



## Pierre N. Gemson

### Partner

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[Disputes](#)  
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[Appellate Advocacy](#)  
[Public Law Litigation](#)  
[Competition & Foreign Investment Review](#)

Pierre represents corporate clients in complex litigation matters. His practice focuses on competition law matters, including defending consumer class actions. Pierre regularly works with clients and BLG's national teams to develop and implement strategies for defending competition class actions that have cross-border and agency enforcement aspects. He has also acted for and advised clients in disputes spanning contractual, shareholder, franchise, defamation, construction and public law matters.

Pierre represents clients before the Ontario Superior Court, the Ontario Court of Appeal, the Federal Court, the Federal Court of Appeal and the Supreme Court of Canada.

Prior to joining BLG, Pierre practiced for more than five years at a leading, full-service firm in New York. There he represented and advised U.S. and international corporations in industries including cellular telecommunications, commercial aviation, banking, vision care and casino gaming.

From 2009 to 2010, Pierre served as law clerk to Justice Marie Deschamps at the Supreme Court of Canada. He is fluent in English and French.

## Experience

- Represents Samsung Electronics Corporation, Samsung Electronics America and Samsung Electronics Canada in multiple Canadian class action proceedings related to the supply of DRAM.

- Represents Deutsche Bank AG in multiple Canadian class action proceedings related to foreign exchange, precious metals, and sovereign bonds.
- Represents Nova Sea AS in Canadian class action proceedings related to the sale and supply of farmed salmon.
- Represents Formosa Plastics Corporation in Canadian class action proceedings related to caustic soda.
- Represents Wockhardt in Canadian class action proceedings related to generic pharmaceutical pricing.
- Represents Korean Air in Canadian class action proceedings related to air passenger travel.
- Represents Diamond Electric in multiple Canadian class action proceedings related to ignition coils.
- Represents Sanoh in multiple Canadian class action proceedings related to automotive steel tubes.
- Represented MinebeaMitsumi in multiple Canadian class action proceedings related to the sale and supply of small sized bearings.
- Represented Hitachi LG Data Systems Inc. multiple Canadian class action proceedings related to optical disc drives.
- Represented Aisan Industry in multiple Canadian class action proceedings related to fuel injection systems and electronic throttle bodies.
- Represented the Canadian Civil Liberties Association as an intervener in Supreme Court of Canada appeals related to the constitutionality of the mandatory victim surcharge, the availability of habeas corpus review of immigration detention, and the journalist-source privilege.
- Represented the Centre for Free Expression at Toronto Metropolitan University (formerly Ryerson University) as an intervener in the Supreme Court of Canada appeal of a constitutional challenge to legislation modifying the 2018 City of Toronto municipal election
- Prior to joining BLG, Pierre represented a:
  - Multinational pharmaceutical company in a nationwide putative consumer class action centralized in the United States District Court for the Middle District of Florida alleging federal and state antitrust violations relating to its pricing policy.
  - Multinational pharmaceutical company in a federal constitutional challenge seeking to enjoin the application of a state statute purporting to regulate contact lens pricing activity in U.S. federal district court and in the court of appeals.
  - Multinational cellular telecommunications company in an antitrust action alleging a conspiracy in the development of the 4G-LTE cellular standard.
  - Multinational glass packaging company in an antitrust action brought by the Federal Trade Commission challenging the sale of its North American glass packaging business.
  - Buyer on antitrust aspects of U.S. airline's partial acquisition of a U.K. airline.

## Insights & Events

- Author, "Supreme Court rules military judges free of reasonable apprehension of bias", BLG Article, May 2024
- Author, "Two routes to a remedy: Judicial review and statutory rights of appeal", BLG Article, March 2024
- Author, "SCC decision: Deliberative secrecy and disclosure of Cabinet mandate letters", BLG Article, February 2024
- Author, "Major changes are coming to Canadian competition law", BLG Article, December 2023
- Author, "Appellate Fall 2023 preview: Significant cases to watch", BLG Article, September 2023
- Author, "The Safe Third Country Agreement: Safe... For now?", BLG Article, June 2023
- Author, "Top commercial decisions of 2022", BLG Article, February 2023
- Author, "An overview of the Competition Bureau's enforcement guidance on wage-fixing and no-poaching agreements", BLG Article, January 2023

- Author, "Appellate Fall 2022 preview: Significant cases to watch", BLG Article, September 2022
- Author, "Appointment processes for judges of the SCC and SCOTUS in a year of historic nominations", BLG Article, August 2022
- Author, "Supreme Court confirms that making copyrighted works available online is not a stand-alone interest", BLG Article, July 2022
- Author, "Provincial appellate court cases in Canada", BLG Article, July 2022
- Author, "Revisiting the test for abuse of process in administrative law", BLG Article, July 2022
- Author, "SCC clarifies test for public interest standing in *British Columbia v. Council of Canadians with Disabilities*", BLG Article, June 2022
- Author, "In *Sullivan*, the SCC clarifies role of stare decisis in constitutional litigation", BLG Article, May 2022
- Co-Author, "Cross-Border Discovery in Canadian & American Antitrust Litigation," *ABA Antitrust Section Global Private Litigation Bulletin*, February 2020
- Author, "Ontario Court of Appeal Confirms that Class Members Lack Standing to Appeal Settlement Approval Decisions", BLG Article, December 2019
- Author, "Significant New Statutory Protections for Journalistic Sources Affirmed by the Supreme Court of Canada", BLG Article, October 2019
- Author, "Supreme Court of Canada Affirms Access to Habeas Corpus for Immigration Detainees", BLG Article, May 2019
- Author, "Supreme Court of Canada Strikes down the Mandatory Victim Surcharge", BLG Article, December 2018
- Author, "Supreme Court to hear hotly contested issues affecting competition class actions", BLG Article, June 2018
- Author, "Raising The Curtain On Canadian National Security Reviews: 2015-16 Investment Canada Act Report", BLG Article, August 2016

## Beyond Our Walls

### Professional Involvement

- Vice-Chair, American Bar Association, Antitrust Law Section, Books & Treatises Committee (2021-present)
- Editorial Board Member, American Bar Association, Antitrust Law Section, Annual Review of Antitrust Law Developments (2019-2021)
- Member, American Bar Association, Section of Antitrust Law
- Member, The Advocates' Society
- Member, The Osgoode Society for Canadian Legal History

## Bar Admission & Education

- New York, 2011
- Ontario, 2010
- BA (Hons. with high distinction), University of Toronto, 2002



- LLB / BCL (Great Distinction), McGill University, 2009
- MPhil (St. Antony's College), University of Oxford, 2005

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## **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 725 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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