

**Voluntary Report** – Voluntary - Public Distribution

**Date:** February 20, 2024

**Report Number:** CA2024-0004

**Report Name:** Comment Period Open for Bill 96 in Quebec

**Country:** Canada

**Post:** Montreal

**Report Category:** Policy and Program Announcements, FAIRS Subject Report, Trade Policy Monitoring

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**Report Highlights:**

On January 10, the Quebec Ministry of the French Language launched consultations on the Draft Regulations, which includes necessary amendments and clarifications to Bill 96, An Act respecting French, passed on June 1, 2022. Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period (before February 24, 2024) to the Minister of the French Language.

On January 10, 2024, the Quebec government released the [Draft Regulations](#) as a complement to the Charter of the French Language amendments introduced by Bill 96: titled [Bill 96, An Act respecting French, the official and common language of Quebec](#). The declared purpose of Bill 96 is to reinforce and strengthen the use of the French language in Quebec by expanding the linguistic obligations and requirements outlined originally in Bill 101. Bill 96 has introduced significant [trademark amendments](#) and requirements for non-French trademarks on [product packaging](#), labeling, public signage, posters and commercial advertising. These amendments will come into force on **June 1, 2025**. All U.S. stakeholders with food and beverage exports to Quebec are strongly encouraged to review the draft regulations.

Section 51.1 of Bill 96 on trademarks on product packaging and labeling states that only registered trademarks (for which no French version of the trademark appears on the Register of Trademarks) may appear in whole or in part in a language other than French on a product with the caveat that if a generic term or description of the product is included in such registered trademark on products, the generic or description must also appear in French on the product or on a medium permanently attached to it.

The [Draft Regulations proposal](#) subject to consultations include important amendments and clarifications regarding the meaning of the term "generic term or a description of the product" contained within a registered trademark and broadens the definition of a "registered trademark" for product packaging to encompass pending registration applications at the Canadian Intellectual Property Office.

### **Section 27.3**

- (1) "a generic term refers to one or more words describing the nature of a product"
- (2) "a description refers to one or more words describing the characteristics of a product."

### **Section 27.4**

Additional parameters regarding registered trademark: "A registered trademark includes a trademark in respect of which an application for registration is pending, as of the filing date of the application with the Registrar of Trademarks instituted under the [Trademarks Act](#)." [This clause clarifies that a pending registration application at the Canadian Intellectual Property Office will be qualified as a "registered trademark."](#)

### **Section 10**

A grace period of two years for non-compliant products until June 2027 with the caveat that (a) they were manufactured prior to June 1, 2025, and (b) no French version of the trademark was registered on the date of the Regulation's publication.

A public consultation period is presently underway and will continue until February 24, 2024. Those interested in providing comments to the Quebec Ministry of the French Language, please send a letter to the address below.

M. Jean-François Roberge  
Ministre de la Langue française  
800, rue D'Youville, 13e étage,  
Québec (Québec) G1R 3P4

### **Attachments:**

No Attachments.