

David Schnittker

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Patents
Intellectual Property Litigation
Copyright
Trademarks
Intellectual Property

David provides strategic counselling and representation on a wide range of intellectual property matters, including those related to complex patent, trademark and copyright litigation.

David regularly advises clients on patent litigation issues in various fields, including pharmaceuticals, oil and gas, and mechanical inventions. In addition, he provides advice related to regulatory matters including:

- Data protection;
- Patented Medicines Prices Review Board matters;
- *Patented Medicines (Notice of Compliance) Regulations*; and
- *Food and Drug Regulations.*

David also works with businesses and individuals on copyright and trademark protection and litigation, including both defence and enforcement.

He regularly represents clients before the Federal Court and the Federal Court of Appeal. He was second chair for a 2020 Managing IP® Impact Case of the Year, selected from all of North, Central, and South America.

Insights & Events

- Author, "Federal Court of Appeal addresses new standard of review for trademark opposition appeals", BLG Article, May 2020
- Author, "Federal Court of Appeal decides users can opt-out of board sanctioned copyright tariffs", BLG Article, April 2020
- Author, "Lack of evidence of non-use and confusion result in POKEWORKS trademark remaining on the register", BLG Article, May 2020
- Author, "Supreme Court confirms that making copyrighted works available online is not a stand-alone interest", BLG Article, July 2022
- Author, "A primer on Canadian intellectual property rights", BLG Article, April 2022
- Author, "Section 53.1 of the Patent Act – An update on the Canadian version of file wrapper estoppel ", BLG Article, June 2021
- Contributing author, IP Section Quarterly Summaries, Canadian Bar Association
- Presenter, “Section 53.1 of the Patent Act,” Intellectual Property Owners Association – Canadian Practice Committee, March 30, 2021.
- Contributing author, Consolidated Intellectual Property Statutes and Regulations, Trademarks Year In Review 2021

Beyond Our Walls

Professional Involvement

- Member, Canadian Bar Association
- Member, Intellectual Property Owners Association
- Corporate IP Management and Operations Committee Member, Intellectual Property Owners Association
- Student mentor, Queen’s University Career Development Office

Community Involvement

- Student mentor, Queen’s Career Development Office

Awards & Recognition

- Recognized in the 2027 (and since 2025) edition of *The Best Lawyers in Canada* as “Ones to Watch” (Intellectual Property Law)
- Second Chair for a 2020 Managing IP Impact Cases of the Year, selected from all of North, Central, and South America: *Eli Lilly Canada Inc. v. Apotex Inc.*, 2019 FC 884.

Bar Admission & Education

- Ontario, 2018

- JD, Queen's University, 2017
- M.Sc., McMaster University, 2012
- B.Sc (Hons.), McMaster University, 2010

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