



Trademarks: Why Register?

There are several good reasons for registering words or logos you use in the course of your business:

- (1) **A Sword:** Registration confers exclusive Canada-wide rights to the use of the mark in association with the services and/or wares listed in the registration. That means that you can stop anyone else, anywhere in Canada from using the mark, or a confusingly similar name in association with the same or similar services/wares.
- (2) **A Shield:** A trade-mark registration enables you to more easily protect your rights should someone challenge them since the onus is on the challenger to prove rights in any dispute. You can also prevent others from registering the trade-mark, and often, people will avoid registering the mark as a corporate name as well. If someone else registers a trade-name you use without your knowledge, you may end up in court wasting time, energy and money on legal wrangling instead of doing business.
- (3) **Distinctiveness:** The process of registration, with its thorough checks for conflicting trade-marks, will ensure that you are claiming a unique mark, and help you avoid infringement of other parties' rights.
- (4) **Value:** A registered trade-mark is a valuable corporate asset that translates your customer goodwill and reputation into a definable shape.
- (5) **Professionalism:** registered trade-mark augments a corporate image, and
- (6) **Franchising:** you ever wish to franchise your operation or license your product, a trade-mark is a critical first step.

