

2019 SUMMER COURSES IN
**INTELLECTUAL
PROPERTY**

JULY 8 - 24, 2019



McGill.ca/IntellectualProperty



INTELLECTUAL PROPERTY INSTITUTE OF CANADA
INSTITUT DE LA PROPRIÉTÉ INTELLECTUELLE DU CANADA



School of
Continuing Studies



Understanding Trademarks

An Introductory Course: Monday, July 8 to Friday, July 12, 2019

Module 1 (2 days) Basics of Canadian Trademark Procurement (July 8-9)

Module 2 (3 days) Fundamentals of Trademark Management and Contentious Proceedings (July 10-12)



This course is essential for all in house lawyers in Canada that practice intellectual property.

Nicholas Cirino

Counsel, Commercial and Regulatory
Air Canada



The Understanding Trademarks summer program was a professionally delivered course that has served me well in private industry. The class leaders were both interesting and engaging and their presentation contained the right mix of technical material, relevant case studies and personal commentary..

Richard Cook

CA, President Kamik Footwear



An introductory pre requisite for anyone considering practicing in trademarks. Moreover, why would you learn just from books when you can learn directly from those who wrote many of them and argued the cases contained therein!

Jonathon L. Wescott

B.A. B.Mgt. LL.B

Emery Jamieson LLP



Well organized, lots of great information! The presenters are top in their fields. Highly recommend this program!

Josie Uberig

Coordinator, Legal Services

Canadian Blood Services



This course is extremely relevant to current trademark practices. Highly recommend it to anyone who works in trademarks or is interested in working in the IP field.

Suzeth Westres

Trademark assistant

Morency S.E.N.C.R.L.

Improve Your Career Prospects

An intensive & practical course providing valuable information from Canadian, American and European practitioners about acquiring, managing & protecting trademark assets, as well as dealing with contentious proceedings.

Key Benefits

Lectures and workshops cover both theoretical & practical aspects of trademark procurement, portfolio management, and contentious proceedings, together with information and tools on international filing systems including the Madrid Protocol. Lecturers will discuss the impact of the coming changes to the Canadian trademark regime and provide "best practices" advice and tips. There will be a compelling keynote on Brands, the Web & Social Media and we are pleased to bring back recent additional lectures on counterfeiting and border enforcement, as well as transactional law, both of which bring great added value to the course.

This year's course will cover:

- ▶ how to select great trademarks
- ▶ conducting searches and writing opinions
- ▶ preparing & filing applications
- ▶ responding to Examiners' Reports
- ▶ maintaining trademark rights and best practices
- ▶ in-house perspective for managing portfolios
- ▶ commercial transactions involving trademarks and due diligence work
- ▶ opposition proceedings and settlement strategies
- ▶ the European Union and international treaties
- ▶ counterfeiting and border enforcement
- ▶ trademark litigation in Canada and in the US

Who Should Attend

Lawyers, trademark agents, In-house counsel, brand portfolio managers, marketing & brand creation specialists and professionals seeking a greater understanding of trademark law and practice, young professionals considering entering the field of trademarks, people new to the profession, and any professionals seeking to refresh or broaden their knowledge and skill set can all benefit from the course. Valuable course materials are provided including An Introduction To Trademark Law in Canada by Sheldon Burshtein (Blake, Cassels & Graydon LLP). Plus daily workshops with experienced practitioners:

- ▶ Suzanne Antal (Benoit & Côté)
- ▶ Jonathan Auerbach (Stikeman Elliott LLP)
- ▶ Érika Bergeron-Drolet (MLS Legal)
- ▶ Christian Bolduc (Smart & Biggar/Fetherstonhaugh)
- ▶ Brigitte Chan (Bereskin & Parr LLP)
- ▶ Catherine Daigle (Norton Rose Fulbright Canada LLP)
- ▶ Christopher Dejardin (Cassan Maclean IP Agency Inc.)
- ▶ Meghan Dillon (Bereskin & Parr LLP)
- ▶ Philip Lapin (Smart & Biggar/Fetherstonhaugh)
- ▶ François Larose (Bereskin & Parr LLP)
- ▶ Julie Larouche (Cabinet Juridique St.Lawrence)
- ▶ Jonathan Roch (MBMIntellectualPropertyLawLLP)
- ▶ Chantal St.Denis (O'Brien TMServices)
- ▶ Ekaterina Tsimberis (Smart & Biggar/Fetherstonhaugh)
- ▶ Justine Whitehead (Stikeman Elliott LLP)
- ▶ Richard Whissell (MacRae & Co.)

MONDAY, JULY 8, 2019

MODULE 1

BASICS OF CANADIAN TRADEMARK PROCUREMENT

Opening Remarks 8:30 - 8:50

Course Director:

Ekaterina Tsimberis Smart & Biggar/Fetherstonhaugh

Assistant Course Director:

Catherine Daigle Norton Rose Fulbright Canada LLP

Selecting Great Trademarks 8:50 - 10:35

Rob McDonald Bennett Jones LLP

- ▶ Legal considerations
- ▶ Distinctiveness: inherent/acquired
- ▶ Confusion: 3rd party marks on the register vs. in the marketplace
- ▶ Marketing considerations & their impact: visual impact, impact when sounded, and other languages/cultures

Preparing Trademark Applications and Use and Registrability Opinions 10:50 - 12:30

Christian Bolduc Smart & Biggar/Fetherstonhaugh

- ▶ Introduction to the Trademarks Office
- ▶ Preparing trademark applications
 - procedure & forms
 - information required in all applications
 - information required in some applications
 - bases of application & priority dates
 - registrability restrictions
 - linguistic and other considerations

Preparing Trademark Applications (CONT'D) 1:45 - 3:15

Workshop: Trademark Filing Strategies 3:30 - 5:00

Cocktail Reception 5:00 - 7:00

TUESDAY, JULY 9, 2019

MODULE 1 (CONT'D)

The Basics of Trademark Use in Canada: the Who, What, Where, When, Why, How and Future 8:30 - 10:30

Paula Clancy Clancy PC

- ▶ Concept of use
- ▶ Types of use
- ▶ Time of use
- ▶ Use by whom
- ▶ Location of use
- ▶ Nature of use

Different Types of Applications, Examiners' Reports & Responses, Post-Advertisement Matters 10:45 - 12:30

Brigitte Chan Bereskin & Parr LLP

- ▶ Special applications
 - certification marks
 - distinguishing guises/3D marks
 - official marks
- ▶ Examiners' reports & responses
- ▶ Other legislation affecting trademarks
- ▶ Amendments to applications
- ▶ Voluntary withdrawal and abandonment
- ▶ Extension of time
- ▶ Advertisement & Allowance

Different Types of Applications (CONT'D) 1:45 - 3:15

Workshop: Responding to Examiners' Reports 3:15 - 5:00

WEDNESDAY, JULY 10, 2019

MODULE 2 FUNDAMENTALS OF TRADEMARK MANAGEMENT AND CONTENTIOUS PROCEEDINGS

Opposition Proceedings: Overview, Context & Strategy 8:30 - 12:00

Philip Lapin Smart & Biggar/Fetherstonhaugh

- ▶ Context
- ▶ Length of oppositions, costs & strategy considerations
- ▶ Procedures & steps
- ▶ Why oppose?
- ▶ Extensions of time including retroactive extensions
- ▶ Evidence
- ▶ Written arguments and hearings
- ▶ Options for settlement

Lunch and Learn 12:15 - 2:15

Brands, the Web & Social Media

Eric Macramalla Gowling WLG (Canada) LLP

Eric will highlight key concepts for brand protection in the context of social media, provide insight into enforcement strategies that work, and pass along some cautionary tales about brand protection gone wrong on Web 2.0.

Opposition Proceedings (CON'T) 2:30 - 3:30

Workshop: Tips and Strategies

in Opposition Proceedings 3:30 - 5:30

THURSDAY, JULY 11, 2019

MODULE 2 (CONT'D)

Life After Registration 8:30 - 10:00

Jonathan Roch MBM Intellectual Property Law Roch

- ▶ Registration and renewal
- ▶ Maintenance of registration and proper use
- ▶ Possible expungement by Registrar or third parties
- ▶ Post-registration amendments, assignments and recordal of documents

Trademark Issues Related to Domain Names 10:15 - 11:45

Eric Macramalla Gowling WLG (Canada) LLP

- ▶ Overview of the domain name system
- ▶ Conflicts between domain names and trademarks
- ▶ New gTLDs
- ▶ Rights protection mechanisms: TMCH, CDRP, UDRP, URS
- ▶ Online tools, databases, forms and tips

Managing Your Assets: An In-House Perspective 12:45 - 2:00

Geneviève Prévost Molson Coors Brewing Company

- ▶ Strategies for searches, clearance and reporting
- ▶ Managing your IP portfolio to maximize asset value - aligning IP strategy with your business strategy
- ▶ Managing relationships: executives, marketing professionals, agencies and outside counsel
- ▶ Corporate strategies: social media, marks in ads, domains and licensing
- ▶ Monitoring and protecting your IP asset

Transactional Matters in Trademark Law 2:00 - 3:15

Kathleen Lemieux Borden Ladner Gervais LLP

- ▶ Due diligence
- ▶ Types of deals that involve trademarks
- ▶ Trademark transactions, including license agreements, transfer agreements and development agreements.

Workshop: Trademark Searches and Risk Assessments 3:15 - 5:00

FRIDAY, JULY 12, 2019

MODULE 2 (CONT'D)

The European Union Trade marks (EUTM) and Madrid Protocol 8:30 - 10:15

Rebecca Delorey Bardehle Pagenberg

- ▶ Filing strategies; an overview of the EUTM
- ▶ Madrid Protocol (International), and national filing systems
- ▶ EUTM / Madrid Protocol systems: advantages and disadvantages
- ▶ Registration & post-registration issues; enforcement
- ▶ Navigating the NICE classification system

Counterfeits in Canada: how to keep fakes out of physical and online marketplaces 10:30 - 12:15

David Lipkus Kestenberg Siegal Lipkus LLP

- ▶ Counterfeit goods/rights at issue
- ▶ Identifying the target
- ▶ Investigations
- ▶ Obtaining evidence
- ▶ Online open source searches
- ▶ Civil/criminal/border enforcement
- ▶ Social media
- ▶ Online marketplaces
- ▶ Website enforcement
- ▶ Collaboration with third parties

Overview of Trademark Litigation in Canada - Infringement, Passing Off & Depreciation of Goodwill 1:00 - 2:45

Christopher J. Pibus Gowling WLG (Canada) LLP

- ▶ Enforcement strategies for registered and common law trademarks
- ▶ Causes of actions: infringement, passing-off, depreciation of goodwill
- ▶ Marshalling relevant evidence for proof of infringement
- ▶ Defence strategies to challenge distinctiveness and validity
- ▶ Counterfeiting issues in Canada
- ▶ Remedies (Anton Piller Orders, injunctions, recovery of damages or profits, destruction, custom remedies)

Trademark Litigation in the U.S. - What Practitioners Need to Know for Canadian Clients 3:00 - 4:15

Douglas Rettew Finnegan Henderson Farabow

- ▶ Strategies and precautions
- ▶ Forum shopping
- ▶ Jury trial
- ▶ Preliminary & summary proceedings



I was very pleased with the program. The incredible speakers offered a comprehensive overview of the law and process of trademark registration and practice in Canada as well as comparisons with other countries. Overall, the course was invaluable and presented me with information and materials which were essential in preparation for the Trademarks Agent Exam and practice in the area.

Michael A. Poznanski
Davidson Lawyers LLP

FEES

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Discount does not apply for the full-time student fee, or to registrations for individual modules.

Understanding Trademarks An Introductory Course

July 8 - 12, 2019

IPIC member fee.....	\$2175
Regular fee.....	\$2375
Full-time student fee	\$1187

*Lunch & Learn included in the course fee

Module 1

July 8 - 9, 2019

IPIC member fee.....	\$1075
Regular fee.....	\$1275
Full-time student fee	\$637

Module 2

July 10 - 12, 2019

IPIC member fee.....	\$1475
Regular fee	\$1675
Full-time student fee	\$837

Lunch & Learn

July 10, 2019

IPIC member fee.....	\$75
Regular fee	\$95
Full-time student fee	\$50

Program chairs:
François Larose, Bereskin & Parr LLP
Natalie Raffoul, Brion Raffoul

REGISTRATION DEADLINE IS JUNE 24, 2019



Understanding Patents

An Introductory Course: Monday, July 15 to Friday, July 19, 2019

Module 1 (3 days) | Obtaining and Enforcing a Patent (July 15-17)

Module 2 (2 days) | Exploiting IP Rights: A Worldwide Strategy (July 18-19)



By the end of the week, the challenge and excitement of establishing a patenting strategy became clear, and I recommend the course to others. Being relatively new to the world of patenting, I found the course tremendously informative and well organized. The format—morning seminars and afternoon small-group workshops—provided ample opportunities for learning, questioning, and reflecting, as well as interacting and networking with other participants. The speakers and program directors were congenial, knowledgeable, and open to feedback. From a technology commercialization perspective, various relevant concepts are addressed, from patent structure, claim drafting, and office actions, to license negotiation, international filing, and intellectual property enforcement. Thanks to all for a valuable experience!

Heather A. Phillips

Technology Analyst
Medical & Life Sciences
(AHFMR ForeFront Intern)
University Technologies International
Calgary, Alberta

Get into the Game – Improve Your Career

A five-day intensive, practical course divided in two modules, the first one provides an overview of patents and patenting, as well as enforcing or attacking a patent. The second module completes the week and offers insights into establishing and exploiting patents.

Who Should Attend

Understanding Patents is a must for **anyone involved in patents and patenting, patent agents in training, lawyers (in-house or external counsel), licensing executives and contract managers** – anybody who encounters patents in their work and needs to have a better understanding of the nature and scope of the patent system, how patents are obtained, how patents are obtained and how to manage a patent portfolio.

Key Benefits

Lectures and workshops deal with the protection of inventions and using the patent system, including the processes for obtaining and maintaining patents, in Canada and abroad. The practical issues which will be addressed include:

Module 1:

- ▶ patents as an intellectual property right
- ▶ the nature of the patent right
- ▶ the Canadian patent system, EU, CHINA and US compared
- ▶ what can be patented (from life science to software and beyond)
- ▶ understanding the patent document
- ▶ drafting patent applications and claims
- ▶ enforcing patents
- ▶ trade secrets and designs

Module 2:

- ▶ managing an international patent portfolio
- ▶ extracting value from patents in business
- ▶ corporate IP management
- ▶ patent valuation
- ▶ patent licensing

Workshop Leaders

- ▶ Patent Claims Drafting: Sorel Bosan AMD
- ▶ Prior Art and Freedom to Operate Analysis: Noel Courage Bereskin Parr LLP
- ▶ International Filing Program: Noel Courage Bereskin Parr LLP
- ▶ Simulated Patent License Negotiation: Scott Inwood University of Waterloo
- ▶ Mock Patent Trial: Beverley Moore Borden Ladner Gervais LLP

MONDAY, JULY 15, 2019

MODULE 1

OBTAINING AND ENFORCING A PATENT

Opening Remarks 8:30 - 8:45

Course Director:

Noel Courage Bereskin & Parr LLP

Assistant Course Director:

Beverley Moore Borden Ladner Gervais LLP

Patents: An Overview 8:45 - 9:30

Emma Start Bombardier Aerospace

- ▶ Commercial advantages of patenting
- ▶ What can be patented?
- ▶ Novelty, non-obviousness and subject-matter
- ▶ Inventors and owners

Designs: An Overview 9:30 - 10:15

Noel Courage Bereskin & Parr LLP

- ▶ Registrable design types
- ▶ Interface with patents and copyrights
- ▶ Originality
- ▶ Prosecution in Canada and internationally

Structure of a Patent 10:30 - 12:00

Louis-Pierre Gravelle ROBIC, LLP

- ▶ What is prior art?
- ▶ Need for clarity, enablement
- ▶ Patent claims

Effective Inventor Interviewing 12:00 - 12:30

Sorel Bosan AMD

- ▶ Effective inventor interview techniques for patent preparation and claim drafting

Workshop: Invention Mining

and Patent Claims Drafting 2:00 - 4:30

- ▶ Meeting the inventor and identifying the invention
- ▶ Patent claims drafting

Cocktail Reception 4:30 - 6:30

TUESDAY, JULY 16, 2019

MODULE 1 (CONT'D)

From Invention to Patent:

Preliminary Steps and Time Line 8:30 - 10:00

Pierre Nguyen Norton Rose Fulbright Canada LLP

- ▶ Patentability searching
- ▶ Patenting time line
- ▶ Negotiating with the Patent Office (official actions)
- ▶ Amending applications and patents
- ▶ Re-examination and reissue

Comparative Overview of U.S. Practice 10:15 - 11:15

Micheline Gravelle Bereskin & Parr LLP

- ▶ Filing provisional and regular applications
- ▶ Continuation and Continuation-in-part applications
- ▶ Prosecution strategies

Comparative Overview of European Practice 11:15 - 12:15

Tuba Yamac BCF LLP

- ▶ European Patent Convention and European Patent Office (EPO)
- ▶ EPO's problem-solution approach to examination
- ▶ Post-grant review, oppositions

Comparative Overview of Chinese Practice 12:15 - 1:00

Stephen Yang Co-Talent Intellectual Property Firm

- ▶ Chinese Patent Strategy
- ▶ Enforcement
- ▶ Compare to Japan and South Korea

Subject Matter Patentability Tracks 2:30 - 3:45

Track I: Biotechnology and Pharmaceutical Patents

Jennifer Raoul and Beverley Moore Borden Ladner Gervais LLP

- ▶ What is patentable?
- ▶ Claiming biotechnology and pharmaceutical inventions
- ▶ Disclosure requirements
- ▶ Sequence listings, biological deposits
- ▶ Review of the regulatory landscape (*Patented Medicines (Notice of Compliance) Regulations, Data Protection, Certificate of Supplementary Protection, Patented Medicines Prices Review Board*)

Track II: Business Method and Software Patents

Natalie Raffoul Brion Raffoul

- ▶ What is patentable?
- ▶ Review of the legal landscape & recent court decisions (*Amazon, Alice*)
- ▶ Patent drafting strategies
- ▶ Strategic considerations

Workshop: Prior Art and Freedom to Operate Strategies 4:00 - 6:00

WEDNESDAY, JULY 17, 2019

MODULE 1 (CONT'D)

Trade Secrets 8:30 - 9:30

Beverley Moore Borden Ladner Gervais LLP

- ▶ Identification and protection of trade secrets
- ▶ Enforcement

Patent Enforcement: Infringement 9:30 - 10:30

Jordana Sanft Norton Rose Fulbright Canada LLP

- ▶ Infringing acts
- ▶ Contributory infringement
- ▶ Exceptions to infringement
- ▶ Awards: damages and lost profits; reasonable royalty
- ▶ Injunction: permanent and temporary
- ▶ Alternative dispute resolution

Patent Enforcement: Validity 10:45 - 11:45

Andrew Shaughnessy Torys LLP

- ▶ Obviousness
- ▶ Lack of novelty

Workshop: Patent Enforcement - A cease & desist letter will be discussed. Then a mock patent infringement trial will be held 1:30 - 4:30

THURSDAY, JULY 18, 2019

MODULE 2

EXPLOITING IP RIGHTS: A WORLDWIDE STRATEGY

Patents Worldwide: Value and Cost Management 8:30 - 10:30

Ilya Kalnish BCF LLP

- ▶ Filing PCT applications
- ▶ Foreign filing strategy and practice
- ▶ Global portfolio management strategies
- ▶ Techniques to maximize value while balancing costs

Patents Worldwide: Corporate IP

Management Panel 10:45 - 12:00

Emma Saffman BCF LLP

Emma Start Bombardier Aerospace

Reza Yacoob Sanofi Pasteur

Phil Goldbach MaRS Innovation

- ▶ Managing patents as a corporate asset
- ▶ Alignment of IP strategy with corporate and business strategy

Lunch and Learn 12:15 - 2:00

Living in Colour. The Full Spectrum of Intellectual Property in Innovation

Barbara Campbell

CEO Hammock Facilitation Inc.

Workshop: International Patent Filing Program 2:00 - 4:30

FRIDAY, JULY 19, 2019

MODULE 2 (CONT'D)

Funding a Patent Portfolio and Determining its Value 8:30 - 9:30

Konrad Powell-Jones OpporTx Inc

Vigen Nazarian Naprico Inc.

- ▶ Tapping into patent funding
- ▶ Factors affecting the value of a patent
- ▶ Determining value

Exploiting IP Rights 9:30 - 10:30

Maya Medeiros Norton Rose Fulbright Canada LLP

- ▶ Transferring ownership of inventions: assignments and licensing
- ▶ Due diligence
- ▶ Additional considerations: anti-trust, export controls, working the invention, marking and compulsory licensing

Anatomy of a License and Patent / Considerations

in Technology Licensing Programs 10:45 - 12:00

Scott Inwood University of Waterloo

- ▶ Overview of the anatomy of a typical license agreement
- ▶ Academic institution approach to using intellectual property as a basis for creating a start-up company
- ▶ Practical licensing considerations and challenges to license out patented technology to commercial entities
- ▶ Discussion of exemplary terms and conditions of a license agreement and negotiation items

Alternative monetizing

strategies/licensing trends 12:00 - 12:45

Paul Gagnon Element AI

- ▶ Overview of monetization strategies
- ▶ Intellectual property and antitrust issues relating to standards and patent pools
- ▶ Other licensing trends

Workshop: Simulated Patent License Negotiation 2:00 - 4:00



The program covered all the basics of the various intellectual property domains and the afternoon workshops enabled the attendees to select their topics of interest for which they could dwell deeper into the subject under the guidance of trained and experienced coaches. The course is well balanced to ensure that every student acquires the most knowledge and understanding of IP within a week. This course is a "must" to grasp the big picture of the IP world.

James M. Jessop, ing., M.Sc., CLP

Commercial Relations, Storage and

Conversion of Energy, IREQ

FEES

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Understanding Patents An Introductory Course

July 15 - 19, 2019

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July 15 - 17, 2019

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*Lunch & Learn NOT included in the course fee

Module 2

July 18 - 19, 2019

IPIC member fee.....	\$1075
Regular fee.....	\$1275
Full-time student fee.....	\$637

*Lunch & Learn included in the course fee

Lunch & Learn

July 18, 2019

IPIC member fee.....	\$75
Regular fee.....	\$95
Full-time student fee.....	\$50

*Lunch & Learn can be purchased separately

Program chairs:
François Larose, Bereskin & Parr LLP
Natalie Raffoul, Brion Raffoul



Copyright Master Class

Monday, July 22 to Wednesday, July 24, 2019



The Business of Copyright course provides an excellent opportunity for experienced practitioners as well as for beginners to review the fundamentals of copyright, and to get more familiar with specialized aspects of copyright law, such as entertainment or technology.

France Lafleur
SOCAN



I came with high expectations of learning something practical and useful. I was not disappointed. I thank the organizers for their efforts. My time and money were well spent.

Jerry Switzer
Feehely, Gastaldi Law Firm

Upgrade Your Skills: Copyright law has become a key consideration in a large number of areas of our society and economy. At the same time, it is becoming more complex, as legislators, courts, public institutions and businesses all struggle to address the impact of new technologies, new uses and new legal issues. Now you have a chance to learn from some of Canada's copyright experts' valuable practical insights into the impact of these changes and how to deal with them.

Key Benefits: In-depth analysis of copyright law with a focus on the changing landscape, including the legislative amendments and recent cases. Practical advice from experienced counsel. An opportunity to interact daily with some of the top copyright lawyers in Canada.

Who Should Attend: This course will be of great benefit to **in-house counsel, practising lawyers, intellectual property managers, contract managers, licensing executives and business persons** who deal with copyright issues as part of their responsibilities or practice. The focus is on practical issues and understanding how copyright works in a variety of business settings. The course will be of greatest benefit to participants who have been previously exposed to copyright issues. The instructors will presume that each participant is reasonably familiar with general copyright concepts.

MONDAY, JULY 22, 2019

Opening Remarks 8:30 - 8:45

Course Director:

Erin Finlay Stohn Hay Cafazzo Dembroski
Richmond LLP

Assistant Course Director:

Bob Tarantino Dentons LLP

Setting the Stage 8:45-9:30

Bob Tarantino Dentons LLP

- ▶ Introduction
- ▶ What is copyright?
- ▶ Overview of literary, dramatic, musical and cinematographic works
- ▶ Exclusive rights
- ▶ Main themes of copyright
- ▶ Crown copyright
- ▶ Collective societies

Foundations of Copyright - Part 1:

Defining Copyright 9:30 - 11:00

Antonio Turco Blake, Cassels & Graydon LLP

- ▶ Compilations and collective works
- ▶ Other protectable subject matter
- ▶ Ownership and authorship
- ▶ Author's rights
- ▶ Registration and Notice
- ▶ Copyright in Machine or AI generated works
- ▶ Copyright in data

Foundations of Copyright - Part 2: Infringement 11:15-1:00

Erin Finlay Stohn Hay Cafazzo Dembroski Richmond LLP

- ▶ Specific acts of infringement
- ▶ Who is an infringer?
- ▶ Unconscious copying
- ▶ Indirect copying
- ▶ Meaning of "substantial part"
- ▶ Section 27 (2) and secondary infringement

Foundations of Copyright - Part 3: Defences to

Infringement and User Rights 2:00 - 3:30

John C. Cotter Osler, Hoskin & Harcourt LLP

- ▶ Common defences
- ▶ Exceptions to infringement/user rights
- ▶ Fair dealing: general principles, fair dealing in education

International Issues and Copyright Treaties 3:30-4:45

Jay Kerr-Wilson Fasken Martineau DuMoulin LLP

- ▶ International aspects of copyright
- ▶ Where does copyright exist?
- ▶ Domicile?
- ▶ Conventions, NAFTA/CUSMA and treaties
- ▶ Which law governs?

Day 1 Wrap-Up 4:45 - 5:00

Networking 5:00 - 6:30

TUESDAY, JULY 23, 2019

Protection and Enforcement of Copyright 8:30 - 10:00

Lorne Lipkus Kestenberg Siegal Lipkus LLP

- ▶ Anton Piller Orders
- ▶ Injunctions
- ▶ Damages and profits
- ▶ Detention of imported copies by customs
- ▶ Enforcement of criminal provisions
- ▶ Cross-border copyright infringement and the Internet
- ▶ Impact of Social networking
- ▶ Canadian Anti-Fraud Centre

Technological Neutrality in Copyright 10:15 - 11:30

Casey M. Chisick Cassels Brock & Blackwell LLP

- ▶ Origins and evolution of the principle of technological neutrality
- ▶ Media neutrality vs. functional equivalence
- ▶ Application to substantive rights and valuation
- ▶ International perspectives
- ▶ Implications and future directions

Lunch and Learn 12:00 - 1:45

Copyright in the Digital World 2:00-3:15

Stéphane Gilker Barrister & Solicitor

- ▶ Internet legal issues
- ▶ Browsing, linking and caching
- ▶ Downloading / streaming
- ▶ Virtualization
- ▶ File sharing
- ▶ ISP liability
- ▶ Jurisdiction

Social Media, Virtual Reality, and Computer Games 3:15 - 4:45

Catherine Lovrics Bereskin & Parr LLP

- ▶ Enforceability of software, click-wrap and browse-wrap licences
- ▶ Copyright issues in cloud computing and with software as a service (SAAS)
- ▶ Open source software
- ▶ The “Law of Google”
- ▶ Virtual and augmented reality
- ▶ Social media and user-generated content
- ▶ Copyright in metatags, online games and virtual property

Day 2 Wrap-Up 4:45 - 5:00

Copyright in Policy 1:00-1:45

Erin Finlay Stohn Hay Cafazzo Dembroski Richmond LLP

The Federal Government is currently undergoing concurrent reviews of the *Copyright, Broadcasting, Telecommunications and Radiocommunications Acts*. In this timely discussion, learn about the key issues bubbling to the surface, the policy implications at play and how each of these legislative reviews might intersect with one another as we modernize our communications legislative framework.

Copyright in Practice 2:00-4:15

Moderated by **Bob Tarantino** Dentons LLP

Susan Abramovitch Gowling WLG (Canada) LLP

Angelika Heim Stohn Hay Cafazzo Dembroski Richmond LLP

Using an interactive scenario-based approach, practitioners with decades of experience serving clients in the film and television, publishing and music industries will discuss practical applications of copyright in a variety of business settings, and will debate current policy implications of copyright.

Day 3 Wrap-Up, Closing and Surveys 4:15 - 5:00

WEDNESDAY, JULY 24, 2019

Monetization and Exploitation of Copyright - Part 1:

The Legal Framework 8:30 - 10:00

Kevin Sartorio Gowling WLG (Canada) LLP

- ▶ Assignments vs. licensing vs. rentals
- ▶ Necessity of writing & signature
- ▶ Registration of assignments & licenses
- ▶ Equitable/beneficial ownership
- ▶ Compulsory licensing
- ▶ Security interest in copyright
- ▶ Considerations before drafting/negotiation - is a license even required?

Monetization and Exploitation of Copyright - Part 2:

Drafting and Negotiating Contracts 10:15 - 12:00

Bernice Karn Cassels Brock & Blackwell LLP

- ▶ Key provisions of commercial agreements
- ▶ Types of licenses: sole, exclusive, non-exclusive
- ▶ License scope, restrictions and services
- ▶ Source code escrow
- ▶ Fees or royalties
- ▶ Impact of confidentiality obligations and assignment clauses on licenses
- ▶ Term, transitioning and survival
- ▶ Copyright in Mergers & Acquisitions and other transactions
- ▶ Due diligence, representations and closing conditions



IPIC's Copyright Course was a highly rewarding and motivating experience. The guest speakers were all knowledgeable practitioners in their fields of practice relaying their experience and practice-oriented advice. The group was one with diversified interests and a good source of networking and stimulating interchange. A definite must for junior practitioners and those wanting to enhance their knowledge of copyright.

Silviu Bursanescu
Québecor Média Inc.

FEES

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Regular fee.....\$1675

Full-time student fee \$837

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