparency, etc. and the four basic rights: for the licensee to know the case against them and make answer; unbiased decision-makers; those who hear the application decide the case; and there are adequate reasons for the decision. (Federation of Law Societies of Canada National Adjudicator Training Curriculum)

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