



Intellectual Property Protection

Located in the heart of the Waterloo Region which, together with nearby Toronto, forms the second largest technology cluster in North America, SorbaraLaw is dedicated to protecting the intellectual property rights upon which its clients within this innovation ecosystem depend.

SorbaraLaw's TechGroup has the specialized training and experience not only in the core areas of trademark, copyright and patent protection but also in the negotiation and drafting of the various agreements through which such rights might otherwise be inadvertently lost, restricted or devalued. And, should enforcement action become necessary, our litigation group has the bench strength to prosecute and defend.

SorbaraLaw's TechGroup has represented a wide range of innovation leaders, from individuals to multi-billion dollar multinationals, protecting the ownership of such properties as: consumer goods (from the everyday to those incorporating artificial intelligence); telecom software; construction and industrial methods, materials and products; pharmaceutical and naturopathic medicines; agricultural products; and, commonly known trademarks, television characters and movie titles.

In addition to representing clients, SorbaraLaw's TechGroup lawyers have themselves founded start-ups in the fields of pharmaceuticals, animated feature film pre-production and telecommunications. We practice what we preach and understand the transition from concept to commerce.

Trademarks

Trademarks apply to words, sounds or designs used to distinguish one person's goods or services from those of another and only a registered trademark agent may represent prospective trademark holders before the Trademark Office. The lawyers of our TechGroup include a registered trade-mark agent whose role is to prepare, file and prosecute trademark applications, provide opinions on the registrability of proposed trademarks and to determine the likelihood of conflict with other trademark holders. Our TechGroup responds to objections during the registration process in order to defend the application; and, in the case of third-party applications, prosecutes opposition proceedings.

Following successful registration, our TechGroup advises trademark owners on the maintenance and protection of their trademarks, including the negotiation and drafting of licensing agreements as necessary or desirable to avoid expungement for want of distinctiveness. We also attend to renewals and assist in the recording of security interests or changes in ownership, such as in connection with a corporate reorganization for tax or other purposes. And, when necessary, our litigators are available to prosecute and defend our clients' rights in private settlement and in court.

Copyrights

Copyrights apply to computer programs and literary, artistic, dramatic or musical works as well as to performances, sound recordings and communications signals. While authors (originators) hold

copyrights automatically, registration with the Canadian Intellectual Property Office (CIPO) provides evidence of authorship and first use in anticipation of competing claims.

SorbaraLaw's TechGroup advises on the benefits and conditions of formal registration, the availability of copyright and the likelihood of conflict with other copyright holders. We then provide copyright clearance and registration services, attend to renewals and, as with trademarks, prosecute and defend our clients' rights in private settlement and in court. We also advise upon copyright acquisitions and related due diligence, provide title opinions and negotiate and draft license agreements and copyright assignments.

Patents

Patents apply to new and useful arts, processes, machines and the manufacture or composition of matter, together with new and useful improvements in any of the foregoing. Patents represent a trade between an inventor and the government whereby the government provides the inventor with the right to stop others from making, using or selling the invention for a patent period of up to twenty years and, in return, the inventor provides the government with a full description of the invention so that all Canadians can benefit when the patent period has ended.

SorbaraLaw's TechGroup provides legal opinions on patentability and advises on infringement, procurement, global protection and enforcement. And, since only a registered patent agent may represent a patentholder before the Canadian Patent Office, SorbaraLaw's TechGroup collaborates closely with its experienced registered patent agents on enforcement matters.

The IP litigation team is led by Rade Sajic who, in addition to being a lawyer, has a PhD in genetics from the University of Toronto. Prior to joining SorbaraLaw, Rade clerked at the Federal Court of Canada with Canada's leading Intellectual Property Judge and subsequently honed his Intellectual Property skills at a boutique IP firm, serving a diverse clientele ranging from individual inventors to multinationals.

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