

2020 SUMMER COURSES IN INTELLECTUAL PROPERTY

JULY 6 - 22, 2020

REMOTE INSTRUCTION
ATTEND FROM ANYWHERE



[McGill.ca/IntellectualProperty](https://mcgill.ca/IntellectualProperty)



Intellectual Property Institute of Canada
Institut de la propriété intellectuelle du Canada



McGill

School of
Continuing Studies

Understanding Trademarks

An Introductory Course: Monday, July 6 to Friday, July 10

Module 1 (2 days) Basics of Canadian Trademark Procurement (July 6-7)

Module 2 (3 days) Fundamentals of Trademark Management and Contentious Proceedings (July 8-10)



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 changes to the Canadian trademark regime and provide “best practices” advice and tips. There will be an interesting keynote lecture on the interplay between trademark and advertising law 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.

MONDAY, JULY 6, 2020

MODULE 1

BASICS OF CANADIAN TRADEMARK PROCUREMENT

Opening Remarks 13:00 - 13:15 EDT **LIVE**

Course Director:

Catherine Daigle Norton Rose Fulbright Canada LLP

Assistant Course Director:

Brigitte Chan Bereskin & Parr LLP

Preparing Trademark Applications and Use and Registrability Opinions

13:15 - 15:00 EDT **LIVE LECTURE + Q&A**

Christian Bolduc Smart & Biggar LLP

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

Workshop:

Trademark Filing Strategies 15:30 - 16:15 EDT **LIVE WORKSHOP**

Érika Bergeron-Drolet (MLS Légal)

Christian Bolduc (Smart & Biggar LLP)

Chantal St. Denis (O'Brien TM Services Inc.)

Jonathan Auerbach (Stikeman Elliott LLP)

THIS YEAR'S COURSE WILL COVER:

- ▶ how to select great trademarks
- ▶ conducting searches and writing opinions
- ▶ preparing & filing applications
- ▶ reporting and 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 counsels, 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, plus daily workshops with experienced practitioners.

Selecting Great Trademarks **RECORDED**

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

TUESDAY, JULY 7, 2020

MODULE 1 (CONT'D)

Different Types of Applications, Examiners' Reports & Responses, Post-Advertisement Matters

13:00 - 15:00 EDT **OPENING REMARKS, LIVE LECTURE + Q&A**

Meghan Dillon Bereskin & Parr LLP

- ▶ Special applications
 - certification marks
 - official marks
 - mode of packaging/3D marks
- ▶ Examiners' reports & responses
- ▶ Amendments to applications
- ▶ Voluntary withdrawal and abandonment
- ▶ Extension of time
- ▶ Approval and advertisement
- ▶ Other legislation affecting trademarks

**Workshop:
Reporting Examiners’
Reports** 15:30 - 16:15 EDT **LIVE WORKSHOP**

Suzanne Antal (Benoît & Côté)
François Larose (Bereskin & Parr LLP)
Richard Whissell (Perley-Robertson, Hill & McDougall)
Andrea Kroetch (Stikeman Elliott LLP)

WEDNESDAY, JULY 8, 2020

**MODULE 2
FUNDAMENTALS OF TRADEMARK MANAGEMENT
AND CONTENTIOUS PROCEEDINGS**

Opposition Proceedings: Overview, Context & Strategy

13:00 - 15:00 EDT **OPENING REMARKS, LIVE LECTURE + Q&A**

Philip Lapin Smart & Biggar LLP

- ▶ 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

Workshop: Tips and Strategies

in Opposition Proceedings 15:30 - 16:15 EDT **LIVE WORKSHOP**

Philip Lapin (Smart & Biggar LLP)
Christian Bolduc (Smart & Biggar LLP)
Gabriel St-Laurent (Robic LLP)

THURSDAY, JULY 9, 2020

MODULE 2 (CONT'D)

Keynote Lecture

Dare to Compare: Trademarks in Advertising

13:00 - 14:15 EDT **OPENING REMARKS, LIVE LECTURE + Q&A**

Richard Sabbagh Assistant General Counsel, Bell Canada
Learn about the interplay between trademark and advertising law. Richard will provide a lay of the land when it comes to use of trademarks in advertising and provide an in-house perspective on the challenges of protecting trademarks in the media and communications industry.

The Basics of Trademark Use in Canada:

the Who, What, Where, When,

Why, How and Future 14:30 - 15:15 EDT **LIVE LECTURE + Q&A**

Paula Clancy Clancy PC

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

Workshop: Trademark Searches

and Risk Assessments 15:30 - 16:15 EDT **LIVE WORKSHOP**

Chris Dejardin (Cassan Maclean)
Jonathan Roch (MBM Intellectual Property Law)
Julie Larouche (St. Lawrence Law Firm)

Life After Registration **RECORDED**

Jonathan Roch MBM Intellectual Property Law

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

FRIDAY, JULY 10, 2020

MODULE 2 (CONT'D)

Managing Your Assets: An In-House Perspective

13:00 - 14:30 EDT **OPENING REMARKS, LIVE LECTURE + Q&A**

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

Counterfeits in Canada:

How to Keep Fakes Out of Physical

and Online Marketplaces 14:45 - 16:00 EDT

LIVE LECTURE + Q&A AND CLOSING REMARKS

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

The European Union Trade marks

(EUTM) and Madrid Protocol **RECORDED**

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

**Overview of Trademark Litigation in Canada – Infringement,
Passing Off & Depreciation of Goodwill** **RECORDED**

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 **RECORDED**

Douglas Rettew Finnegan Henderson Farabow

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

FEES

**Understanding Trademarks
An Introductory Course**

July 6-10, 2020

IPIC member fee.....\$1095
Regular fee.....\$1195
Full-time student fee\$597.50

Module 1

July 6 - 7, 2020

IPIC member fee.....\$495
Regular fee.....\$595
Full-time student fee\$297.50

Module 2

July 8 - 10, 2020

IPIC member fee.....\$695
Regular fee\$795
Full-time student fee\$397.50



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

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

Understanding Patents

An Introductory Course: Monday, July 13 to Friday, July 17, 2020

Module 1 (3 days) | Obtaining and Enforcing a Patent (July 13-15)

Module 2 (2 days) | Exploiting IP Rights: A Worldwide Strategy (July 16-17)



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. 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, 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.

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: Emma Start
Immersion
- ▶ Prior Art and Freedom to Operate Analysis: Noel Courage
Bereskin Parr LLP
- ▶ Mock Patent Trial: Beverley Moore
Borden Ladner Gervais LLP
- ▶ International Filing Program: Noel Courage
Bereskin Parr LLP
- ▶ Simulated Patent License Negotiation: Louis Carboneau
Tangible IP

MONDAY, JULY 13, 2020

MODULE 1 OBTAINING AND ENFORCING A PATENT

Patents: An Overview 13:00-13:30 EDT

OPENING REMARKS, LIVE LECTURE + Q&A

Beverley Moore Borden Ladner Gervais LLP

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

Structure of a Patent

Specification 13:30 - 14:15 EDT LIVE LECTURE + Q&A

Louis-Pierre Gravelle ROBIC LLP

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

Workshop: Invention Mining and

Patent Claims Drafting 14:30 - 16:00 EDT LIVE WORKSHOP

Designs: An Overview RECORDED

Christine Genge Smart & Biggar

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

Effective Inventor Interviewing RECORDED

Noel Courage Bereskin & Parr LLP

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

TUESDAY, JULY 14, 2020

MODULE 1 (CONT'D)

Patent Enforcement:

Infringement 13:00 - 13:30 EDT

OPENING REMARKS, LIVE LECTURE + Q&A

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

Patent Enforcement: Validity

13:30 - 14:15 EDT **LIVE LECTURE + Q&A**

Andrew Shaughnessy Torys LLP

- ▶ Obviousness
- ▶ Lack of novelty
- ▶ Other validity challenges

Workshop: Prior Art and Freedom to Operate Strategies

14:30 - 16:00 EDT **LIVE WORKSHOP**

From Invention to Patent:

Preliminary Steps and Time Line

RECORDED

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

RECORDED

Carmela DeLuca Bereskin & Parr LLP

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

Comparative Overview of European Practice

RECORDED

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 China Practice

RECORDED

Stephen Yang IP March

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

Track I: Biotechnology

and Pharmaceutical Patents

RECORDED

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

RECORDED

Natalie Raffoul Brion Raffoul LLP

- ▶ What is patentable?
- ▶ Review of the legal landscape & recent court decisions
- ▶ Patent drafting strategies
- ▶ Strategic considerations

Workshop: Expert Reports and Cross-examination

of a Witness 14:30 - 16:00 EDT **LIVE WORKSHOP**

Trade Secrets

RECORDED

Beverley Moore Borden Ladner Gervais LLP

- ▶ Identification and protection of trade secrets
- ▶ Enforcement

Cease & Desist Letters

RECORDED

Andrew Shaughnessy Torys LLP

- ▶ What to consider when drafting and sending these letters

THURSDAY, JULY 16, 2020

MODULE 2

EXPLOITING IP RIGHTS: A WORLDWIDE STRATEGY

Patents Worldwide: Corporate IP

Management Panel 13:00 - 14:15 EDT

OPENING REMARKS, LIVE LECTURE + Q&A

Emma Start Immersion

Reza Yacoob Consultant

Angela Lyon Queen's University

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

Workshop: International

Patent Filing Program 14:30 - 16:00 EDT

LIVE WORKSHOP

FRIDAY, JULY 17, 2020

MODULE 2 (CONT'D)

Exploiting IP Rights 13:00 - 13:45 EDT

OPENING REMARKS, LIVE LECTURE + Q&A

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

Funding a Patent Portfolio and

Determining its Value 13:45 - 14:15 EDT

LIVE LECTURE + Q&A

Konrad Powell-Jones OpporTx Inc

Vigen Nazarian Naprico Inc.

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

Workshop: Patent License

Negotiation/Purchase and Sale 14:30 - 16:00 EDT

LIVE WORKSHOP

Anatomy of a License and Patent / Considerations in Technology Licensing Programs

RECORDED

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

RECORDED

Paul Gagnon Element AI

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

FEES

Understanding Patents An Introductory Course

July 13 - 17, 2020

IPIC member fee.....	\$1095
Regular fee.....	\$1195
Full-time student fee	\$597

Module 1

July 13 - 15, 2020

IPIC member fee.....	\$695
Regular fee.....	\$795
Full-time student fee	\$397.50

Module 2

July 16 - 17, 2020

IPIC member fee.....	\$495
Regular fee	\$595
Full-time student fee	\$297.50



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

Program chairs:

François Larose, Bereskin & Parr LLP
Natalie Raffoul, Brion Raffoul LLP

WEDNESDAY, JULY 15, 2020

MODULE 1 (CONT'D)

Keynote Lecture :

Crafting a patent portfolio that supports business objectives and adapts to technological shifts 13:00 - 13:45 EDT

OPENING REMARKS, LIVE LECTURE + Q&A

Isabelle Chabot, ing. Director – Patents, Patent Agent, EXFO

Patents Worldwide: Value and

Cost Management 13:45 - 14:15 EDT

LIVE LECTURE + Q&A

Ilya Kalnish BCF LLP

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

Copyright Master Class

Monday, July 20 to Wednesday, July 22, 2020



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 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.



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

MONDAY, JULY 20, 2020

Opening Remarks 13:00 - 13:15 EDT **LIVE**

Course Director:

Bob Tarantino Dentons Canada LLP

Assistant Course Director:

Andrea Kokonis SOCAN

Setting the Stage 13:15 - 14:30 EDT **LIVE LECTURE**

Jessica Zagar Cassels Brock & Blackwell LLP

- ▶ Introduction
- ▶ Overview of literary, dramatic, musical and cinematographic works
- ▶ Main themes of copyright
- ▶ Crown copyright
- ▶ Collective societies

Foundations of Copyright:

Infringement 14:45 - 16:00 EDT **LIVE LECTURE**

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

Live Q&A with Course Directors and Instructors

16:00 - 16:30 EDT **LIVE**

Foundations of Copyright: Defences to Infringement and User Rights **RECORDED**

John C. Cotter Osler, Hoskin & Harcourt LLP

- ▶ Common defences
- ▶ Exceptions to infringement/user rights
- ▶ Fair dealing: general principles

Foundations of Copyright:

Defining Copyright **RECORDED**

Antonio Turco CPST Intellectual Property

- ▶ 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

International Issues and Copyright Treaties **RECORDED**

Jay Kerr-Wilson Fasken Martineau DuMoulin LLP

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

TUESDAY, JULY 21, 2020

Protection and Enforcement of Copyright 13:00 - 14:15 EDT **LIVE LECTURE**

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 14:15 - 15:30 EDT **LIVE LECTURE**

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

Ready, Set, Block: The Future of the Internet? 15:45 - 17:15 EDT **LIVE PANEL DEBATE**

Obtaining injunctions, including site-blocking and de-indexing orders, against intermediaries, such as internet service providers (ISPs) and search engines, are increasingly becoming a tool of choice for rights holders around the world to help stem online piracy. However, ISPs and search engines often claim that site-blocking and de-indexing orders wrongly target passive intermediaries, offend the principle of free expression on the internet, violate net neutrality, and offend privacy laws.

Moderator **Andrea Kokonis** (SOCAN) will join **Ariel Thomas** (Ariel Thomas Professional Corporation), **Richard Pfohl** (Music Canada), and **Hafeez Rupani** (Motion Picture Association - Canada) for a lively discussion and debate over the merits of site-blocking and de-indexing orders as appropriate tools to combat online piracy.

Live Q&A with Course Directors and Instructors

17:15 - 17:30 EDT **LIVE**

Copyright in the Digital World **RECORDED**

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 **RECORDED**

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
- ▶ Virtual and augmented reality
- ▶ Social media and user-generated content
- ▶ Copyright in metatags, online games and virtual property

Monetization and Exploitation of Copyright:

Drafting and Negotiating Contracts **RECORDED**

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

Fair Dealing in Law,

Policy and Action 14:15 - 15:15 EDT **LIVE LECTURE**

Katarina Germani CBC/SRC

- ▶ Fair dealing in legislation and caselaw
- ▶ Fair dealing in education
- ▶ Fair dealing in practice

Copyright in Practice 15:30 - 17:00 EDT **LIVE PANEL DISCUSSION**

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.

Live Q&A with Course Directors and Instructors

17:00 - 17:30 EDT **LIVE**

WEDNESDAY, JULY 22, 2020

Monetization and Exploitation of Copyright: The Legal Framework

13:00 - 14:15 EDT **LIVE LECTURE**

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?



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

Copyright Master Class

July 20 - 22, 2020

IPIC member fee.....\$695

Regular fee.....\$795

Full-time student fee\$397.50

INTELLECTUAL PROPERTY INSTITUTE OF CANADA

IPIC is the only intellectual property association in Canada to which nearly all patent agents, trademark agents and lawyers specializing in intellectual property belong.

IPIC members receive a preferential rate on registration fees for the Summer Courses in Intellectual Property.

IPIC offers additional courses in patents, trademarks and copyright.

Inquire at education@ipic.ca



Become an IPIC member today at www.ipic.ca!



Continuing Professional Development (CPD)

Please visit www.mcgill.ca/intellectualproperty for details on course accreditation by professional bodies and law societies.

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

REGISTRATION DEADLINE IS JULY 16, 2020

Since 1994, the Intellectual Property Institute of Canada and McGill University have gathered some of the best practitioners in the field to conduct a series of intensive, practical summer courses in intellectual property. More than 2,500 professionals from the business, legal and public sectors have gained valuable insight and hands-on experience by participating in our unique summer program. Our courses are an excellent opportunity to network with individuals from diverse backgrounds who, like you, have an interest in Canadian intellectual property.



McGILL UNIVERSITY | T 514-398-5454 | F 514-398-5224 | ip.conted@mcgill.ca

WWW.MCGILL.CA/INTELLECTUALPROPERTY

All programs are subject to changes.