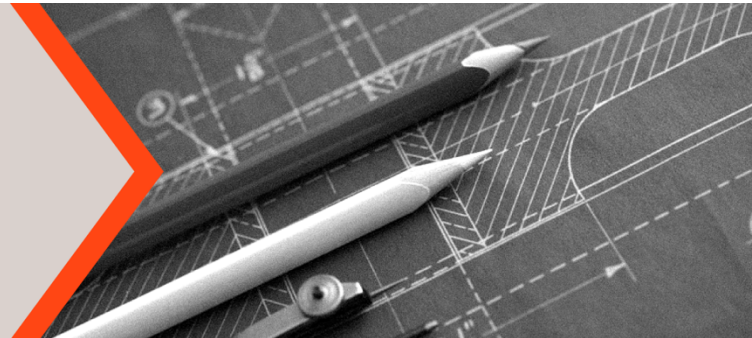


Intellectual Property in Québec



*In Canada, intellectual property protection falls primarily under federal jurisdiction and includes the **Patent Act**, **Trademarks Act**, **Copyright Act** and **Industrial Design Act**. While the Canadian Intellectual Property Office (CIPO) enforces these laws, the key legislative tool for protecting trade secrets is the Civil Code of Québec, which also provides for trademark-related remedies. Moreover, under Québec law, it is possible to challenge free riders who attempt to appropriate another business's investments, efforts or reputation.*

Trademarks

Trademarks protect the distinctive marks used to identify a company's products or services: name, logo, slogan, packaging, etc. They help build a strong brand identity and distinguish a business from others in the marketplace. A registered trademark provides protection that is renewable every 10 years and makes it easier to seek remedies against any imitation, infringement or depreciation of goodwill.



Since the coming into force of Bill 96, marks on public signage visible from outside a commercial establishment that are partially or entirely written in a language other than French must be accompanied by French text. This may include a description of the nature of the products or services offered or their characteristics. The French text must occupy twice as much space as the mark in question, but the font does not have to be the same size.

Industrial Designs

Industrial designs protect a product's visual appearance (e.g., shapes, patterns, textures), rather than those aspects that are solely functional. They are particularly useful in the design, consumer products, fashion, electronics and packaging sectors. In Canada, industrial designs protect rights for up to 15 years, depending on the date of filing or registration.



Patents

Patents protect technical inventions, whether they are products, processes or technological improvements. They give the patent holder an exclusive right to use the invention for a maximum of 20 years (or more in some cases), in exchange for public disclosure of the invention. Patents are crucial for:

- › securing a competitive advantage
- › attracting investors
- › negotiating technology licences or partnerships



Trade Secrets

Trade secrets protect confidential information with economic value, such as formulas, processes, methodologies, algorithms, customer lists or business strategies. Unlike other forms of IP, they do not require registration but entail strict safeguards such as confidentiality clauses, restricted access and internal policies. Trade secrets are often used to complement other IP rights.



Copyrights

Copyrights protect original literary, artistic, musical or software works. In Canada, copyright protection is automatic from the moment a work is created, without the need for registration, and lasts until 70 years after the author's death. For businesses, this protection covers:

- › software and applications
- › marketing content (text, video, visuals)
- › internal databases and documents

Type of Intellectual Property	Duration of the protection
Copyrights	For the life of the author + the remainder of the calendar year in which the author dies + 70 years thereafter (for works).
Trademarks	10 years, renewable.
Patents	<p>20 years from the date of application. For pharmaceutical patents, this term may be extended by up to two years by filing a Certificate of Supplemental Protection (CSP), provided certain regulatory conditions are met.</p> <p>A new mechanism for extending patent terms in the event of delays in examining a patent application came into force on July 1, 2025. However, it only applies to patents that were applied for in Canada after December 1, 2020. You have to apply for a patent term adjustment and pay the required fee.</p>
Industrial Designs	10 years from the date of registration or, if longer, 15 years from the date of application.

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