

<b>TO:</b>	<b>CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE MEETING AUGUST 10, 2020</b>
<b>FROM:</b>	<b>CATHY SAUNDERS CITY CLERK</b>
<b>SUBJECT:</b>	<b>CONSENT FOR NAME REGISTRATION MIDDLESEX LONDON PARAMEDIC SERVICE</b>

**RECOMMENDATION**

That, on the recommendation of the City Clerk, the Mayor and the City Clerk BE AUTHORIZED to execute the attached consent for registration of "Middlesex London Paramedic Service" under the *Business Names Act, R.S.O. 1990, c. B17*.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

None.

**BACKGROUND**

The County of Middlesex has provided the attached staff report to County Council, outlining a request to authorize the name registration application for the "Middlesex London Paramedic Service". In order to complete this registration, the Consent of the City of London is also required.

**DISCUSSION**

The attached Consent from The Corporation of the City of London is recommended for approval in order to complete name registration.

**PREPARED AND RECOMMENDED BY:**

**CATHY SAUNDERS  
CITY CLERK**



## County Council

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**Meeting Date:** December 17, 2019

**Submitted by:** Neal Roberts, Chief, Middlesex-London Paramedic Service and Director, Emergency Services

**SUBJECT:** CONSENT FOR NAME REGISTRATION APPLICATION FOR MIDDLESEX LONDON PARAMEDIC SERVICE

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### **BACKGROUND:**

During the October 24, 2017 County Council meeting a report was tabled dealing with Trademark applications on behalf of Middlesex-London Paramedic Service. The service in preparation of this report worked with the County Treasury to address these issues and through legal advice from Lerner's it was determined that the most prudent course of action would be for the County of Middlesex to file a trademark application for the words "Middlesex-London Paramedic Service" and to file a separate trademark design application for the Middlesex-London Paramedic Service crest in addition to signing by-laws confirming MLEMS' rights to these trademarks.

It was also recommended that at this time the Middlesex-London EMS Authority file a trademark application for the words "Middlesex-London EMS Authority" as this name has been in use since 2011.

During that Council meeting Council approved "That the County of Middlesex file the three aforementioned trademark applications, and that Middlesex County Warden and Clerk authorize the execution of the necessary by-laws".

### **ANALYSIS**

Since the approval by County Council and the filing of the appropriate paperwork with the appropriate federal department overseeing this process (Innovation, Sciences and Economic Development, we now have received notice of concern regarding the prior approved application.

After careful review by Legal Counsel (Lerners), it was recommended that rather than continue to deal with the Trademarks Office, one option might be to register under the Business Names Act. This is less restrictive and more cost effective than a trademark but is a registration nonetheless.

There is a restriction on registering names that may be associated with a municipality but it is permitted if the applicable municipalities consent. See the section of the applicable regulation below:

- 10.** (1) *Subject to subsection (2), a name shown in a registration must not include a word or expression that suggests that the business or activity of the registrant is connected with,*
- (a) the Crown in right of Canada or in right of a province;*
  - (b) the Government of Canada, of a territory or of a province;*
  - (c) a municipality; or*
  - (d) an agency of the Crown, government or municipality.*
- (2) *If the registrant obtains the written consent of the applicable Crown, government, municipality or agency, a name shown in a registration may include a word or expression described in subsection (1).*

Accordingly, Lerners have requested completion of the attached documents by Middlesex County and the City of London. Middlesex County Clerk will be following up with the City of London Clerk to obtain their consent and execution of the attached document (pertaining to the City of London).

**RECOMMENDATION:**

That the County of Middlesex authorize the Warden and County Clerk to execute the attached document on behalf of the County of Middlesex and request that the County Clerk work with the City of London Clerk to follow up on the associated document on behalf of the City of London.

Attachment

CONSENT

TO: Middlesex London Emergency Medical Services Authority

RE: Registration of "Middlesex London Paramedic Service" name under the Business Names Act  
(Ontario)

WHEREAS Middlesex London Emergency Medical Services Authority ("MLEMS") provides emergency medical services within the geographic boundaries of the County of Middlesex and the City of London;

AND WHEREAS MLEMS wishes to register the name "Middlesex London Paramedic Service" under the Business Names Act (Ontario), as amended;

AND WHEREAS there is a restriction on the registration of names that may be associated with a municipality unless the subject municipality consents under Ontario Regulation 122/91;

AND WHEREAS the undersigned wishes to confirm its consent to the registration of the name "Middlesex London Paramedic Service" under the Business Names Act (Ontario);

NOW THEREFORE WITNESSETH THAT the undersigned hereby consents to the use of the word and place "Middlesex" in the name "Middlesex London Paramedic Service" as required under Section 10 of Ontario Regulation 122/91 and hereby consents to the registration of the aforesaid name under the Business Names Act (Ontario).

This document may be executed and delivered by telecopier, facsimile or any other electronic transmission, including a scanned version in pdf format, and the telecopier, facsimile or any electronic transmission of a signature to another party or parties (or to their respective solicitors) shall be of the same force and effect as the delivery of an original signature.

Dated this      day of December, 2019.

The Corporation of the County of Middlesex

\_\_\_\_\_  
Warden

\_\_\_\_\_  
Clerk

We have authority to bind the Corporation.

CONSENT

TO: Middlesex London Emergency Medical Services Authority

RE: Registration of "Middlesex London Paramedic Service" name under the Business Names Act  
(Ontario)

WHEREAS Middlesex London Emergency Medical Services Authority ("MLEMS") provides emergency medical services within the geographic boundaries of the County of Middlesex and the City of London;

AND WHEREAS MLEMS wishes to register the name "Middlesex London Paramedic Service" under the Business Names Act (Ontario), as amended;

AND WHEREAS there is a restriction on the registration of names that may be associated with a municipality unless the subject municipality consents under Ontario Regulation 122/91;

AND WHEREAS the undersigned wishes to confirm its consent to the registration of the name "Middlesex London Paramedic Service" under the Business Names Act (Ontario);

NOW THEREFORE WITNESSETH THAT the undersigned hereby consents to the use of the word and place "London" in the name "Middlesex London Paramedic Service" as required under Section 10 of Ontario Regulation 122/91 and hereby consents to the registration of the aforesaid name under the Business Names Act (Ontario).

This document may be executed and delivered by telecopier, facsimile or any other electronic transmission, including a scanned version in pdf format, and the telecopier, facsimile or any electronic transmission of a signature to another party or parties (or to their respective solicitors) shall be of the same force and effect as the delivery of an original signature.

Dated this      day of December, 2019.

The Corporation of the City of London

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Mayor

\_\_\_\_\_  
Clerk  
We have authority to bind the Corporation.