About Nelligan O’Brien Payne

Nelligan O’Brien Payne is not your average law firm. We offer straight talk and sound advice in a wide array of legal areas. As a mid-size firm, we’re not too big to deliver focused, individualized expertise—and not too small to offer a broad range of value-added services. Whether you are an individual, a small business, or a large organization, you’ll benefit from the combined know-how of over 44 talented lawyers and consultants.

> IP Law
> Patent and Trademark Agents
> Technology Law
> Public Law and Regulatory Affairs
> Competition Law
> Communications Law
> Energy Law
> Government Procurement
> Constitutional Law
> Business & Corporate Law
> Insolvency, Receivership, & Bankruptcy
> Civil Litigation
> Condominium Law
> Real Estate and Development
> Insurance Defence
> Banking & Financial Institutions
> Municipal Law
> Medical/Personal Injury
> Labour & Employment Law
> Union Consulting
> Family Law & Arbitration
> Estate Planning & Administration
> Human Rights

Services juridiques en français dans tous nos domaines de pratique
As research and development continues to grow at unprecedented rates in areas like computer technology, telecommunications, and biotechnology, it is critical that researchers, professionals, and businesses properly secure and manage their intellectual property rights. The same requirement holds true for organizations in all sectors, as they move increasingly to electronic media.

Technically trained in diverse disciplines, with advanced academic credentials, our Intellectual Property (IP) Practice Group offers clients a wide range of comprehensive services in each of the “Four A’s” of IP:

**IP Acquisition:** Assessment and procurement of patents, trade-marks, industrial designs, integrated circuit designs and trade secrets before the Canadian IP tribunals as well as the federal courts.

**IP Application:** Advising, negotiating, preparing and managing licensing and technology transfer agreements, franchise contracts and non-disclosure agreements.

**IP Administration:** Litigating IP infringement and impeachment actions, passing off, unfair competition and breach of confidence actions, including effective use of alternative dispute resolution.

**IP Agency:** Safeguarding the proprietary interests of foreign clients in securing and protecting their IP rights in Canada through all of the above services.

Together with Nelligan O’Brien Payne’s other legal professionals, our IP Practice Group provides creative, cost-effective services to companies and investors on the development and management of their IP portfolios.

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### Our Services

Nelligan O’Brien Payne’s IP Practice Group offers a broad range of IP-related services to clients on a national and international scale:

**Patent, Trademark, and Related IP Portfolio Development and Acquisition**

- File and register patents and trademarks in Canada and foreign countries in all technical areas
- Counsel clients on different facets of IP issues relating to the Internet, including registration of Web site domain names and copyright matters
- Assist foreign clients and associates in securing IP rights in Canada

**IP Consulting and Auditing for strategic planning of IP mapping and R&D**

- Provide in-depth review and counselling on proprietary technology developments
- Audit IP portfolios for client’s strategic business planning
- Advise on choices and uses of appropriate IP protections for products and services
- Advise on all forms of IP agreements, including non-disclosure and licensing agreements

**IP Rights Commercialization and Enforcement**

- Advise and assist on licensing and technology transfer of client’s IP rights
- Assist in issues related to various aspects of IP rights ownership and enforcement

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The IP Group works closely with other practice groups at our firm to offer a full range of services in related areas, including business law, litigation services, regulatory law, technology law, and employment law:

In conjunction with the Business Law group, we:

- Help clients structure their businesses to operate effectively and efficiently
- Assist clients with preparing and conforming IP related due diligence in all forms of business transactions
- Support high-tech clients’ needs by assisting with financing transactions such as equity, debt and convertible security transactions with angels and venture capital investors

In conjunction with the Litigation group, we:

- Provide advice on dispute resolution options related to IP matters
- Help clients to enforce and defend IP rights in Canada

In conjunction with the Regulatory Law practice, we:

- Help clients meet applicable regulatory and competition law requirements associated with the provision of their goods and services

In conjunction with the Technology Law practice, we:

- Educate governments and businesses on the legal requirements and issues related to online and other forms of technology-driven activities

In conjunction with the Employment Law group, we:

- Assist clients with managing their employment relationships effectively