

Follow-Up Message from APPI President Misty Sklar RPP, MCIP, regarding OPPI's trademarking of RPP:

In November, APPI reported that it had come to our attention that the Ontario Professional Planners Institute (OPPI) had made an application to Industry Canada to trade-mark the certification title "RPP". According to section 20 of the *Trade-marks Act* (R.S.C., 1985, c. T-13), the owner of a valid registered trade mark has the exclusive right to the mark's use throughout Canada in respect of the wares or services for which it is registered. The actions taken by OPPI were unfortunately not taken with the consideration or consultation of any of the Provincial and Territorial Institutes and Association (PTIAs). OPPI acknowledged that this had been a communication error, but declined to suspend their application until options could be explored and an agreement could be negotiated.

With an impending deadline of November 9, 2015 to register opposition to the trade mark, APPI and all the other PTIAs, with the exception of the Ordre des Urbanistes du Québec (which does not use the RPP designation), collectively requested an extension to oppose the application and successfully secured a new deadline to file a Statement of Opposition of February 9, 2016.

In early December, OPPI advised that they would be formally abandoning their trademark application of "RPP", as they had been given the legal opinion that the trademark would not offer significantly better protection of "RPP" than does provincial legislation and that they had reason to believe their trademark would not be successful, specifically it would not survive the opposition proceedings. On December 9, 2015 OPPI issued a letter to the Registrar of Trademarks at the Canadian Intellectual Property Office advising that they were formally abandoning their Trademark application for "RPP".

Under the *Professional and Occupation Associations Registration Act* (POARA) and the Professional Planner Regulation, APPI is responsible for the certification and regulation of its members and protection of the "Registered Professional Planner, RPP" title for exclusive use by fully certified members of APPI. Individuals found to be in contravention of POARA may face severe fines and prosecution. As a self-regulated profession in Alberta, there is an expectation from the Government of Alberta, the public and our members that APPI will take whatever responsible action is necessary to protect and enforce the RPP title.

APPI recognizes and applauds the commitment and efforts of those PTIAs across Canada who coordinated their efforts for the mutual benefit of Registered Professional Planners and the planning profession in Canada. APPI would also like to thank OPPI for their attention and action on this matter.