

Discipline Committee: Request to Admit Policy

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| NAME OF POLICY | Request to Admit Policy | | |
| APPLICABLE SECTIONS OF THE ACT, BY-LAWS AND REGULATIONS and/or PURPOSE | CPATA Act, s. 63 | | |
| RESPONSIBILITY | Discipline Committee | | |
| APPROVED BY | EFFECTIVE | REVIEWED | REVISED |
| Discipline Committee | 2025-06-02 | - | - |

1. In this policy

- a. “Act” means the College of Patent Agents and Trademark Agents, S.C. 2018, c. 27, s. 247.
- b. “licensee” has the same meaning as in the Act.
- c. “authenticity” includes: (i.) the fact that a document that is said to be an original was printed, written or otherwise produced and signed or executed as it purports to have been; (ii.) a document that is said to be a copy is a true copy of the original; and (iii.) where the document is a copy of a letter or electronic communication, the original was sent as it purports to have been sent and received by the person to whom it is addressed.

2. Policy

Section 63 of the Act provides that the Discipline Committee may make rules respecting the practice and procedure before them.

The purpose of the request to admit process is to create efficiencies in the disciplinary process, for the benefit of both parties to the proceeding, by narrowing the issues in dispute.

3. Procedure

1. At any time, but not less than 60 days before the date of the review or hearing by the Discipline Committee, a party may serve on the other party a request to admit the truth of a fact or the authenticity of a document for the purposes of the proceeding.

2. The request to admit must be in Form X, and must contain:
 - a. a complete description of the fact, the truth of which is to be admitted, or attach a copy of the document, the authenticity of which is to be admitted.
 - b. no more than 100 statements of fact and 100 documents, unless the other party consents or the Discipline Committee directs otherwise.
3. A party may only serve one request to admit on the other party in a proceeding, unless the other party consents or the Discipline Committee directs otherwise.
4. The party on whom the request to admit is served must serve a response no later than 30 days after the date of service, unless the other party consents or the Discipline Committee directs otherwise.
5. The response must be in Form Y, and, in relation to each fact described and each document attached to the request to admit, must:
 - a. admit the truth of the fact or the authenticity of the document.
 - b. specifically deny the truth of the fact or the authenticity of the document and set out the reason for the denial, or
 - c. refuse to admit the truth of the fact or the authenticity of the document and set out the reason for the refusal.
6. If the party on whom the request to admit was served fails to respond to the request, that party will be deemed to admit, for the purposes of the proceeding, the truth of the facts or the authenticity of the documents included in the request.
7. A party who is not satisfied with the response to a request to admit may file a motion to compel a proper response, failing which the facts included in the request are deemed to be admitted and the documents are deemed to be authentic. The motion must be filed at least 30 days prior to the date of the review or hearing by the Discipline Committee, unless the other party consents or the Discipline Committee directs otherwise.
8. If the party on whom the request to admit was served does not attend or does not participate in the Discipline Committee's review or hearing on the merits of the proceeding, the party is deemed to admit the truth of the facts or the authenticity of the documents mentioned in the request for the purposes of the proceeding, whether or not the party served a response.

9. If a party denies or refuses to admit the truth of a fact or the authenticity of a document after receiving a request, and the fact or the authenticity of the document is subsequently proved, the Discipline Committee shall take the denial or refusal into account in exercising its discretion respecting costs.
10. A party who has admitted or is deemed to have admitted the truth of a fact or the authenticity of a document under this policy may only withdraw the admission with the consent of the other party or with leave of the Discipline Committee.
11. Any request to admit served by the Investigations Committee on a licensee must attach a copy of this Policy.

File No.: Type File No.

**COLLEGE OF PATENT AGENTS AND TRADEMARK AGENTS
DISCIPLINE COMMITTEE**

BETWEEN:

Type Applicant's Name

Applicant

- and -

Type Respondent's Name

Respondent

REQUEST TO ADMIT

YOU ARE REQUESTED TO ADMIT, for the purposes of this proceeding only, the truth of the following facts:

1. Set out facts in consecutively numbered paragraphs.
- 2.

YOU ARE REQUESTED TO ADMIT, for the purposes of this proceeding only, the authenticity (see the **Request to Admit Policy**) of the following documents:

1. Number each document and give particulars sufficient to identify each .
- 2.

Attached to this request is a copy of each of the documents referred to above.

- (Where it is not practicable to attach a copy or where the party already has a copy, state which documents are not attached and give the reason for not attaching them.)

YOU ARE REQUESTED TO ADMIT by serving a Response to Request to Admit (**Form Y**) WITHIN [Insert number of days provided for in the Request to Admit Policy] days after this request is served on you. If you fail to do so, you will be deemed to admit, for the purposes of this proceeding only, the truth of the facts and the authenticity of the documents set out above. If you serve a response within these time limits but do not provide a response to each fact and document listed above, you will be deemed to admit, for the purposes of this proceeding only, the truth of the facts and the authenticity of the documents for which you have not provided a response.

Type Date

Type Name of Party Serving RTA or representative

Type Address

Type Telephone

Type Email

File No.: Type File No.

**COLLEGE OF PATENT AGENTS AND TRADEMARK AGENTS
DISCIPLINE COMMITTEE**

BETWEEN:

Type Applicant's Name

Applicant

- and -

Type Respondent's Name

Respondent

RESPONSE TO REQUEST TO ADMIT

IN RESPONSE to your Request to Admit dated Type Date,
Type Name of Party Serving Response:

1. admits the truth of facts numbers set out facts numbers
2. admits the authenticity of documents numbers set out documents numbers
3. denies the truth of facts numbers for the following reasons:
 - set out facts numbers and reason for denial of each fact
 -
4. denies the authenticity of documents numbers for the following reasons:
 - set out facts documents numbers reason for denial of authenticity of each document
 -
5. refuses to admit the truth of facts numbers for the following reasons:
 - set out facts numbers and reason for refusing to admit each fact

-
- 6. refuses to admit the authenticity of documents numbers for the following reasons:
 - set out documents numbers and the reason for refusing to admit each fact
 -

Type Date

Type Name of Party Serving Response to RTA or representative

Type Address

Type Telephone

Type Email