



**CITY OF HAMILTON**  
**COMMUNITY AND EMERGENCY SERVICES DEPARTMENT**  
Neighbourhood and Community Initiatives Division

**CITY MANAGER'S OFFICE**  
Communications and Intergovernmental Affairs

<b>TO:</b>	Chair and Members Emergency & Community Services Committee
<b>COMMITTEE DATE:</b>	September 12, 2016
<b>SUBJECT/REPORT NO:</b>	Xperience Annex (Formerly known as Learning Annex) Update and Registered Trademark (CES15046(a)/CM16014) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Al Fletcher 905-546-2424 Ext. 4711
<b>SUBMITTED BY:</b>	Joe-Anne Priel General Manager Community & Emergency Services Department  Andrea McKinney Director, Communications and Intergovernmental Affairs City Manager's Office
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That the Director, Communications and Intergovernmental Affairs be authorized to sign any documentation related to the registration of the Xperience Annex trademark and logo; and,
- (b) That all costs related to the registration of the Xperience Annex trademark and branding changes be funded from the Neighbourhood Action Strategy Project # 2051255204.

**EXECUTIVE SUMMARY**

The Xperience Annex was developed in partnership with Hamilton's Neighbourhood Action Strategy, Mohawk City School and Workforce Planning Hamilton, in collaboration with community and neighbourhood stakeholders. The concept originated from actions developed by residents through broad neighbourhood consultation and contained within

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the 11 Neighbourhood Action Plans (NAPs). The Xperience Annex is a place-based, youth-developed hub with the goal of engaging youth in the development of unique pathways to educational and employment success. It is a place where youth feel safe in speaking with a Youth Navigator and can be connected to the existing services and programs offered throughout Hamilton as they chart their pathways to employment. The Xperience Annex was made possible through a three year grant awarded from the Provincial Local Poverty Reduction Fund through December 2018.

On June 22, 2016, the City received correspondence from a United States law firm noting that the name “Learning Annex” is a registered trademark in the United States and Canada. While the Canadian operations have ceased, the trademark remains. In response to this notification, the name of the program was changed to the “Xperience Annex”. To ensure that this name is protected for the program’s use, staff are recommending that the name, “Xperience Annex” and its associated logo be registered as official trademarks with the Canadian Intellectual Property Office and that the Director, of Communications be authorized to sign any paperwork related to the registration. All costs to register the name “Xperience Annex” will be funded from the Neighbourhood Action Strategy Fund (Project # 2051255204).

***Alternatives for Consideration – Not Applicable***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Legal Services has provided information that the registration will cost \$2,000 plus expenses to register the name and \$1750 for reprinting of marketing material. Of the \$2 million initially funded for Neighbourhood Action Strategy work, approximately \$150,000 remains unallocated.

Staffing: There are no staffing implications associated with Report CES15046(a)/CM16014.

Legal: To protect the use of “Xperience Annex” and its associated logo for future use by the City of Hamilton, Legal Services has recommended that the name and logo be registered by the City with the Canadian Intellectual Property Office.

**HISTORICAL BACKGROUND**

The Xperience Annex is an initiative that was developed in collaboration with Hamilton’s Neighbourhood Action Strategy, Mohawk City School and Workforce Planning Hamilton. The concept originated from actions developed by residents through broad neighbourhood consultation and contained within the 11 Neighbourhood Action Plans (NAPs). These actions involving youth include:

- seeking education and creating employment opportunities;

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- increasing programming to keep youth engaged in positive activities;
- providing life skills training opportunities;
- providing physical activity and recreation opportunities;
- providing youth-developed programming;
- creating programs to help youth succeed in school;
- promoting post-secondary and continuing education programs;
- developing leadership and mentorship opportunities; and,
- developing a youth hub.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

There are neither policy implications nor legislated requirements associated with Report CES15046(a) /CM16014.

## **RELEVANT CONSULTATION**

Through discussions with the Youth Engagers and staff, a new program name was developed (“Xperience Annex”) that fits with the branding work already completed. Youth and staff agree that this new name represents the goal and objectives of the initiative. Legal Services ran a trademark search and corresponded with the U.S. company holding the Learning Annex trademark and have directed staff that the Xperience Annex name is not currently trademarked.

It is the recommendation of Legal Services that a report be brought to Council to seek authority to take the steps necessary to register the “Xperience Annex” name and logo.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The registration of the name “Xperience Annex” and its associated logo as official marks for the City’s use provides the best protection against another party utilizing the same name or logo.

## **ALTERNATIVES FOR CONSIDERATION**

None

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

Economic Prosperity and Growth Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

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**APPENDICES AND SCHEDULES ATTACHED**

None

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