



THE REGISTRAR OF TRADE-MARKS
LE REGISTRAIRE DES MARQUES DE COMMERCE

Citation: 2015 TMOB 63
Date of Decision: 2015-03-30

TRANSLATION

**IN THE MATTER OF AN OPPOSITION
by Dollarama L.P. against registration
applications nos. 1,550,102 and 1,567,494
for the trade-mark PETSTORY in the
name of J.E. Mondou Ltd.**

Introduction

[1] Dollarama L.P. (the Opponent) opposes registration of the PETSTORY trade-mark (the Mark) covered by each of applications No. 1,550,102 and 1,567,494 in the name of J.E. Mondou Ltd. (the Applicant).

[2] Application No. 1,550,102, filed on October 25, 2011, is based on the projected use of the Mark in Canada in association with the following services:

Retail services featuring animal food and pet care accessories. (the Services).

[3] Application No. 1,567,494, filed on March 1, 2012, is based on the projected use of the Mark in Canada in association with the following services:

Food for animals; accessories for animals, namely bowls, brushes, combs, leads, cages, collars, clothing for animals, cushions, scarves, toys, leashes, pet bedding, coats, medals, bones, litterbox scoops, scratching posts, razors, bags for litter boxes, litter boxes, shampoos, conditioners, eau de cologne, perfumes, ointments, eye drops, ear drops, repellents, litterbox mats, tents, hammocks, pet carriers, claw clippers, training mats;

vitamins for animals; flea and tick treatments in the form of collars, drops, shampoos, vaporizers and sprayers. (the Goods)

[4] The Opponent bases each of its oppositions on various grounds of the *Trade-marks Act*, RSC 1985, c. T-13 (the Act), all revolving around the question of the likelihood of confusion between the Mark and the trademark PETSTORE & Footprint Design, reproduced hereinafter, registered under No. 778,967 in association with various goods and accessories for animals as detailed in the Appendix, belonging to the Opponent and having been previously used by the Opponent in Canada:



[5] As my analysis will reveal, I find there is reason to reject each of the oppositions.

The cases

[6] Each statement of opposition was filed on November 19, 2012. The grounds of opposition argued are essentially the same in both cases. The Applicant filed a counter statement in each case denying each of the grounds of opposition argued.

[7] In support of each of its oppositions, the Opponent filed an affidavit by Geoffrey Robillard, Senior Vice-President, Import Division of the Opponent, sworn on May 13, 2013. I will use the singular to refer to these two affidavits, because they are almost identical, with the difference that in case No. 1,550,102, the exhibits filed in support of the affidavit consist of originals, while in case No. 1,567,494, these exhibits consist of colour photographs of the original exhibits.

[8] In support of each of its applications, the Applicant filed the affidavits of François-Alexandre Gagné, an articling student with the firm representing the Applicant, sworn on September 12, 2013; Anick Desautels, trade-mark analyst with the firm Thomson CompuMark, sworn on September 6, 2013; and Sandro Roméo, trade-mark analyst with the same firm and also sworn on September 6, 2013. I will use the singular to refer to the two affidavits of each of these witnesses because these affidavits are essentially identical.

[9] None of the witnesses was cross-examined.

[10] Each of the parties filed a written argument for each case and was represented at the hearing held in these two cases. It is appropriate to note at this stage of my decision that the Opponent withdrew, through its written arguments, each of the grounds of opposition based on section 30(i) of the Act.

The burden incumbent on the Parties

[11] It is initially for the Opponent to establish that each of its oppositions is well-founded. However, the legal onus of showing that the Mark is registrable falls to the Applicant, according to the balance of probabilities [see *John Labatt Ltd v Molson Companies Ltd* (1990), 30 CPR (3d) 293 (FCTD.) and *Dion Neckwear Ltd v Christian Dior, SA et al* (2002), 20 CPR (4th) 155 (FCA)].

Analysis

[12] The ground of opposition argued in each case can be summarized as follows:

- the Mark is not registrable within the meaning of Section 12(1)(d) of the Act since it causes confusion with the Opponent's registered mark PETSTORE & Footprint Design.
- The Applicant is not the person entitled to register the Mark pursuant to Section 16(3)(a) of the Act because on the date of filing of each of the Applicant's applications, the Mark caused confusion with the Opponent's PETSTORE & Footprint Design trade-mark, previously used by the Opponent in Canada; and
- the Mark is not distinctive within the meaning of Section 2 of the Act in that it is not adapted to distinguish the Applicant's Goods and Services from the goods of the Opponent offered in association with the PETSTORE & Footprint Design mark.

[13] As my analysis will reveal, although the test for confusion remains the same, the initial burden of proof incumbent on the Opponent and the relevant applicable dates vary according to

each of these grounds. I will begin my analysis in regard to the ground based on the non-registrability of the Mark.

Ground based on the non-registrability of the Mark within the meaning of section 12(1)(d) of the Act.

[14] The relevant date for deciding on a ground of opposition based on the non-registrability of a trade-mark in regard to the confusion created with a registered trade-mark is the date of my decision [see *Park Avenue Furniture Corporation v Wickes/Simmons Bedding Ltd* (1991), 37 CPR (3d) 413 (FCA)]. I exercised my discretion and checked that the registration claimed by the Opponent is still in effect in the Trade-marks Register. Since this is the case, the Opponent has met the initial burden of proof incumbent on it. The Applicant must now show in each case, according to the balance of probabilities, that there is no risk of confusion between the Mark and this registered mark of the Opponent.

The test for confusion

[15] The test for confusion is that of first impression and imperfect recollection. According to subsection 6(2) of the Act, use of a trade-mark causes confusion with another trade-mark if the use of both trade-marks in the same area would be likely to lead to the inference that the goods or services associated with those trade-marks are manufactured, sold, leased, hired or performed by the same person, whether or not the goods or services are of the same general class.

[16] In deciding whether these trade-marks cause confusion, the registrar must take into account all circumstances in the case, specifically those listed in subsection 6(5) of the Act, i.e. a) the inherent distinctiveness of the trade-marks and the extent to which they have become known; b) the length of time the trade-marks or trade-names have been in use; c) the nature of the goods, services or business; d) the nature of the trade; e) the degree of resemblance between the trade-marks in appearance or sound or in the ideas suggested by them. This list is not exhaustive and different weight could be given to each of these factors, depending on the situation [see *Mattel, Inc v 3894207 Canada Inc* (2006), 49 CPR (4th) 321 (SCC); *Veuve Clicquot Ponsardin v Boutiques Cliquot Ltée et al* (2006), 49 CPR (4th) 401 (SCC) and *Masterpiece Inc v Alavida Lifestyles Inc* (2011), 92 CPR (4th) 361 (SCC)].

a) The inherent distinctiveness of the trade-marks and the extent to which they have become known

[17] I agree with the Applicant that the Mark possesses in itself a more inherent distinctive character than the Opponent's PETSTORE and Footprint Design mark.

[18] The Mark literally translates in French as "histoire d'animaux de compagnie" (pet story). Although the Mark suggests a connection with animals, in the context of the Goods and Services associated with it, it cannot be qualified as descriptive of their nature or quality. Instead, it is a fanciful mark.

[19] By comparison, the Opponent's mark translates literally in French as "magasin d'animaux de compagnie" (pet store). As presented in evidence by the Applicant through Mr. Gagné's affidavit, and not contested as such by the Opponent during the hearing, a "pet store" is defined as follows:

A pet store or pet shop is a retail business which sells different kinds of animals, pet food, animal supplies, and pet accessories. [excerpt from the Wikipedia site presented in evidence as Exhibit "C"]

[20] In this regard, I note that the Opponent itself uses the expression "pet store" in its common meaning throughout its written argument, as when it comments on Exhibit D of Mr. Gagné's affidavit: "*An analysis of Exhibit D reveals that the results essentially provide details about different pet stores across Canada.*" Moreover, the Opponent itself acknowledged in its written argument that its mark "*is not inherently distinctive*" in the context of the goods associated with it and reiterated this position during the hearing, going so far as to concede that the PETSTORE & Footprint Design mark, would be clearly descriptive if it were used in association with retail services featuring animal food and pet care accessories rather than with these goods as such. The fact that the word "PetStore" appears in a contrasted rectangle does not significantly increase the inherent distinctiveness of the mark. The same principle applies to the highly suggested animal footprint design in the context of the Opponent's goods. However, the Opponent argues that its trade-mark nonetheless enjoys significant distinctiveness due to the use made of it in Canada and the extent to which its trade-mark has become known in Canada.

[21] This leads me to review the Opponent's evidence, introduced through Mr. Robillard's affidavit. This affidavit essentially establishes the following:

- The Opponent operates discount retail stores selling varied goods under the Dollarama banner across Canada [paragr. 3 of the affidavit].
- The Opponent is the biggest Canadian retailer of articles at two dollars and less [paragr. 4 of the affidavit, Exhibit "1" - list of the 702 stores operated under the Dollarama banner, including the opening date by store].
- The Opponent "adopted" the PETSTORE & Footprint Design mark at the beginning of 2005 to identify a line of pet products to be sold in its Dollarama across Canada [paragr. 5 of the affidavit].
- Since then, the PETSTORE & Footprint Design mark has been registered in Canada [paragr. 6 to 8 incl.; Exhibit "2" - certified copy of registration No. 778,967].
- Effective from August 2005, and continuously ever since, the Opponent has offered for sale, through its Dollarama stores, various products under the PETSTORE & Footprint Design mark, including food, toys and accessories for pets [paragr. 9 and 10; Exhibits "3" to "75"]. As noted by the Applicant, this assertion by Mr. Robillard somewhat contradicts the various dates of first use by class of goods alleged in the Opponent's registration.
- The Opponent has delivered millions of these articles to its Dollarama stores since 2006, namely:
 - 3,148,268 articles in 2006
 - 2,722,488 articles in 2007
 - 3,452,444 articles in 2008
 - 4,407,754 articles in 2009
 - 5,864,438 articles in 2010
 - 7,797,066 articles in 2011
 - 10,585,628 articles in 2012
 - 4,096,254 articles from January 2013 to the date the affidavit was signed on May 13, 2013 [paragr. 11].

As noted by the Applicant, these figures are not broken down by class of goods.

- The various goods sold under the PETSTORE & Footprint Design mark were sold during the year of their delivery, or during the following year [paragr. 12].

[22] Although the Applicant's observations described above are true and the Opponent's evidence is not very precise, I find it reasonable to conclude, considering the approximately 70 specimens of articles filed under Exhibits "3" to "75" and the total number of articles sold since 2006, that the Opponent's PETSTORE & Footprint Design mark has become known at least to some extent in Canada. I thereby agree with the Opponent that this recognition reinforces the distinctiveness of the PETSTORE & Footprint Design mark. This having been said, I find that the PETSTORE & Footprint Design mark nonetheless remains a relatively weak mark, given the fact that the evidence of record does not make it possible to conclude that it has become known in Canada to such an extent as to counterbalance significantly the fact that it is essentially devoid of intrinsic distinctiveness.

b) The length of time the trade-marks have been in use

[23] In view of the fact that the PETSTORE & Footprint Design mark has been used in Canada since 2006, whereas the present applications are based on the projected use of the Mark and we do not have any evidence to the effect that the use of this Mark has begun, this factor favours the Opponent.

c) The nature of the goods, services or businesses and d) The nature of the trade

[24] In considering the type of goods and services, and the nature of the trade, I must compare the statement of goods and services covered by the application being opposed with the statement of goods covered by the registration claimed in the statements of opposition [see *Henkel Kommanditgesellschaft auf Aktien v Super Dragon Import Export Inc* (1986), 12 CPR (3d) 110 (FCA); and *Mr Submarine Ltd v Amandista Investments Ltd* (1987), 19 CPR (3d) 3 (FCA)].

[25] The goods and/or services of the parties overlap in that they are associated with the field of pet food and accessories.

[26] However, the Applicant argues that the risk of overlap of the parties' distribution channels is essentially nil, in view of the fact that, as indicated above, the Opponent's mark is

used as a private mark. The Applicant cites in support of its position the cases of *Clorox Co v Sears Canada* (1992), 41 CPR (3d) 483 (FCTD), conf. by 49 CPR (3d) 217; *Canada Wire & Cable Ltd v Heatex Howden Inc* (1986), 13 CPR (3d) 183 (FCTD) 186; and *London Drugs Limited v Coty Deutschland GmbH*, 2012 TMOB 193. More specifically, the Applicant refers me to the following passage by my colleague Andrea Flewelling, taken from the *London Drugs* case:

[42] As noted above, it is the Applicant's statement of wares in its application and the Opponent's statement of wares and services in its LONDON DRUGS registration that govern. In the present case, neither the Applicant's trade-mark application nor the Opponent's trade-mark registration are restricted to the current channels of trade that they use. The evidence shows that the Applicant has sold its wares in the Opponent's stores, and its distribution channels include department stores, pharmacies and mass-market retailers. There is therefore a potential for overlap between the parties' channels of trade. However, in view of the evidence of what the actual trades of the parties have been since the 1950s and 2009 respectively, I agree with the Applicant that the parties' channels of trade would not likely overlap other than respect of the sales of the Applicant's products by the Opponent. In this regard, it is clear from the evidence that the Opponent only sells its LONDON DRUG wares through its own LONDON DRUGS retail outlets and there is no reason to suspect that the Opponent will ever deviate from this marketing strategy. It is therefore unlikely that, outside of the Opponent's own LONDON DRUG stores, the parties' wares would travel through the same channels of trade.

[27] As the Opponent points out, the facts of the *London Drugs* case can be distinguished from those of the present cases in that we do not have any evidence concerning the channels of trade of the Applicant's Goods and Services. This having been said, it nonetheless remains that a parallel can be drawn between this case and the present cases, in that the evidence clearly reveals that the Opponent sells its PETSTORE & Footprint Design goods only in its own Dollarama stores and that there is no reason to believe it may eventually deviate from this marketing strategy. Therefore, apart from the contingency that the Applicant sells its Goods through the Opponent's Dollarama stores, it is unlikely that the parties' products will use the same channels of trade.

e) The degree of resemblance between the trade-marks in appearance or sound or in the ideas suggested by them

[28] As recalled by the Supreme Court in the *Masterpiece* case cited above, in paragraph 49, the degree of resemblance between the trade-marks in appearance or sound or in the ideas

suggested by them is factor that is often likely to have the greatest effect on the confusion analysis and the one that proves decisive in most cases.

[29] Moreover, as previously mentioned, it is well-established in case law that the probability of confusion is a matter of first impression and imperfect recollection. In this regard, “[w]hile the marks must be assessed in their entirety (and not dissected for minute examination), it is still possible to focus on particular features of the mark that may have a determinative influence on the public's perception of it.” [see *Pink Panther Beauty Corp v United Artists Corp* (1998), 80 CPR (3d) 247 (FCA), in paragraph 34].

[30] Also, it is true that in certain cases the first word will be the most important element in establishing the distinctiveness of a trade-mark, the Supreme Court stipulates in paragraph 64 of the *Masterpiece* case that “a preferable approach is to first consider whether there is an aspect of the trade-mark that is particularly striking or unique.”

[31] In applying these principles to these cases, I agree with the Applicant that there exist significant differences between the parties’ marks and that it is easy to distinguish them.

[32] As noted above, the Mark consists of the consists of the fanciful expression PETSTORY, meaning "pet story", whereas the Opponent's mark consists of a mixed mark consisting of the descriptive expression "pet store" combined with an animal footprint design.

[33] The Opponent argues that the marks in question differ by a single letter, namely by their last letters: "Y" in the case of the Mark and "E" in the case of the Opponent's mark. Although it is true that the nominal portions of the marks in question differ by their respective last letters, I find that the approach retained by the Opponent amounts to dissecting the marks in question instead of considering them as a whole, on the basis of the first impression. Each of the expressions "PETSTORY" and "PETSTORE" has a meaning or evokes an idea of its own. The fact they consist of practically identical letters is not a determining factor per se. To be convinced of this, we need only think of the homonyms "CHAUD" (hot) and "CHAUX" (lime), "MÈRE" (mother) and "MER" (sea), "COUP" (blow) and "COÛT" (cost), which have distinct meanings. Likewise, the fact that the marks both include the element "PET", in the context of goods and/or services related to pets, is trivial per se.

[34] It is also important to remember that the Opponent's registered mark consists not of the nominal mark "PETSTORE", but rather of the mixed mark consisting of that expression combined with an animal footprint design. This leads me to consider, as an additional circumstance, the Applicant's argument to the effect that the Opponent cannot monopolize the expression "pet store", and even less so marks that are not identical, in view of the fact that this expression is clearly descriptive and used by others.

Additional circumstances

State of the marketplace

[35] The Applicant argues that alleged evidence of the state of the marketplace was filed concerning the use of the expression "pet store". This evidence essentially consists of the affidavits of Ms. Desautels and Mr. Gagné.

Ms. Desautels' affidavit

[36] Ms. Desautels' affidavit seeks to introduce in evidence, as Exhibit AD-1, the result of a Canadian dilution search conducted on July 24, 2013 for the term "PETSTORE" in association with the following goods and services: "vente au détail de nourriture pour animaux et d'accessoires pour les animaux; nourriture pour animaux; accessoires pour animaux; vêtements pour animaux." (retail sale of pet food and pet accessories; pet food; pet accessories; pet clothing)

[37] The sources consulted by Ms. Desautels include common law sources and official registers, including the Industry Canada NUANS database.

[38] The Applicant argues that the following are counted:

- 28 occurrences of Canadian businesses with names containing the terms "petstore" or "pet store" from the DUNS directory;
- 17 occurrences of Canadian businesses with names containing the terms "petstore" or "pet store" from the Infogroup directory;

- 23 occurrences of Canadian businesses with names containing the terms "petstore" or "pet store" from the Yellow Pages directory;
- 2 occurrences of Canadian businesses with names containing the terms "petstore" or "pet store" from the Quebec Enterprise Register; and
- 34 occurrences of Canadian businesses with names containing the terms "petstore" or "pet store" from the NUANS database.

[39] The Applicant submits that, although some of these businesses overlap from one register to another, it nonetheless remains that a large number of businesses are identified.

Mr. Gagné's affidavit

[40] Mr. Gagné's affidavit seeks, inter alia, to introduce into evidence under Exhibits A, B, D and E, the result of a search conducted on September 10, 2013 in the Google search engine, using "pet store" and "definition" as key words. Also included, in Exhibit C, is the definition of the expression "pet store", taken from Wikipedia, to which I previously referred, and in Exhibit F, the results of a search dated September 10, 2013 in the Quebec Enterprise Register, using "pet store" as a keyword. Mr. Gagné's affidavit also describes in detail the results of various checks he did by phone with some of the businesses identified in the course of his searches and in a report of a search conducted in the NUANS database, dated June 24, 2013, which was provided to him by counsel in charge of the pursuit of the applications for registration.

[41] The Applicant argues that Mr. Gagné's searches on Google prove that at least 21 pages of results exist, showing Canadian businesses that use the expression "pet store" in the name of their business or to describe the nature of their activities. The Applicant argues that the telephone checks done by Mr. Gagné, on a limited number of these businesses selected at random, show that he was able to confirm that 14 Canadian businesses using (or having used) the expression "pet store" in their name, were in operation in association with the sale of pet food and accessories, as well as pets.

[42] The Opponent, for its part, submits that Mr. Gagné, as an articling student employed by the firm representing the Applicant, cannot be qualified as an objective and independent witness. It thereby submits that little weight must be assigned to Mr. Gagné's affidavit, especially concerning the results of his telephone checks, which are unacceptable in evidence because they constitute hearsay.

[43] I find it unnecessary to examine Mr. Gagné's affidavit in more detail to determine the extent certain portions of it should or should not be excluded from the evidence. I will consider it sufficient to note that the definitions of the expression "pet store" attached to Mr. Gagné's affidavit have not been challenged as such by the Opponent and fall within the meaning. As mentioned above, the Opponent itself uses the expression "pet store" in its common meaning throughout its written argument.

[44] Also, in the circumstances, I find it is unnecessary to focus any further on the businesses referenced in the affidavits of Ms. Desautels Mr. Gagné for the purposes of accepting that the expression "pet store" is commonly used in its common or descriptive meaning in Canada to refer to a retail business dealing in pets or pet food and pet accessories.

Conclusion – likelihood of confusion

[45] As indicated on page 163 in the *Dion Neckwear* case cited above, the registrar does not have to be convinced beyond all doubt that there is no likelihood of confusion. Indeed, "[t]he "beyond doubt" standard imposes an insurmountable burden because certainty in matters of likelihood of confusion is rare". [Also see *John Labatt Ltd v Molson Companies Ltd*, supra].

[46] Given my analysis above, I find that the Applicant has established, according to the balance of probabilities, that a consumer having an imperfect recollection of the Opponent's PETSTORE & Footprint Design mark would be unlikely to conclude that the Applicant's Goods and Services originate from the same source or are otherwise related to or associated with the Opponent's wares and services.

[47] I find in effect that the differences existing between the parties' marks are, in this case, determinant in themselves and more than sufficient to outweigh the factors favouring the Opponent in these cases.

[48] Consequently, I reject the ground of opposition based on the non-registrability of the Mark in each case.

Ground based on non-entitlement to registration within the meaning of
section 16(3)(a) of the Act

[49] To discharge its initial burden regarding section 16(3)(a) of the Act, the Opponent must prove that its PETSTORE & Footprint Design trade-mark had been used in Canada previous to the date of filing of each of the Applicant's applications for registration, and had not been discontinued on the date of announcement of these applications in the *Trade-marks Journal*, in this instance June 20 and October 3, 2012 respectively, [section 16(5) of the Act]. This initial burden was satisfied.

[50] The Applicant must now show, according to the balance of probabilities, that there was no risk of confusion between the Mark and the Opponent's PETSTORE & Footprint Design mark on the date of filing of each of its applications.

[51] The difference between the relevant dates really has no impact on my preceding analysis regarding the ground of opposition under section 12(1)(d) of the Act. Although the relevant dates, to some extent, may affect the state of the marketplace evidence, I determined that I did not need to address such evidence to conclude in favour of the Applicant.

[52] Accordingly, I reject the ground of opposition based on non-entitlement to registration in each case.

Ground of opposition based on non-distinctiveness of the Mark

[53] To meet its initial burden of proof regarding non-distinctiveness, the Opponent must show that its PETSTORE & Footprint Design trade-mark had become sufficiently known in Canada on the date of the statement of opposition, i.e. November 19, 2012 such as to deny the

distinctiveness of the Mark [see *Motel 6, Inc v No. 6 Motel Ltd.*(1981), 56 CPR (2d) 44 (FCTD); and *Bojangles' International LLC and Bojangles Restaurants Inc v Bojangles Café Ltd* (2006), 48 CPR (4th) 427 (FCTD)].

[54] The Opponent met this burden.

[55] Since the Opponent has met its initial incumbent burden of proof, the Applicant must now show, according to the balance of probabilities, that on the filing date of the statement of opposition, there was no risk of confusion between the Mark and the Opponent's PETSTORE & Footprint Design mark.

[56] As in the case of the ground of opposition based on non-entitlement to registration, the difference between the relevant dates really has no impact on my preceding analysis under section 12(1)(d) of the Act.

[57] Accordingly, I believe that the Applicant has met its legal onus of establishing that the Mark was distinctive of its Goods and Services on the date of the statement of opposition in that it did not cause confusion, according to the balance of probabilities, with the Opponent's PETSTORE & Footprint Design mark.

[58] Accordingly, I reject the ground of opposition based on non-distinctiveness of the Mark.

Decision

[59] In exercising the authority delegated to me pursuant to subsection 63(3) of the Act, I refuse each of the oppositions in application of subsection 38(8) of the Act.

Annie Robitaille
Member
Trade-marks Opposition Board
Canadian Intellectual Property Office

Certified true translation
Arnold Bennett

Appendix

Products covered by registration No. 778,967

- (1) *Pet mats and pet poop scoops.*
- (2) *Pet towels.*
- (3) *Pet blankets and dog chews.*
- (4) *Pet collars, leashes and leads.*
- (5) *Pet dishes.*
- (6) *Pet toys and pet clothing and accessories, namely coats, capes, raincoats and booties*
- (7) *Pet food and treats.*
- (8) *Cat pans liners.*
- (9) *Pet brushes and combs.*
- (10) *Litter bags.*
- (11) *Cat pans and kitty litter.*
- (12) *Cat scratching boards and pads.*
- (13) *Dog training pads.*
- (14) *Pet wipes.*
- (15) *Pet mats and pet poop scoops.*

Claims:

- Used in CANADA since August 2005 on goods (1).*
Used in CANADA since September 2006 on goods (2).
Used in CANADA since November 2006 on goods (3).
Used in CANADA since December 2006 on goods (4).
Used in CANADA since January 2007 on goods (5).
Used in CANADA since March 2007 on goods (6).
Used in CANADA since July 2007 on goods (7).
Used in CANADA since March 2008 on goods (8).
Used in CANADA since November 2008 on goods (9).
Used in CANADA since January 2009 on goods (10).
Used in CANADA since March 2009 on goods (11).
Used in CANADA since May 2009 on goods (12).
Used in CANADA since July 2009 on goods (13).
Used in CANADA since August 2009 on goods (14).
Declaration of Use filed September 16, 2010 on goods (15).