Intellectual Property Litigation

Whether you're pursuing infringers or defending against allegations of IP infringement, it's key to have an experienced team of vigilant advocates on your side.

Our professionals speak your language and bring together the best of both worlds: we have the trial experience to communicate highly technical and legal issues to judges and juries, and the technical expertise to help you address IP issues. Our team includes lawyers who specialize in pharmaceutical litigation, including issues with Patented Medicines (Notice of Compliance) Regulations.

Our expertise includes:

- actions and applications for the infringement and the validity of patents, trademarks, industrial designs and copyright
- misappropriation of trade secrets and confidential information

We advocate for local, national and international companies across multiple industries.

We've represented clients before administrative boards, provincial superior courts, the Federal Court of Canada and on appeals to appellate courts, including the Supreme Court of Canada.

Experience

- Millennium Pharmaceuticals Inc., in appealing the legal errors in *Teva Canada Limited v. Janssen Inc. et al*. This is necessary to restore validity to our client's patents and ensure the law in Canada is not weakened.
- Eli Lilly Canada Inc., Eli Lilly and Company, Lilly Del Caribe, Inc., Lilly S.A., and ICOS Corporation in defending against all marketing generic companies in a number of patent infringement matters relating to CIALIS® and ADCIRCA® tadalafil products. In all cases, allegations of infringement of three patents, relating to unit doses, formulations and processes, are asserted.
- A copyright infringement matter against two Italian companies, alleging infringement of nautical charts. The matter ultimately settled, but we successfully defended a motion for summary trial seeking to dismiss the action for lack of standing in the Court of Appeal, with leave to appeal denied by the Supreme Court of Canada.
- Clients in a number of matters, either sending or responding to cease and desist letters relating to alleged infringement of copyright. Most of these have been resolved without going to court.
- A Canadian municipality, where an application was launched against the city for allegedly infringing copyright in a photo. The matter settled.

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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