

CIPO's modernization efforts cause patent delays in Canada

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This article is an update to "[Failure to launch: CIPO's modernization efforts cause patent delays](#)".

In July 2024, the Canadian Intellectual Property Office (CIPO) launched its new MyCIPO Patents online portal for filing, tracking, and managing patents files, as part of their modernization effort and alignment with the World Intellectual Property Office ST.27 Standard for the Exchange of Patent Legal Status Data. Significant problems began immediately. Although full access to the new platform became available on October 1, 2024, this was not without problems.

Initial issues that appear to have been resolved included:

- The Canadian Patents Database (CPD) being inaccessible for approximately six weeks,
- No Office Actions issued during this period,
- Instability in the new filing platform, including error messages and spurious logouts,
- No patents granted between July 2 and August 20, 2024, and
- No notice of allowances issued between July 17 and November 27, 2024.

New submissions made through the MyCIPO portal are now posted to the Canadian Patent Database (CPD) almost immediately, which is a significant improvement. However, there remains a significant backlog of unprocessed mail and fee payments as well as delays in issuance of routine correspondence.

Ongoing issues include:

- Significant delays in granting patents following payment of the final fee,
- A reduced volume of notices of allowance,
- Improper status information on the CPD,
- Delays in processing incoming correspondence, including an inability to identify and prioritize correspondence from the relevant period on applications having expedited status,
- Delays in processing fee payments,

- Delays with outgoing correspondence, including filing receipts, extension confirmations, late fee notices, abandonment notices, reinstatement notices, and certificates confirming title changes, address updates, and document registration, and
- A reduced volume of Office Actions.

Recent updates from CIPO

CIPO has been providing updates through its '[MyCIPO Patents - What to expect](#)' document posted online, though the information is incomplete.

- **Patent granting** : Having announced a pause in the granting of patents "for a few weeks" in December 2024, CIPO has since published a [list of pre-grant applications](#) for which final fee payments have been processed and deemed compliant. While the list published on February 27, 2025, includes applications with final fee payments made between June 2024 and February 2025, we are aware of applications for which final fee payments were made during this period that do not yet appear on the list.
- **Notices of allowance** : CIPO resumed issuing a small volume of notices of allowances on November 27, 2024 and has indicated this volume will ramp up over time. At the time of writing, the volume the volume of notices of allowances does not appear to have returned to normal levels.
- **Abandonment and reinstatement** : While CIPO initially provided a target time frame of January 2025 for "resumption of reinstatement and abandonment processes", [the latest roadmap](#) indicates that the "abandonment process" will now resume in April 2025 and that the "reinstatement process" will resume in June 2025. No further details have been provided, though it is assumed that this resumption may involve processing fees and requests and issuing notices of abandonment and reinstatement.
- **Divisional applications** : The latest update indicates that "resumption of processing divisional applications" commenced in February 2025.
- **Filing receipts** : Although the update indicates that issuance of filing certificates commenced on September 24, 2024, in our experience filing receipts remain severely delayed.
- **Examination acknowledgements**: CIPO resumed sending acknowledgments of requests for examination in March 2025.

No specific updates have been provided for delayed late fee notices, extension of time confirmations, certificates of recordal for title changes, and certificates of document registration.

Overall, there is a lack of information about the scope of the challenges that CIPO is facing internally, and in particular the time periods over which each type of correspondence and fee payment is impacted.

Status information in the Canadian Patent Database

Improper status indicators continue to plague the CPD. A volume of applications is marked in error as abandoned despite timely submissions having been taken to keep such applications pending and in good standing. CIPO appears to have indicated that

such erroneous status indicators will resolve as associated submissions are processed by their analysts (a number of aims relate to “data correction”).

Anecdotally, we have noticed that some third-party service providers have been reluctant or unable to submit annual maintenance fee payments when applications and patents show as improperly abandoned or expired according to the CPD. No timeline is available for resolving the erroneous status indicators.

In some cases, following routine status checks, CIPO has confirmed that submissions and/or fee payments have been received but cannot yet be processed. CIPO appears to have no way rectify these issues on a case-by-case basis.

Notably, applications with an incorrect abandonment status dating to June 2024 could proceed to an incorrect lapsed (“dead”) status in June 2025 if processing of mail does not recommence by that time.

Status checks

CIPO has discouraged submission of status checks through its [online feedback form](#) as the high volume of queries has necessitated reallocation of staff who would otherwise be working to clear the backlog.

When status information is incorrect, concerned applicants and patentees may wish to submit status queries. Status queries could also be considered for submissions made on applications with expedited status (e.g. PPH or special order), as CIPO is otherwise apparently unable to locate relevant correspondence within the backlog.

Status queries can elicit more informative replies if the date of a submission and/or fee payment is provided together with the transaction confirmation number. In our experience, this information permits CIPO to locate and confirm receipt, at least informally.

Conclusion

Issues arising from CIPO’s modernization over the summer and fall continue to have severe impacts. BLG is monitoring the situation closely and will bring new issues to CIPO’s attention. Please contact us if you require assistance in navigating these challenges.

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