Abuse of Dominance in Canada: What is the Rule Now?

March 7, 2014

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The Federal Court of Appeal in Canada, in its recent reversal of the Toronto Real Estate Board case, changed the game for determining Abuse of Dominance in Canada – or did it? The Court overturned the Tribunal decision – which had found that a real estate board could not engage in abuse of dominance with respect to members, because it was not a competitor of the members – but how broad is the decision? Does an “anti-competitive act” have to be targeted at a rival in some sense? Join our panel of experts to understand the implications of the latest Canadian turn of events.

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Moderator
• James Musgrove, Chair, ABA Unilateral Conduct Committee, Partner, McMillan LLP, Toronto, ON

Panelists
• Donald S. Affleck, Q.C., Counsel, Affleck Green McMurtry LLP
• Donald Houston, Partner, McCarthy Tétrault LLP
• Michelle Lally, Partner, Osler, Hoskin & Harcourt LLP
• Mark Popofsky, Publications Officer, ABA Section of Antitrust Law, Partner, Ropes & Gray LLP

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