

Access to Information Act

Annual Report 2023–2024

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Introduction

Through this Annual Report on the *Access to Information Act*, the [College of Patent Agents and Trademark Agents \(CPATA\)](#) presents to Parliament a summary of its activities in accordance with section 94 of the *Access to Information Act* (the ATIA). CPATA is one of only a few independent regulatory bodies subject to federal legislation such as the *Access to Information Act*.

As a modern, risk-based professional regulator, CPATA values institutional transparency and accountability as a key ingredient of its public interest mandate. This philosophy is perfectly aligned with the purpose of the *Access to Information Act*, which gives Canadian citizens and permanent residents a broad right of access to information contained in government records, subject to certain specific and limited exceptions.

This report describes the activities taken by CPATA to support compliance with the ATIA during CPATA's third year of existence, from March 31, 2023 to March 31, 2024.

Institutional Mandate

The Government of Canada enacted the *College of Patent and Trademark Agents (CPATA) Act* in 2018, as part of its National Innovation Strategy to position the country as a world leader in innovation.

As an independent regulator, CPATA protects the public interest by strengthening the competencies of patent agents and trademark agents, and building confidence in accessible, ethical and expert intellectual property services in Canada. Our commitment to supporting the rigour and sophistication of the profession plays an important part in driving innovation and stimulating Canada's economic growth.

The College is responsible for protecting the public interest by:

- Setting competence standards for the profession and administering entry requirements that address those standards;

- Implementing the Code of Professional Conduct established by the Minister of Innovation, Science and Industry;
- Administering a fair and open process to respond to concerns about the competence or conduct of agents;
- Establishing expectations for liability insurance, continuing professional development, and pro bono requirements; and,
- Promoting innovation in the delivery of patent and trademark services.

CPATA has adopted the following regulatory objectives:

1. Protect and promote the public interest in patent and trademark services;
2. Protect those who use patent and trademark services;
3. Promote innovation in the delivery of patent and trademark services and the protection of intellectual property rights;
4. Improve access to, and promote competition in the provision of, patent and trademark services;
5. Promote the independence of the patent and trademark profession;
6. Oversee the ethical and competent delivery of patent and trademark services by licensees; and,
7. Promote equity, diversity and inclusion in the patent and trademark profession and in the delivery of patent and trademark services.

Organizational Structure

CPATA is a small organization that is still in development. CPATA has a Board of Directors, five committees, and a small staff.

CPATA's Board of Directors consists of five appointed and four elected Directors. Appointed Directors are non-licensees who are appointed by the Honourable François-Philippe Champagne, Minister of Innovation, Science and Industry. Elected Directors are licensees who are elected from the profession to contribute IP subject-matter expertise to the public interest mandate of CPATA's Board of Directors.

Most of CPATA's daily operational work is done by the CEO/Registrar and five staff, who handle interactions with licensees, trainees, and members of the public.

All the ATIA work is conducted by one Privacy and Access Officer, with some support from the rest of the CPATA staff.

Delegation Order

The Delegation Order dated February 17th 2023 (the “2023 Delegation Order”) designates the Access to Information and Privacy Officer to exercise certain powers and perform certain duties and functions of the CEO under the Act and is attached hereto and forms part of this annual report (see Annex A).

Performance 2023-2024

CPATA received no requests during the fiscal year. No data on consultations were completed for other institutions.

Training and Awareness

Through its training activities, CPATA continues to work towards enhancing the institution-wide culture of respect for the ATIA.

CPATA’s privacy and access awareness training for Board and Committee members includes an introduction to the ATIA, including the importance of strong information and records management practices to meet the organization’s obligations under the ATIA.

Policies, Guidelines, Procedures, and Initiatives

As a professional regulator, CPATA operates in a culture of institutional transparency and accountability, all the while safeguarding the confidentiality and personal data of licensees and members of the public. The following initiatives are in place to proactively provide public access to information regarding the College’s decisions and functioning:

- All of CPATA’s policies are available for public consultation on the College’s website

- Board meetings, minutes and materials are available for public consultation on CPATA’s website (except for in camera Board matters)
- Registration and Discipline committee decisions are published on the College’s website and monthly newsletter
- Discipline proceedings are livestreamed on YouTube
- The College publishes its Annual Report, Financial Statements and Operational Reports on its website
- CPATA engages with licensees and the profession regarding its major initiatives in accordance with its consultation framework
- CPATA explains the rationale behind policies and key decisions so that licensees and the public understand the reasoning behind them
- The College is committed to service standards that provide information to the public in a timely manner and key staff are reachable for questions

Proactive Publication under Part 2 of the ATIA

The Privacy and Access to Information Officer works in collaboration with the Chief Financial Officer and the Chief Executive Officer to fulfill the proactive publication legislative requirements found in the *Access to Information Act*. Sections 82 to 84 stipulate that government institutions, as defined in section 3 of the *Access to Information Act*, are required to publish proactively travel expenses, hospitality expenses and reports tabled in Parliament.

In the 2023–2024 fiscal year, CPATA met the travel and hospitality expense requirements at a compliance rate of eighty-three percent (83%), and the reports tabled in Parliament requirement at a compliance rate of one hundred percent (100%).

Table 1 lists the sections of the ATIA that CPATA is responsible for.



Table 1 – Compliance rate of proactive publication requirements for CPATA, Access to Information Act, 2023–2024

Legislative Requirement	ATIA Section	Publication Timeline	Compliance rate	Proactive Publication (web link)
Travel Expenses	82	Within 30 days after the end of the month of reimbursement	83%	Government Travel Expenses (canada.ca)
Hospitality Expenses	83	Within 30 days after the end of the month of reimbursement	83%	Search Government Hospitality Expenses Open Government, Government of Canada
Reports tabled in Parliament	84	Within 30 days after tabling	100%	Reports Tabled in Parliament: CPATA-CABAMC (cpata-cabamc.ca)

Initiatives and Projects to Improve Access to Information

No new initiatives and projects were implemented during the last fiscal year.

Summary of Key Issues and Actions Taken on Complaints

No complaints were received or concluded during the reporting period.

Monitoring Compliance

No monitoring was conducted during the reporting period.

Conclusion

CPATA is aligned with the purposes of the *Access to Information Act*. It is committed to transparency, accountability, and the broad right of access to information with respect to its records, subject to limited statutory exceptions, and has undertaken significant efforts to comply with ATIA requirements from the outset of its creation. As one of very few professional regulators subject to the ATIA, CPATA welcomes advice regarding how to effectively meet its obligations under the ATIA.

In the coming years, the College will continue to dedicate resources and time to building the operational infrastructure necessary to promote public access to information, in accordance with its regulatory objectives, standards and principles, as well as its institutional values of transparency and accountability.

ANNEX A – Delegation Authority

Access to Information and Privacy Act Delegation Order

I, undersigned, CEO of CPATA, pursuant to section 73(1) of the *Privacy Act* and s.95(1) of the *Access to Information Act* and s.22 of the *College of Patent and Trademark Agents Act*, hereby designate the Access to Information and Privacy Officer, or person occupying that position on an acting basis, to exercise signing authorities or perform any of the CEO's powers, duties or functions as head of institution that are specified in the attached Schedule B. This designation replaces all previous delegation orders.

Original signed by



Juda Strawczynski

Chief Executive Officer of CPATA

Date: 2023-02-17

Schedule B – Sections of the *Privacy Act* and the *Access to Information Act* and *Regulations* to be delegated

Position	Powers, Duties or Functions
Access to Information and Privacy Officer	Full Authority



ANNEX B – Statistical Report on the Access to Information Act



Statistical Report on the Access to Information Act

Name of institution: College of Patent Agents and Trademark Agents

Reporting period: 2023-04-01 to 2024-03-31

Section 1: Requests Under the Access to Information Act

1.1 Number of requests

		Number of Requests
Received during reporting period		0
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
Total		0
Closed during reporting period		0
Carried over to next reporting period		0
• Carried over within legislated timeline	0	
• Carried over beyond legislated timeline	0	

1.2 Sources of requests

Source	Number of Requests
Media	0
Academia	0
Business (private sector)	0
Organization	0
Public	0
Decline to Identify	0
Total	0

1.3 Channels of requests

Source	Number of Requests
Online	0
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
Total	0

Section 2: Informal Requests

2.1 Number of informal requests

		Number of Requests
Received during reporting period		0
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	

4.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	0	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
15(1) - Def.*	0	16.3	0	20(1)(b)	0	23.1	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	0	26	0
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	16.6	0				
16(1)(b)	0	17	0				
16(1)(c)	0						
16(1)(d)	0						

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

4.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

4.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	0	0	0	0	0

4.5 Complexity

4.5.1 Relevant pages processed and disclosed for paper, e-record and dataset formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
0	0	0

4.5.2 Relevant pages processed per request disposition for paper, e-record and dataset formats by size of requests

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	0	0	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

4.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

4.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
Total	0	0	0	0	0	0

4.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

4.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
Total	0	0	0	0	0	0

4.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	0	0
Neither confirmed nor denied	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	0	0	0	0

4.6 Closed requests

4.6.1 Requests closed within legislated timelines

Number of requests closed within legislated timelines	0
Percentage of requests closed within legislated timelines (%)	0

4.7 Deemed refusals

4.7.1 Reasons for not meeting legislated timelines

Number of requests closed past the legislated timelines	Principal Reason			
	Interference with operations/ Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

4.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of days past legislated timelines	Number of requests past legislated timeline where no extension was taken	Number of requests past legislated timeline where an extension was taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

4.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Section 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	0	0
No records exist	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	0	0	0	0

5.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	0	0	0	0
31 to 60 days	0	0	0	0
61 to 120 days	0	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	0	0	0	0

Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	Number of Requests	Amount	Number of Requests	Amount	Number of Requests	Amount
Application	0	\$0.00	0	\$0.00	0	\$0.00
Other fees	0	\$0.00	0	\$0.00	0	\$0.00
Total	0	\$0.00	0	\$0.00	0	\$0.00

Section 8: Completion Time of Consultations on Cabinet Confidences

8.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Section 9: Investigations and Reports of finding

9.1 Investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal Representations
0	0	0

9.2 Investigations and Reports of finding

Section 37(1) Initial Reports			Section 37(2) Final Reports		
Received	Containing recommendations issued by the Information Commissioner	Containing an intent to issue an order by the Information Commissioner	Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner
0	0	0	0	0	0

Section 10: Court Action

10.1 Court actions on complaints

Section 41				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

10.2 Court actions on third party notifications under paragraph 28(1)(b)

Section 44 - under paragraph 28(1)(b)
0

Section 11: Resources Related to the Access to Information Act

11.1 Allocated Costs

Expenditures		Amount
Salaries		\$12,543
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$12,543

Section 11.

11.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.050
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	0.050

Note: Enter values to three decimal places.

ANNEX C – Supplemental Statistical Report on the Access to Information Act and the Privacy Act



Supplemental Statistical Report on the *Access to Information Act* and the *Privacy Act*

Name of institution: College of Patent Agents and Trademark Agents

Reporting period: 2023-04-01 to 2024-03-31

Section 1: Open Requests and Complaints Under the *Access to Information Act*

1.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2024	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2024	Total
Received in 2023-24	0	0	0
Received in 2022-23	0	0	0
Received in 2021-22	0	0	0
Received in 2020-21	0	0	0
Received in 2019-20	0	0	0
Received in 2018-19	0	0	0
Received in 2017-18	0	0	0
Received in 2016-17	0	0	0
Received in 2015-16	0	0	0
Received in 2014-15 or earlier	0	0	0
Total	0	0	0

Row 11, Col. 3 of Section 1.1 must equ 2023-24 Statistical Report on the Acce:

1.2 Enter the number of open complaints with the Information Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2023-24	0
Received in 2022-23	0
Received in 2021-22	0
Received in 2020-21	0
Received in 2019-20	0
Received in 2018-19	0
Received in 2017-18	0
Received in 2016-17	0
Received in 2015-16	0
Received in 2014-15 or earlier	0
Total	0

Section 2: Open Requests and Complaints Under the *Privacy Act*

2.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are <i>Within</i> Legislated Timelines as of March 31, 2024	Open Requests that are <i>Beyond</i> Legislated Timelines as of March 31, 2024	Total
Received in 2023-24	0	0	0
Received in 2022-23	0	0	0
Received in 2021-22	0	0	0
Received in 2020-21	0	0	0
Received in 2019-20	0	0	0
Received in 2018-19	0	0	0
Received in 2017-18	0	0	0
Received in 2016-17	0	0	0
Received in 2015-16	0	0	0
Received in 2014-15 or earlier	0	0	0
Total	0	0	0

Row 11, Col. 3 of Section 2.1 must equ 2023-24 Statistical Report on the *Priva*

2.2 Enter the number of open complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2023-24	0
Received in 2022-23	0
Received in 2021-22	0
Received in 2020-21	0
Received in 2019-20	0
Received in 2018-19	0
Received in 2017-18	0
Received in 2016-17	0
Received in 2015-16	0
Received in 2014-15 or earlier	0
Total	0

Section 3: Social Insurance Number

Has your institution begun a new collection or a new consistent use of the SIN in 2023-24?	No
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Section 4: Universal Access under the Privacy Act

How many requests were received from foreign nationals outside of Canada in 2023-24?	0
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Row 1, Col. 1 of 5
Section 1.1 of the

