


INTELLECTUAL
PROPERTY
WE KNOW



**SUPPORTING
INNOVATION**



OUR CLIENTS AND OUR TEAM

WHETHER THEY ARE MULTINATIONAL CORPORATIONS, SMALL- TO MEDIUM-SIZE BUSINESSES, UNIVERSITIES OR RESEARCH CENTRES, ALL OUR CLIENTS FACE THE SAME CHALLENGE: HOW TO CONSTANTLY INNOVATE TO BECOME OR REMAIN COMPETITIVE INDUSTRY LEADERS IN AN INCREASINGLY COMPLEX LEGAL LANDSCAPE.

IN THEIR QUEST TO BECOME OR REMAIN INDUSTRY LEADERS, OUR CLIENTS NEED ALLIES TO FULLY CAPTURE, MANAGE AND OPTIMIZE THE VALUE OF THEIR INNOVATIONS. BCF IS AND HAS ALWAYS BEEN SUCH AN ALLY. OUR TEAM OF HIGHLY QUALIFIED INTELLECTUAL PROPERTY LAWYERS, PATENT AND TRADE-MARK AGENTS ARE DEDICATED TO HELPING CLIENTS:

- identify innovations that will benefit from intellectual property protection, such as inventions, trade-marks, works protected by copyright, trade secrets, and industrial designs;
- maximize the value of innovations by obtaining the broadest intellectual property protection available;
- protect, defend and enforce intellectual property rights;
- generate new revenue streams or otherwise benefit from their intellectual property assets, whether through licensing programs or otherwise;
- carefully consider intellectual property rights of third parties, including competitors, before developing or commercializing new products, launching new branding initiatives or entering new markets;
- carefully consider the regulations that have an impact on research & development activities, labelling, advertising or commercialization of products and services;
- implement successful intellectual property management programs;
- enforce their intellectual property rights against infringers and defend themselves against third party intellectual property claims.

Multidisciplinary Approach

Our clients also benefit from the fact that our team of highly skilled intellectual property professionals is integrated into a full service business law firm. This ensures that competition law, tax law and other relevant laws and regulations are fully considered in intellectual property transactions such as the granting of licences. It also ensures that members of our intellectual property team will handle intellectual property issues, including due diligence investigations, in commercial transactions such as mergers and acquisitions, public offerings, equity or other forms of financing.

OUR SERVICES

Patents & Industrial Designs

Our Patent team is comprised of lawyers and patent agents who use their scientific and legal knowledge to help clients maximize the value of their inventions by properly protecting, defending and managing them, both in Canada and abroad.

We will protect inventions in a wide variety of sectors, such as chemistry, electricity, electronics, life sciences, mechanics, nanotechnology, optics, software and telecommunications.

Our team will participate in the identification of an invention and of its inventors and the drafting and prosecution of the patent application claiming such an invention. It will handle the preparation of assignments of rights by employees and consultants as well as due diligence investigations of patent portfolios. It will participate in the protection of our clients' rights in their inventions via the adoption and implementation of the appropriate corporate strategy against infringers. It will also be actively involved in the licensing in or out of patented inventions and the implementation of licensing programs as well as of intellectual property management programs.

Our team will also prepare patentability, validity, infringement and freedom-to-operate opinions, and will obtain the protection of other intellectual property assets under the *Industrial Design Act*, the *Integrated Circuits Topography Act* and the *Plant Breeder's Rights Act*.

Trade-Marks

Our Trade-mark team is comprised of lawyers and trade-mark agents who use their legal knowledge to help clients maximize the value of their trade-marks by properly protecting, defending and managing them, both in Canada and abroad. Our team will provide registrability and availability opinion and prepare, file and prosecute trade-mark applications.

Our team is also highly qualified to:

- conduct opposition and cancellation proceedings;
- use other intellectual property laws, such as copyright, to enhance the protection of certain trade-marks;
- consider all regulations having an impact on the labelling and advertising of products and services;
- obtain domain name registrations;
- protect the rights of our clients in their trade-marks by helping them use the appropriate corporate strategy against infringers;
- conduct due diligence investigations of trade-mark portfolios.

Our team helps clients implement intellectual property management programs. It participates in the drafting and negotiating of trade-mark license agreements and helps clients put in place broad licensing programs which can generate new revenue streams while building the strength of a trade-mark or of a trade-mark portfolio;

Our team also works closely with our clients' marketing departments and marketing firms to ensure branding and marketing efforts are in line with current trade-mark law as well as with regulations having an impact on branding and labelling.

Copyrights

Our team helps clients deal with all copyright issues relating to their activities. For example, we will work with clients to ensure that moral rights or open source issues do not adversely affect their ability to disseminate works protected by copyright. We will draft and participate in the negotiation of licenses pertaining to copyrighted works and we will ensure that our clients obtain copyright assignments from consultants. We will protect the rights of our clients by taking the appropriate legal measures against infringers.

Trade Secrets

Our team will also work with clients in determining whether an invention should be kept secret rather than be the subject of a patent application. We will suggest appropriate measures to help maintain the secrecy of trade secrets and other confidential information, including those provided by third parties under non-disclosure agreements. We will protect the rights of our clients contractually, for example by tailoring the non-disclosure agreement necessary for a particular business endeavour, or via litigation, should it become necessary to adopt legal measures against individuals or companies involved in misappropriating the trade secrets of our clients.

Intellectual Property Management

We believe that sound intellectual property management practices not only maximize the value of intellectual property assets but also help clients remain competitive in a knowledge economy that is now truly global.

To illustrate how seriously we take this issue, and because we firmly believe that good intellectual property management begins with a better understanding of what constitutes intellectual property, BCF and a team of leading scientists have developed a program of cutting-edge courses for scientists and management that will allow clients to extract the value of the intellectual property they generate, monetize their intellectual property, map the intellectual property landscape in which they operate and adopt the measures necessary to deal with potential land mines such as third-party intellectual property rights.

Intellectual Property Litigation

Now, more than ever, businesses understand the value of their intellectual property and are willing to resort to litigation to retain or gain a competitive edge. That is why our team of intellectual property litigators and other patent and trade-mark professionals will work hand in hand with clients to adopt the right litigation strategy and obtain the appropriate remedies for the infringement of our clients' intellectual property rights. BCF has also developed strategies that can be put in place today to help minimize the likelihood of third parties seeking or obtaining certain remedies against our clients during intellectual property litigation.

NOTHING BUT THE BEST

Exceptional Service

BCF is committed to providing you with exceptional service. We are known for being able to effectively solve your problems and for our ability to anticipate your needs.

The professionals on our intellectual property team will ensure that your mandates are carried out successfully, on time and at a reasonable cost.

You are the foundation of our practice. We appreciate and acknowledge the trust you place in our firm. To learn more about our intellectual property practice, our professionals and their publications, please visit our web site at www.bcf.ca.

Our Firm

BCF was founded out of a need for the practice of law to adapt to the changing world of business. Since the firm's inception, we have helped business people unlock their potential by challenging conventional thinking, finding better solutions and providing exceptional service.

At BCF, we have developed a different approach that puts people before business – people such as visionaries and leaders. As our client, you will be surrounded by a multidisciplinary team of professionals which responds to your individual needs and excels through its proactive, efficient and supportive approach.

With offices in Montréal and Québec City, BCF is comprised of more than 120 professionals who specialize in all aspects of business law. Our top-quality service, high ethical standards and creative spirit set us apart. We are not only experts in law, we are your right hand—your true partners. It is this approach that has made BCF the go-to firm for business people.

YOU NEED TO KNOW HOW TO CHOOSE YOUR LAW FIRM

BCF ...making it possible.

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