### Monday, April 14, 2008

#### 7:30 - 9:00 a.m.
**Registration & Breakfast**

#### 9:00 - 9:10 a.m.
**President’s Remarks**

James Palmer  *Macera & Jarzyna/Moffat & Co.* (Ottawa)

#### 9:10 - 9:20 a.m.
**Opening Remarks**

R. Scott MacKendrick  *Cameron MacKendrick LLP* (Toronto)

Program Chair

#### 9:20 - 10:10 a.m.
**Keynote Speaker**

Justice Michael Phelan  *Federal Court* (Ottawa)

#### 10:10 - 10:30 a.m.
**Break**

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## Patents

#### 10:30 - 11:30 a.m.
**Patentable Subject Matter – Signal Claims, Professional Skills Exclusion**

- **Moderator**
  Andrew Bernstein  *Torys LLP* (Toronto)

- **Isabelle Girard**  *Léger, Robic, Richard LLP* (Montréal)
  - CIPO’s notice on the patentability of signal claims
  - To what extent can patent claims involve professional skills?
  - Recent trends regarding patentable subject matter at the Patent Appeal Board
  - Impact of Appeal Board decisions on examination

#### 11:30 a.m. - 12:30 p.m.
**Selection Patents Disclosure: How Much Data Do You Need or Should You Have Before You File?**

- **Moderator**
  Andrew Bernstein  *Torys LLP* (Toronto)

- **Edward Hore**  *Hazzard & Hore* (Toronto)

- **Cristin Wagner**  *Gowling Lafleur Henderson LLP* (Ottawa)
  - What is a “selection” patent anyway?
  - What could happen to selection law in the *Sanofi* appeal?
  - Will the SCC go beyond selection and discuss obviousness?

#### 12:30 - 1:45 p.m.
**Lunch**

## Trade-marks

#### 10:30 - 11:30 a.m.
**Update on the Trade-marks Opposition Board Procedures**

- **Moderator**
  Marie-Josée Lapointe  *BCF LLP* (Montréal)

- **Darlene Carreau**  Acting Chair, Trade-marks Opposition Board, CIPO
  - Overview
  - Exceptional circumstances
  - Oral hearings

#### 11:30 a.m. - 12:30 p.m.
**Internet Trade-mark and Copyright Issues in the U.S. and Canada**

- **Moderator**
  John Cotter  *Osler, Hoskin & Harcourt LLP* (Toronto)

- **Michael Erdle**  *Deeth Williams Wall LLP* (Toronto)

- **Eric Boehm**  *Torys LLP* (Toronto)
  - Keyword advertising
  - Policing trade-marks on social networking sites
  - User-created content

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1:45 - 3:00 p.m.

**PATENT OFFICE ROUNDTABLE**

Moderator
David Schwartz Smart & Biggar/Fetherstonhaugh (Ottawa)

Scott Vasudev Chief, Patent Administrative Policy, Classification and International Affairs Division
Félix Dionne Program Manager, Patent Administrative Policy, Classification and International Affairs Division
Javier Jorge Patent Examiner/M7, Mechanical Division

- U.S./Canadian Patent Prosecution Highway (PPH)

3:20 - 4:10 p.m.

**THE eBay v. MercExchange Decision – Could it apply in Canada?**

Moderator
Christopher Van Barr Gowling Lafleur Henderson LLP (Ottawa)

Robert Isacskon Orrick, Herrington & Sutcliffe LLP (New York)
Peter Wells Lang Michener LLP (Toronto)

- eBay: recap and explanation
- Impact on IP law in the United States
- Does a patent or other intellectual property right owner in Canada have a “right” to an injunction?
- What would it take for a plaintiff to be denied a “permanent” injunction in Canada?

4:10 - 5:00 p.m.

**REMEDIES – Entitlement to Equitable Relief?**

Moderator
Christopher Van Barr Gowling Lafleur Henderson LLP (Ottawa)

Arthur Renaud Bennett Jones LLP (Toronto)
Michael Crinson Dimock Stratton LLP (Toronto)

- Equitable bills of discovery
- Latest word on accounting of profits
- Knowing and deliberate infringement: enough for punitive damages?

3:00 - 3:20 p.m. BREAK

3:20 - 4:10 p.m.

**THE SUPREME COURT ON KRAFT – Where do we go from here?**

Moderator
Allen Israel Lapointe Rosenzweig LLP (Montréal)

Pierre-Emmanuel Moyse Faculty of Law, McGill University (Montréal)
Kevin Sartorio Gowling Lafleur Henderson LLP (Toronto)

- Historic attempts to extend protection between bundles of IP
- Parallel imports and trade-marks
- Lower court decisions
- What did the court really decide?
- How do we advise our clients in light of this decision?

4:10 - 5:00 p.m.

**LICENSE OR ASSIGNMENT? How to get it right and maintain value**

Moderator
Allen Israel Lapointe Rosenzweig LLP (Montréal)

Bradley Limpert Cameron MacKendrick LLP (Toronto)

- Implications of Kraft
- What is being assigned or licensed?
- Real and effective quality control
- The potential pitfalls of co-branding and cross-licensing

Evening Event (not included in the registration fee)

5:30 p.m. RECEPTION
6:00 p.m. DINNER

Limited seating — Le Baccara, Casino Lac Leamy
Tuesday, April 15, 2008

7:30 - 9:00 a.m.
REGISTRATION & BREAKFAST

9:00 - 10:00 a.m.
CONFLICTS: AN UPDATE
Moderator
Marion Bailey-Canham Gowling Lafleur Henderson LLP (Ottawa)
Scott Jolliffe Gowling Lafleur Henderson LLP (Toronto)
- Conflicts of interest arising in IP
- Duty of loyalty in unrelated matters
- Duty of confidentiality and shared knowledge
- The client to whom these duties are owed
- The use and effectiveness of conflict screens
- The importance of retainer letters to manage expectations

10:00 - 10:45 a.m.
IPIC AND CIPO UPDATES
James Palmer Macera & Jarzyna/Moffat & Co. (Ottawa)
IPIC President
Mary Carman Commissioner of Patents, Registrar of Trade-marks and CEO CIPO

10:45 - 11:05 a.m.
BREAK

11:05 a.m. - 12:30 p.m.
THE BUSINESS OF IP – DUE DILIGENCE
Moderator
Joanne Nardi Torys LLP (Toronto)
Amalia Trister Goodmans LLP (Toronto)
Coby Anna Britton Schneider Miller Thomson (Calgary)
- Ownership issues
- Reps and warranties
- What do you do if there is an infringement issue?

12:30 - 2:00 p.m.
COMMITTEE MEETINGS & LUNCH

THE YEAR IN REVIEW IN LESS THAN THREE HOURS: ALL YOU NEED TO KNOW ABOUT PATENTS, TRADE-MARKS AND COPYRIGHT
Moderator
Peter Kappel Kappel Ludlow (Toronto)

2:00 - 2:55 p.m.
COPYRIGHT UPDATE
Sheldon Burshtein Blake, Cassels & Graydon LLP (Toronto)
Glen Bloom Osler, Hoskin & Harcourt LLP (Ottawa)

2:55 - 3:45 p.m.
TRADE-MARK UPDATE
Cynthia Rowden Bereskin & Parr (Toronto)
Rob MacDonald Gowling Lafleur Henderson LLP (Ottawa)

3:45 - 4:35 p.m.
PATENT UPDATE
Don MacDrum Lang Michener LLP (Toronto)

IPIC Council wishes to thank members of the Forums and Seminars Committee for the development of the Spring Meeting program:

Scott MacKendrick Chair
Joanne Nardi Vice-Chair
Louis-Pierre Gravelle Vice-Chair
Janet Fuhrer Ex-Officio
Janice Bereskin
Andrew Bernstein
Isabelle Chabot
Dino Clarizio
Ruth Corbin
John Cotter
Neil Henderson
Nicki Hunt
Allen Israel
Andrea Kokonis
Marion Bailey-Canham
Peter Kappel
Marie-Josée Lapointe
John Lee
Heather Mueller
Rodger Sadler
Jordana Sanft
Coby Anna Britton Schneider
Bruce Stratton
Christopher Van Barr
Sanro Zlobec

This program has been accredited by the Intellectual Property Law Specialty Committee of the Law Society of Upper Canada for 10.5 hours towards the professional development requirement for certification.

CLE
Program accredited by the New York CLE Board as both transitional and non-transitional.

Financial aid may be available to attend this activity.
Information: 613-234-0516

PROGRAM SUBJECT TO CHANGE
42nd Spring Meeting
HILTON LAC LEAMY – GATINEAU, QUÉBEC
April 14-15, 2008

1  DELEGATE  Dr. / Mr. / Mrs. / Miss / Ms.  Please print
Surname                                                     First Name
Firm/company name
Firm/company address
City                                                                 Province       Postal Code
Tel                                                                 Facsimile       E-mail

2  REGISTRATION FEES  (GST# R122871148)
RATES (PLUS GST)                DAILY         APRIL 14 AND 15
Member          $395             $690
Non member       $495             $890
Government and Universities $395             $690
Apr 14th Dinner: Le Baccara (optional) $90

3  I WILL ATTEND:  □ APRIL 14 ONLY  □ APRIL 15 ONLY  □ APRIL 14 AND 15
Registration fee     $ ______________________
Less early registration rebate – $50 (before March 20) $ ______________________
SUBTOTAL (FEE) $ ______________________
Plus April 14th dinner: Le Baccara $90 x ___ person(s)* $ ______________________
SUBTOTAL $ ______________________
PLUS GST (5%) $ ______________________
TOTAL $ ______________________

*Name(s) of dinner guest(s) accompanying the delegate
________________________________________________________________________
________________________________________________________________________

4  METHOD OF PAYMENT  (Please check)
□ CREDIT CARD
□ VISA   □ MASTERCARD
□ AMERICAN EXPRESS     Expiry Date    /    
□ CHEQUE (made payable to IPIC)
□ RED
                                                                                      
Cardholder’s Name (Please print) ____________________________
Signature _________________________________________________

5  DIETARY REQUIREMENTS/                 
ALLERGIES ______________________________________________

6  □ I prefer that IPIC not provide my 
coordinates to the meeting sponsors to receive promotional information.