



STAFF REPORT ACTION REQUIRED

Official Mark Protection for Cardiac Safe City and Toronto EMS Safe City Program

Date:	August 28, 2008
To:	Community Development & Recreation Committee
From:	Chief and General Manager, Toronto EMS
Wards:	All
Reference Number:	

SUMMARY

Toronto Emergency Medical Services (EMS) is seeking authority to obtain official word and identifier marks for “Cardiac Safe City” and “Toronto EMS Safe City” program under the federal Trade-marks Act.

Beginning in 1998, Toronto EMS began the development of a cardiac safe city program. Nearly ten years later, the program has flourished under the “Cardiac Safe City” and “Toronto EMS Safe City” program names.

Toronto EMS currently manages more than 500 public access defibrillators, including the training and support for on-site staff, under the program names. As a result of the success of the program, it is advisable that official mark protection be sought for the relevant marks to protect against any unauthorized use of the marks in the future.

RECOMMENDATIONS

The Chief and General Manager of Toronto Emergency Medical Services recommends that City Council:

1. Formally adopt “Cardiac Safe City” and “Toronto EMS Safe City” as City of Toronto marks, and
2. Authorize staff from the City’s Legal Division to prepare an application to the federal Registrar of Trade-Marks for registration of the marks.

Financial Impact

The adoption of the recommendations in this staff report will have no additional impact on the approved operating budget for EMS in 2008. The \$500 per trademark fee will be paid from the approved EMS operating budget.

DECISION HISTORY

At the meeting of the former Emergency and Protective Services Committee held on January 12, 1999, the Commissioner of Works and Emergency Services submitted a report for information entitled, 'Integration of Public Access Defibrillating (Cardiac Safe City) Program into the Emergency Response System' (December 9, 1998)

<http://www.toronto.ca/legdocs/1999/agendas/committees/ep/ep990112/it003.htm>

ISSUE BACKGROUND

To obtain an official mark, the City must use the mark and generally adopts, by way of a resolution of City Council, the mark as an official mark. The City must then request, by way of application, the federal Registrar of Trade-Marks to give public notice of this use and adoption. Upon such public notice being given, the mark becomes an official mark of the City. Once it is an official mark, the Trade-marks Act provides that no one can adopt, in connection with a business, as a trade-mark or otherwise, any mark consisting of, or so nearly resembling as to be likely to be mistaken for that official mark. Toronto EMS has previously registered official marks following the same process.

The actual application process is simple. Staff will prepare an application to the federal Registrar of Trademarks. The cost is \$500.00 for each official mark, payable to the Receiver General of Canada.

COMMENTS

At its meeting of October 2, 1998, Council endorsed the principle of public access cardiac defibrillation and approved a pilot installation of such a program as part of the renovations to Toronto City Hall. Since then, Toronto EMS has developed a program for the City of Toronto in our effort to create a cardiac safe city. Nearly ten years later, the program has flourished under the "Cardiac Safe City" and "Toronto EMS Safe City" program names.

Each year, Toronto EMS responds to roughly 400 cardiac arrests that have occurred in a public place. Public places such as community centres that are equipped with an automated external defibrillator (AED) and trained staff can dramatically increase the chances of surviving a cardiac arrest because the AED can analyze the heart and provide a shock if necessary. The shock can stop the heart from quivering and restore blood flow.

Toronto EMS currently manages more than 500 public access defibrillators including the training and support for on-site staff. As a result of the success of the program, it is

advisable that official mark protection be sought for the program names to protect against any unauthorized use in the future. Included below are examples of how “Cardiac Safe City” and “Toronto EMS Safe City” program is being used today at Toronto EMS:



<http://www.torontoemssafecity.com/>

Staff in the City’s Legal Division has advised that once Council approves the official mark applications, there will be no difficulty in establishing that the marks have been adopted.

Obtaining official mark protection for the program names and logos under the Trade-marks Act will protect the interests of the City and the identity of its programs.

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SIGNATURE

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