



THE CORPORATION OF THE CITY OF VAUGHAN

CORPORATE POLICY

POLICY TITLE: CREATION AND USE OF CITY OF VAUGHAN INTELLECTUAL PROPERTY

POLICY NO.: 03.C.18

Section:	Administration & Legal		
Effective Date:	February 24, 2026	Date of Last Review:	Click or tap to enter a date.
Approval Authority:	Policy Owner:		
Council	City Manager		

POLICY STATEMENT
This Policy establishes a framework for protection of the City of Vaughan’s (the “ City ”) Intellectual Property and the use of Intellectual Property, whether registered or unregistered, by third parties.
PURPOSE
Registering Intellectual Property for the City’s valuable assets provides a formal title of ownership. In certain situations, registering the City’s Intellectual Property offers further legal protection in the event of a dispute. Furthermore, establishing clear guidelines for internal and third-party use of the City’s Intellectual Property helps reinforce ownership and ensure proper usage in accordance with City standards.
SCOPE
This Policy applies to all City Employees and contractors, in addition to third parties wishing to use the City’s Intellectual Property. Employees who fail to comply with this Policy may be subject to disciplinary action up to and including termination.
LEGISLATIVE REQUIREMENTS
<ol style="list-style-type: none"> 1. <i>Patent Act</i>, R.S.C., 1985, c. P-4 2. <i>Trademarks Act</i>, R.S.C., 1985, c. T-13 3. <i>Copyright Act</i>, RSC 1985, c C-42

POLICY TITLE: CREATION AND USE OF CITY OF VAUGHAN'S INTELLECTUAL PROPERTY

POLICY NO.: 03.C.18

4. *Industrial Design Act*, R.S.C., 1985, c. I-9
5. *Integrated Circuit Topography Act*, S.C. 1990, c. 37

DEFINITIONS

1. **Agent:** A trademark or patent agent who assists in the execution of a trademark or patent application with the Canadian Intellectual Property Office (Innovation, Science and Economic Development Canada) ("**CIPO**").
2. **Copyright:** Provides protection for literary, artistic, dramatic or musical works (including computer programs), performer's performances, sound recordings and communication signals.
3. **Department Head:** City employee who is responsible for a corporate department (including a Director or Senior Manager).
4. **Employee:** Includes City employee, student, intern or volunteer.
5. **Integrated Circuit Topographies:** Three-dimensional configurations of electronic circuits embodied in integrated circuit products or layout designs.
6. **Industrial Design:** The visual features of shape, configuration, pattern or ornament, or any combination of these features applied to a finished article.
7. **Intellectual Property:** A creation, development or invention including a Copyright, Integrated Circuit Topographies, Industrial Design, Patent or Trademark, which may have certain statutory or common law rights associated with it.
8. **Patent:** New inventions, such as a product, chemical compositions, machine, process, manufacture, composition of matter or any new and useful improvements to an existing invention.
9. **Trademark:** May be one or a combination of words, sounds, designs, tastes, colours, textures, scents, moving images, three-dimensional shapes, modes of packaging or holograms, used to distinguish the goods or services of one person or organization from others.

POLICY

1. Registration Of Intellectual Property

- 1.1. The following factors should be considered when determining whether the City should register its Intellectual Property:

**POLICY TITLE: CREATION AND USE OF CITY OF VAUGHAN'S
INTELLECTUAL PROPERTY**

POLICY NO.: 03.C.18

- 1.2. The potential for City Intellectual Property to be copied or used by a third party without the City's permission is high.
- 1.3. When Intellectual Property portrays the identity or image of City wares or services.
- 1.4. When a high financial investment has been or will be made by the City to promote usage of Intellectual Property.
- 1.5. When Intellectual Property is symbolic, meaning it has sentimental or historic significance.
- 1.6. When Intellectual Property is used to support revenue-generating services of the City.
- 1.7. The risk that misuse or infringement of City Intellectual Property would result in dilution of the City's brand, reputational harm, or other adverse effects to the City.
- 1.8. Whether there are existing legal protections through common law and whether these protections are sufficient without registering the Intellectual Property.
- 1.9. The City owns and has the exclusive right to register the Intellectual Property in works written or created by an Employee in the course of employment. The following may be considered Intellectual Property capable of registration by the City.
 - 1.9.1. Copyright and Integrated Circuit Topographies:
When the Copyright or Integrated Circuit Topographies are created by a City Employee during the course of their employment, unless the Employee's employment contract expressly stipulates otherwise.
 - 1.9.2. Patents:
If there is a specific provision in a City Employee's employment contract specifying that the City is entitled to ownership of the patent, or there is no express provision in the City Employee's contract specifying the Patent will be transferred to the City, but the City Employee was employed for the purpose of inventing or innovating.
 - 1.9.3. Industrial Design:
Where the Industrial Design has been designed by a City Employee for the City.

**POLICY TITLE: CREATION AND USE OF CITY OF VAUGHAN'S
INTELLECTUAL PROPERTY**

POLICY NO.: 03.C.18

1.10. An Employee who wishes to retain ownership of the Intellectual Property in the works they have created, must seek written approval from the City Manager.

1.11. The Office of the City Solicitor shall be consulted when considering the registration of Intellectual Property (1.1 and 1.2), ownership transfer of Intellectual Property (1.3). Any transfer of ownership shall be carried out in a manner satisfactory to the Office of the City Solicitor.

2. Use of Intellectual Property

2.1. Use of Intellectual Property by the City:

2.1.1. Registered and unregistered Intellectual Property under this Policy shall be used exclusively for activities related to the City.

2.2. Use of Intellectual Property by a third party:

2.2.1. The use of registered or unregistered City Intellectual Property by a third party, other government agencies, not-for profit agencies, the public and businesses, for activities not related to the City, without the approval of the City, is prohibited.

2.2.2. Approval by the City for third party use of the City's Intellectual Property shall be in accordance with the Use of the City's Intellectual Property Procedure.

2.3. Nothing in this Policy shall preclude a Council Member from performing their job as a Council Member, nor inhibit them from representing the interests of the constituents who elected them.

3. Infringement of City Intellectual Property

3.1. A person who infringes on the City's registered or unregistered Intellectual Property is liable and may be subject to the infringement provisions stated in the applicable legislation. The City reserves the right to undertake the necessary action to protect the City's Intellectual Property rights when an infringement has been identified.

4. Third Party Use of City's Intellectual Property

Third parties who wish to use the City's Intellectual Property must request approval from the City. To request approval, third parties must:

POLICY TITLE: CREATION AND USE OF CITY OF VAUGHAN'S INTELLECTUAL PROPERTY

POLICY NO.: 03.C.18

- 4.1. Submit a request to the Chief Communications Officer (the “**Request**”), and must include in the Request:
 - a) Formats the Intellectual Property will use;
 - b) Why the third party wishes to use the City’s Intellectual Property;
 - c) How long the third party wishes to use the City’s Intellectual Property; and
 - d) How the Intellectual Property will be displayed, featured, promoted in the media, or marketplace.
- 4.2. Submit the Request referenced at least thirty (30) business days prior to the day the third party intends on using the City’s Intellectual Property.
- 4.3. The Request will be circulated to the Chief Communications Officer for comments and a recommendation to the Deputy City Manager and City Manager.
- 4.4. The Deputy City Manager and City Manager, in consultation with the Office of the City Solicitor, will determine if the third party is permitted to use the City’s Intellectual Property and may impose such conditions deemed necessary by the City.
- 4.5. The third party will be notified by the Communications, Marketing and Engagement department of the Deputy City Manager and City Manager’s determination.
- 4.6. If the Request is granted, the City and third party shall enter into an agreement in a form satisfactory to the Office of the City Solicitor regarding use of the City’s Intellectual Property.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	3 Years If other, specify here	Next Review Date:	February 24, 2029
-------------------------	-----------------------------------	--------------------------	-------------------

**POLICY TITLE: CREATION AND USE OF CITY OF VAUGHAN'S
INTELLECTUAL PROPERTY**

POLICY NO.: 03.C.18

Related Policy(ies):	
Related By-Law(s):	
Procedural Document:	PRC.59 - Registration and Use of the City's Intellectual Property
Revision History	
Date:	Description:
February 24, 2026	Approved at Council. Report No. 6. Item No. 5.
Click or tap to enter a date.	
Click or tap to enter a date.	