

Representative Work

The range of leading Canadian and international companies that Osler secures IP protection and manages IP portfolios for and/or represents in litigation proceedings include:

- › American Eagle Outfitters
- › Bausch & Lomb Incorporated
- › Bayer Healthcare L.L.C.
- › Bombardier Recreational Products Inc.
- › CAE Inc.
- › Cargill, Incorporated
- › Caterpillar Inc.
- › DNA Genotek Inc.
- › Enablex Technologies Inc.
- › Escada
- › Foster's Group Limited
- › GreenCentre Canada
- › Kik Interactive Inc.
- › Mercatus Technologies Inc.
- › Matrix Laboratories Limited
- › Microsoft Corporation
- › Mylan Pharmaceuticals ULC
- › NBA Properties, Inc.
- › Novopharm Limited
- › Re:Sound Music Licensing Company
- › Sears Holding Corp
- › Sport Maska Inc. (d/b/a Reebok-CCM Hockey)
- › Standard Innovation Corporation
- › Starbucks Coffee Corporation
- › The Polo/Lauren Company, L.P.
- › Stanley Black & Decker Inc.
- › Teva Canada Limited
- › 3M Company

Osler is home to “a spectacular IP department.” Our top ranked Intellectual Property team is renowned for its diverse strengths including excellence in IP litigation, expertise and innovation in Patent and Trade-mark Prosecution, portfolio advising and management, and unmatched experience in helping realize the value of IP portfolios in mergers, reorganizations and other business transactions.

Osler's Intellectual Property team is also “one of the most sought-after teams in Canada for general IP litigation” – notably, three members of the team are among a select group of Canada's “top cross-border litigators.” This international reputation for excellence in Canadian IP litigation has been built on our winning trial record representing some of the world's largest generic pharmaceutical companies, technology, biotech, life science, electronics, consumer products, entertainment, sports, food services, franchise, and many other international and domestic innovators in resolving their ongoing patent, copyright and trademark disputes in Canada. Clients, large and small, come to us initially for our deep legal knowledge, counsel and scientific and technical expertise, but they recommend us constantly to colleagues and other professionals because we offer:

Client Service Excellence: Unmatched responsiveness, accessibility and service.

Project Management: Meticulous and efficient management of matters.

Corporate Experience: A core group of the IP team spent years working in the corporate environment which intensifies our ability to provide practical, efficient advice and service.

IP Technology: Long-standing and continuing investment in IP technology allows us to respond accurately and rapidly to clients on all questions related to ongoing or historical matters.

Osler's Intellectual Property Department offers IP expertise and service across a breadth of specialty areas, with significant expertise in areas as diverse as bio-technology, aeronautics, chemistry, and mechanical, chemical and software engineering.

IP LITIGATION

- Some recent noteworthy proceedings in which our IP litigators have advised include:
- › Successfully represented **Teva Canada** in securing leave to appeal to the Supreme Court of Canada in relation to its application for regulatory approval to market its generic version of the ED drug sildenafil (VIAGRA®). Provided **ratiopharm Inc.** (now **Teva Canada Inc.**) with successful representation in various applications pursuant to the Patented Medicines (Notice of Compliance) regulations before the Federal Court.
 - › Lead outside counsel to **Mylan Pharmaceuticals ULC** in patent and other matters. Presently representing **Mylan** in a leave application to the Supreme Court [(SCC 34068) T-372-10] and in numerous pharmaceutical and general litigation matters.
 - › Successfully represented **Re:Sound** before the Copyright Board of Canada in the following recent decisions (July 2011): setting the royalties to be paid by the Canadian Broadcasting Corporation radio networks for communication to the public by telecommunication of published sound recordings embodying musical works and performers' performances of such works, payable for the years 2006-2011; and setting royalties to be paid on the use of recorded music to accompany dance for the years 2008-2012.
 - › Continue to represent **Microsoft** on numerous cases. Successfully represented **Microsoft** in *Microsoft Corporation v. PC Village Co. Ltd.*, et al where Microsoft was successful in obtaining default judgment and other significant award of statutory damages and punitive damages (2009 FC 401).
 - › Representing **Kik Interactive Inc.** in defending a patent and trade-mark infringement claim by Research in Motion relating to **Kik's** instant messaging application Kik Messenger [Federal Court, T-1996-10].

Ask us about:

LITIGATION

- › Appeals
- › Arbitration
- › ADR
- › Copyright Litigation
- › PM(NOC)
- › Patent Litigation
- › Settlement
- › Trade Secret Litigation
- › Trade-mark Litigation
- › Trials

PATENT, COPYRIGHT & TRADE-MARK PROSECUTION

- › Applications
- › Due Diligence
- › Transactions involving IP
- › Licensing & Other Commercial Services
- › Industrial Design
- › Opinions
- › Patent Portfolio Management
- › Rights

COPYRIGHT & TRADE-MARK

- › Anti-Counterfeiting
- › Anti-Piracy
- › Domain Name Litigation and UDRPs
- › False Advertising

RECOGNITION

The *Canadian Legal Lexpert Directory 2011* survey cites Osler as being "repeatedly recommended" by our clients and peers for expertise in IP matters. According to sources in *Chambers Global: The World's Leading Lawyers for Business 2011*: "Our relationship with Osler is a true partnership - they sit at the same table as us and we are comfortable having them there." *Chambers* also notes that "clients point to the excellent character and cohesion of this particular team." Three members of the team are among a select group of Canada's "top cross-border litigators" as denoted in the *Lexpert 2009 Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada*. Two of our lawyers are ranked in the *2011 IAM 250 World Leading Patent Litigators* and in the *2010 IAM Life Sciences 250 "The World's Leading Life Sciences Patent Litigators"*. *Best Lawyers 2012* recognized four of our lawyers in Intellectual Property Law. Six members of the team were ranked as leading trade-mark lawyers in *2012 World Trademark Review 1000*.

CONTACT US

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