

HOW INTELLECTUAL PROPERTY (IP) IN CANADA WORKS

KalGary Cake Café™ and KalGary Organic Muesli™

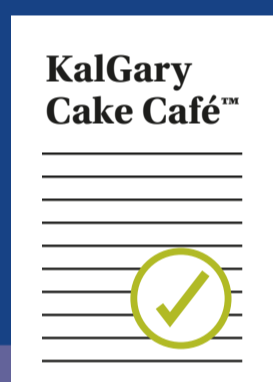
A day in the intellectual property life of a café, who make muffins by day, and manufacture and ship their secret recipe muesli at night.



1 Trade Mark.

Karen and Gary registered the café and muesli name as a Trade Mark, a combination Karen and Gary, and a play on Calgary where they are based. It's the best way to protect letters, words, sounds or designs. Check your preferred name hasn't been taken by searching the Canadian Intellectual Property Office Trade Mark database.

Tip
Use the ™ symbol so everyone knows it's protected.



2 Copyright.

The family 19th Century photo you use in your advertising can't be copied by anyone else. Copyright protects stories, music, art, plays, written words, images and digital content.

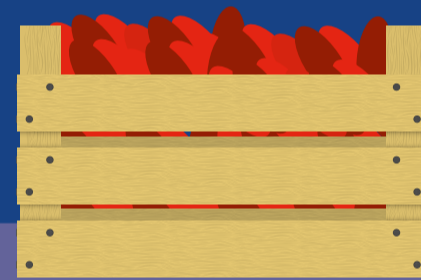
Tip
Use the copyright symbol ©, the name of the owner and the year the work was created.



3 Patent.

Gary invented a new type of convection oven that bakes muffins five times faster. His Patent gives him exclusive rights over this idea and lasts 20 years. Conduct a patent search to see what others are doing.

Tip
Keep the idea a secret and file as early as you can, just in case someone is also doing something similar without you, or them, knowing.



4 Website Domain Names.

Karen registered www.kalgarycakeco.ca as soon as she started, to sell her T Shirts and Mugs through her online store. You have register through a certified registrar.

Tip
Search online to see if your name exists already, then search the domain name database (most providers do this).



5 A Company Name.

Even though Karen and Gary had a Trade Mark on their name, they also formed a company with the same name to double their chance of protection, as no other company can be called the same name. Apply for corporate name pre-approval, and then incorporate on the Government of Canada site.

Tip
Search the corporate database to check your preferred company name hasn't already been taken.

6 Trade Secrets.

The recipe for their amazing muesli sold around Canada has been handed down by the family for generations, and wasn't protected as trade secrets don't expire.

Tip
Protect trade secrets with employee confidentiality agreements, encrypt or password protect data, and lock access to any important documents.

7 Arrangements.

Karen has a verbal promise from her organic Goji berry supplier to only supply Karen as a preferred customer as long as she orders a minimum amount each year.

Tip
Keep in contact with key suppliers or customers on a regular basis to form a strong relationship.

8 Business Know How.

Gary sells the muesli into the main grocery chains. Over the years he knows exactly when to make contact about his contract by understanding when these grocery chains review new products, existing contracts and their budgets.

Tip
If you have key employees who share this business know how, keep them close with long term contracts, restraint of trade clauses or make them a business partner.

FINALLY, SHOULD YOU PROTECT YOUR IP?

✓ YES IF...

- You gain a competitive advantage that customers will pay for
- The business is more valuable when selling
- You can sell or license the IP
- You're prepared to defend your rights

