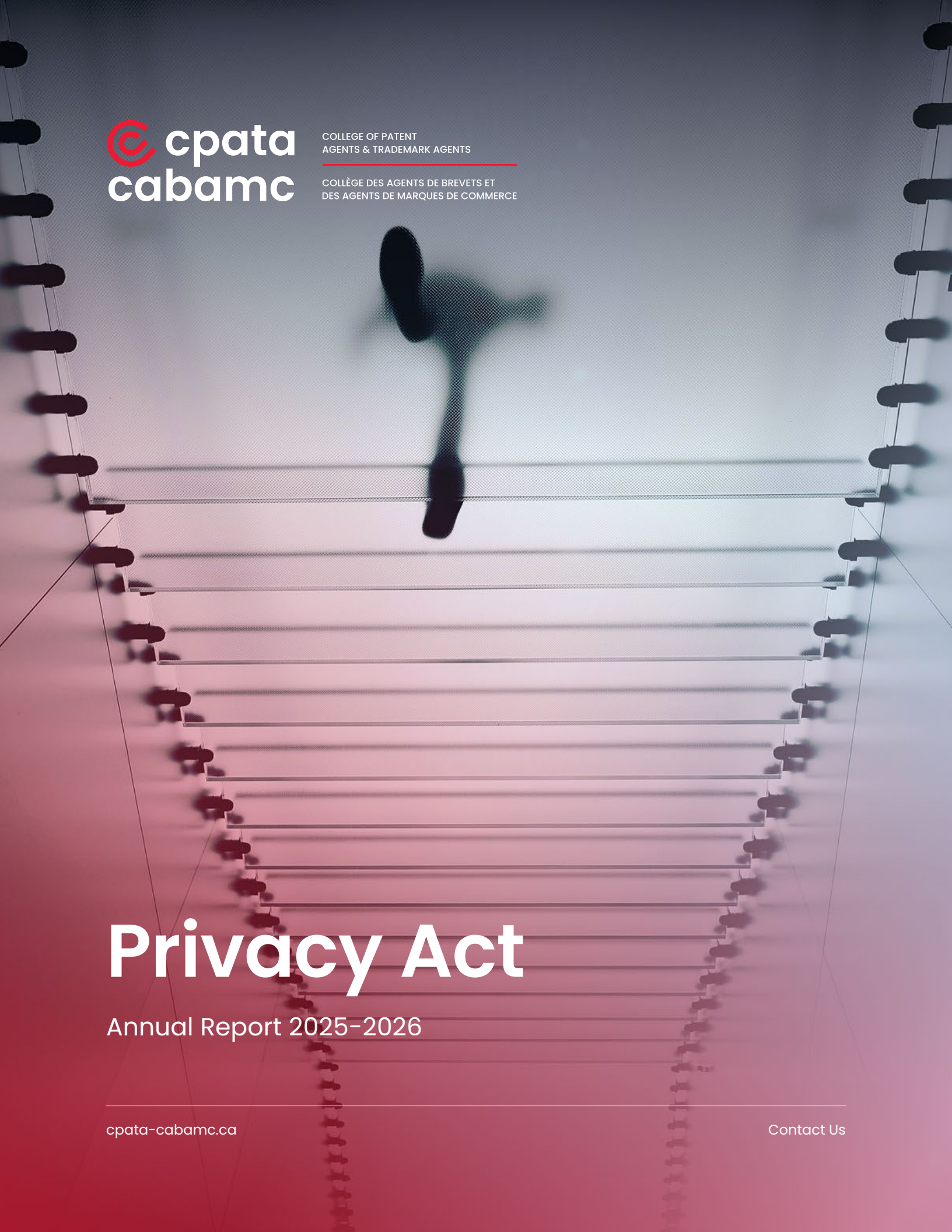


cpata cabamc

COLLEGE OF PATENT
AGENTS & TRADEMARK AGENTS

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

Privacy Act

Annual Report 2025-2026

Table of Contents

Introduction 1
Institutional Mandate 2
Organizational Structure 3
Delegation Order 3
Performance 2025-2026 3
Training and Awareness 4
Policies, Guidelines, Procedures, and Initiatives 5
Initiatives and Projects to Improve Privacy 7
Summary of Key Issues and Actions Taken on Complaints 7
Material Privacy Breaches 7
Privacy Impact Assessments 7
Public Interest Disclosures 7
Monitoring Compliance 8
Conclusion 8
ANNEX A – Delegation of Authority 9

Introduction

The College of Patent Agents and Trademark Agents (CPATA) is the independent public interest regulator of patent agents and trademark agents in Canada. Our mandate is to develop and support the competencies of these professionals while fostering trust in accessible, ethical, and high-quality intellectual property services across the country. Since coming into force in 2021, we have worked to fulfill this mandate and contribute to the strength of Canada's economy. Through this Annual Report on the *Privacy Act,* CPATA presents to Parliament a summary of its activities in accordance with section 72 of the *Privacy Act*.

CPATA is one of only a few independent regulatory bodies subject to federal legislation such as the *Privacy Act.* The protection of confidentiality for licensees and members of the public who engage with CPATA is vital to the College's operations and credibility. Like other professional regulators, CPATA preserves the privacy rights of registrants as a tenet and hallmark of quality oversight of the patent agent and trademark agent professions. In this way, the regulatory standards, objectives and principles of CPATA align with the purpose of the *Privacy Act,* which "is to extend the present laws of Canada that protect the privacy of individuals with respect to personal information about themselves held by a government institution and that provide individuals with a right of access to that information". Unless information is required to be made public, such as the requirements to keep a Public Register of agents, agents in training and foreign practitioners (ss. 28 and 31 of the *CPATA Act*), it is treated as confidential, not be disclosed and to be used only to advance CPATA's work as a public interest regulator. Requirements for preservation of confidential information are embedded in the *CPATA Act* in ss.52, 65 and 66.

This report describes CPATA's activities to support compliance with the *Privacy Act* from April 1, 2025, to March 31, 2026. CPATA did not have any wholly owned subsidiaries at any time during the 2025-2026 reporting period.

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.

CPATA is the independent public interest regulator of patent agents and trademark agents. 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 professions 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 professions and administering entry requirements that address those standards;
- Implementing the Code of Professional Conduct established by the Minister of 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 professions;
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 professions and in the delivery of patent and trademark services.

Organizational Structure

CPATA has a Board of Directors, five committees, and a small team led by a CEO/Registrar.

CPATA's Board of Directors consists of five appointed and four elected Directors. Appointed Directors are non-licensees who are appointed by the Honourable Mélanie Joly, Minister of 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 seven staff, who handle interactions with licensees, trainees, and members of the public.

All the Privacy work is conducted by CPATA's Director of Operations who serves as CPATA's Privacy and Access Officer, with some support from the rest of the CPATA staff.

CPATA did not have any service agreements under section 73.1 of the *Privacy Act.*

Delegation Order

The Delegation Order dated February 17th (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 2025-2026

- Percentage of requests responded to within legislated timelines: 100%

- Number of completed requests: 1
  Completed within 1-30 days: 1
- Number of active requests as of the last day of the reporting period: 0
- Number of active complaints as of the last day of the reporting period: 0
- Percentage of completed requests for which records were “all disclosed”: 0
- Percentage for which records were “disclosed in part”: 0
- Percentage for which records were “abandoned”: 100%

No exemptions were applied in the 2025-26 fiscal year. No consultations were completed for other institutions.

CPATA did not receive advice from a privacy consultant in the fiscal year with regards to formal or informal requests.

Training and Awareness

Through its training activities, CPATA continues to work towards its commitment to privacy vigilance. As CPATA is a fully virtual organization, Security and Privacy Training was prioritized to inform employees of any potential security or privacy breach risks while working from home.

This fiscal year, CPATA provided privacy training for new staff as part of its privacy management program.

The objectives of the privacy training are for employees, committee members and Board members to:

- understand their obligations under the College’s privacy policies,
- familiarize themselves with privacy principles and best practices that form the basis for CPATA’s privacy management program, and
- understand how to apply these principles in order to protect individuals’ privacy in carrying out work with CPATA.

The College will periodically review and update the privacy training based on significant changes to privacy legislation, best practices, or risks impacting CPATA.

Policies, Guidelines, Procedures, and Initiatives

CPATA has a Privacy Management Program, first developed in 2021-2022, to manage its privacy obligations. The program defines the privacy policies, procedures, and other controls needed to distribute privacy responsibilities, manage privacy risks and ensure compliance with applicable legislation. The Privacy Management Program is intended to demonstrate accountability for the management of this information to the organization's stakeholders.

The main components of the Privacy Management Program include:

- Definitions of accountability, roles, and responsibilities for privacy
- Privacy Policies and Procedures to provide clear direction to employees, committee members, Directors, and service providers on acceptable information practices at the College
- Privacy statements and notices
- Completion of privacy impact assessments
- Standard privacy and security provisions to include in agreements with service providers who manage or act on the College's behalf with respect to personal information
- Privacy training materials
- Procedures for meeting annual federal government privacy and access reporting requirements
- Process to monitor the effectiveness of the privacy management program and revising privacy controls as needed

Privacy Policies

The table below describes the policies, procedures and other resources as part of CPATA's Privacy Management Program.

Policy	Policy Description
Privacy Policy	Describes how personal information in CPATA's custody or under its control is created, collected, retained, used, disclosed and disposed of in a manner that respects and complies with the *Privacy Act* and its Regulations and aligns with TBS privacy policies and directives. CPATA upholds the privacy rights of individuals whose personal information is controlled by the College, in accordance with these

Policy	Policy Description
	requirements. The policy outlines the roles and responsibilities of the Board of Directors of the College, employees, the CEO of the College, and the Privacy Officer of the College.
Website Privacy Statement	Describes the CPATA's practices for protecting the privacy of the personal information it collects from visitors to the College's website and social media pages and describes ways in which CPATA collects, uses, discloses, and manages their personal information.
Agent Privacy Statement	Describes how CPATA collects, uses, discloses, and protects the personal information of patent agents, trademark agents and agents in training, their rights and choices with respect to that personal information, and how the College protects it.
Privacy Notices	CPATA has a Privacy Notice framework to ensure it identifies the purpose and the College's authority for collecting personal information from individuals, in accordance with the TBS Directive on Privacy Practices.
Privacy Inquiry Procedure	Describes how CPATA responds to inquiries or challenges regarding its information practices, including any alleged contravention of the *Privacy Act*, Regulations or College Privacy Policies.
Request for Access to or Correction of Personal Information Procedure	Describes the process by which individuals may request access to their personal information in the custody and control of the College, pursuant to the *Privacy Act*, and the steps to be followed by CPATA when individuals request access to or corrections to their personal information. This procedure was developed in compliance with the TBS Directive on Personal Information Requests and Correction of Personal Information.
Privacy Breach Management Protocol	Outlines the steps that must be followed by anyone working for or on behalf of CPATA with respect to personal information who discovers a possible breach of privacy related to personal information controlled by the College.
Procedure for Updating privacy policies and procedures	Includes the process for developing, updating and reviewing privacy policies, privacy statements, privacy protocols, and privacy notices.

Policy	Policy Description
Access to Applicant Records	A policy and process have been put in place to provide context around access to applicant records and to offer the individual a contact person should they have any further questions.

Initiatives and Projects to Improve Privacy

CPATA did not implement or continue any initiatives or projects aimed at improving privacy during the 2025-2026 reporting period.

Summary of Key Issues and Actions Taken on Complaints

No complaints were received or concluded during the 2025-2026 reporting period.

Material Privacy Breaches

No material privacy breaches were reported to the Office of the Privacy Commissioner and to Treasury Board of Canada Secretariat (Information and Privacy Policy Division) during the reporting period.

Privacy Impact Assessments

CPATA did not complete any PIAs during the reporting period. Summaries of Privacy Impact Assessment conducted in past reporting periods can be found here: https://cpata-cabamc.ca/en/about-us/reports/privacy-and-access-to-information/

Public Interest Disclosures

No disclosures were made under paragraph 8 (2)(*m*) of the *Privacy Act* during the reporting period.

Monitoring Compliance

No monitoring was conducted during the reporting period.

Conclusion

Care for confidentiality and privacy are foundational to effective professional regulation. As a modern, risk-based professional regulator, CPATA treats the personal information of its licensees, the public and other stakeholders with great respect. As one of very few professional regulators subject to the *Privacy Act*, CPATA welcomes advice regarding how to effectively meet its obligations under the *Privacy Act*.

ANNEX A – Delegation of 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