

# Intellectual Property

## CHANGES TO QUEBEC LAW AFFECTING TRADEMARKS

**WHAT:** An amendment to Quebec law will require non-French trademarks used in Quebec to be translated into French or registered with the Canadian Intellectual Property Office (CIPO).

**WHO:** The law applies to businesses that operate in Quebec or offer goods or services in Quebec.

**WHEN:** The changes take effect on June 1, 2025. If your business uses unregistered, non-French trademarks in Quebec, we recommend applying for registration of these marks as soon as possible.

**WHERE:** Quebec. No other Canadian provinces are affected.

**WHY:** French is the official language of Quebec. Quebec's Charter of the French Language requires that inscriptions on products and commercial publications be in French. Such inscriptions may be in other languages, as well, so long as they are not given greater prominence than the French version (in terms of size, position, font, etc.). There has been an exception to the French language requirement for "recognized trademarks"—i.e., marks registered with CIPO and known common law marks.

The Quebec National Assembly passed Bill 96 (An Act Respecting French), which amends the Charter of the French Language, in May of 2022. Bill 96 will restrict the "recognized trademarks" exception to apply only to registered marks; it will no longer apply to unregistered marks. Therefore, any unregistered, non-French trademarks used in Quebec as of June 1, 2025 must be translated into French. Generic terms and descriptions of the goods or services must be in French.

Bill 96 empowers the Office québécois de la langue française (OQLF) to increase the fines for violations of the Charter of the French Language. The fines for noncompliance with the trademark requirements may be up to CAD \$30,000 per offense for a first offense, CAD \$60,000 for a second offense, and CAD \$90,000 for a third and subsequent offense.