

# Intellectual Property Brief

Summer 2009

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In this issue of IP Brief, Rosamaria Longo explains how companies may inadvertently infringe on patents when utilizing a comparative advertising campaign. Then, Peter Wells clarifies the details of the now-lifted “ban” on stem cell research in the United States, and considers the implications on Canadian and U.S. research in this field. Marco Clementoni discusses Amazon’s attempts at protecting its innovative online ordering method, which is essential to the online retailer’s continued success in the marketplace. Finally, Yasin Bismilla reviews the Commissioner’s recent decision relating to double patenting objections, and discusses the Supreme Court’s upcoming considerations of patent-eligible subject matter.

## Comparative Advertising: The Unintended Path to Patent Infringement



Rosamaria Longo

Comparative advertising is a marketing strategy in which an advertisement for a particular product or service refers to a competitor for the express purpose of showing why the competitor’s product or service is inferior to the named product, or alternatively how it compares with the named product.

In *Charles D. MacLennan and Quadco Equipment v. Les Produits Gilbert Inc.*,<sup>1</sup> the Federal Court of Appeal held the defendant manufacturer liable for inducing end users to infringe the plaintiff’s patent by advertising the comparability of the defendant’s product with the patented combination. Quadco’s patent was directed to the combination of a saw tooth and a tooth holder used with circular saw discs in the logging industry. There were no claims to the tooth itself. The Quadco patented combination was aimed at alleviating the damage done to circular saw blades during the cutting process by providing a saw tooth and holder combination which, on contact with rock, would break and shear from the circular saw disc, leaving the disc undamaged. Gilbert manufactured replicas of the Quadco tooth with the same configuration and dimensions and which could only be used with the Quadco tooth holder. In its comparative advertising campaign, Gilbert ran advertisements that highlighted the compatibility of the Gilbert tooth with the Quadco holder and distributed price lists which identified the series number of the original Quadco tooth and the corresponding Gilbert replica that was designed to replace it.

The test for inducing patent infringement requires that (1) an act of infringement has been completed by the direct infringer; (2) the act of infringement was influenced by the acts of the seller/inducer such that without said influence the direct infringement would not occur; and (3) the influence must be knowingly exercised (i.e. the seller/inducer knows that his/her influence will result in the action of infringement by the direct infringer).

The Federal Court of Appeal found that all aspects of the test for inducing infringement had been met in this case. Firstly, there was direct infringement by the forestry operators who remade the patented combination every time they combined the Gilbert tooth with the Quadco holder. Secondly, the acts of infringement were influenced by the price lists handed out by Gilbert. Thirdly, Gilbert knowingly exercised its influence through its price lists by indicating that the Gilbert tooth was intended to replace a specific Quadco tooth. In regard to the aspect of knowing influence, Noel J.A. for the majority stated that although the making of

a component of a patented combination was itself not sufficient to establish infringement by inducement “this state of affairs becomes inculpatory when the seller indicates to his clients the use that should be made of the component [...] the seller is making its clients aware of the fact that its product is intended to work the patented invention, which is the only reason they are buying it.”

By this decision the Federal Court of Appeal has widened the ambit as to what constitutes sufficient influence to meet the test for inducing infringement. In the case of *Windsurfing v. Bic Sports*<sup>2</sup>, the court had found that there was sufficient influence by the seller who provided end user purchasers with a kit of parts

and an instruction sheet for assembling the component parts into the patented product. The *Quadco* decision holds that merely advertising the compatibility of a component part to a competitor’s patented product may be sufficient influence for a finding of patent infringement by inducement. Companies that utilize comparative advertising must now be wary that this marketing strategy may lead down the unintended path to patent infringement.

1 2008 FCA 35

2 (1985) 8 C.P.R. 3d 241

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## Stem Cell Research “Ban” Lifted in the United States



Peter Wells

Executive Order 13505 signed by President Obama on March 9, 2009 has been widely misunderstood as “lifting a ban on stem cell research.” In order to understand what the executive order did and did not do requires an understanding of the “ban” that was in place.

Before getting into the “ban”, it is worth pausing to consider why stem cell research is considered to be so important. A stem cell is a type of cell that can become any type of cell in the body, given the right signals to do so. Decoding these signals is one of the key areas of stem cell research, with significant contributions to their understanding being made in Canada. The promise is that, in time, cells that have been destroyed or do not function normally can be replaced with new cells generated from stem cells. Thus, type 1 diabetes could be treated by regenerating pancreatic cells. Spinal cord injuries might be repairable, thus providing paraplegics and quadriplegics some measure of restored function. Many other diseases and disorders, such as cancer, Parkinson’s disease, cardiac damage, Multiple Sclerosis and macular degeneration are the subject of stem cell research.

Returning to the “ban” in the United States, firstly it was not a ban in the usual sense of the word. The ban was on the use of federal funds to aid such research. Thus, if a corporation saw fit to conduct a research program based on embryonic stem cells with its own money, it was generally free to do so. Secondly, the “ban” in place related to embryonic stem cells

and not to stem cells generally. Indeed, opponents of the use of embryonic stem cells point to advances made in adult stem cell research in the last ten years or so to argue that the use of embryonic stem cells is unnecessary. While there is much promising work in this area, such as the work of Toronto’s Dr. Andras Nagy to convert adult skin cells into pluripotent stem cells that was recognized in the June 2009 edition of *Scientific American*, it is too early to say that embryonic stem cell research is completely unnecessary.

The first element of the “ban” was the Dickey-Wicker amendment to an appropriations bill passed by Congress in 1995, and signed into law by President Clinton. This amendment, which has been added to all subsequent appropriations bills including the *Omnibus Appropriations Act, 2009* in substantially the same form, prohibits the use of any of the funds so appropriated for “research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or

death greater than that allowed for research on fetuses *in utero*.” While funding of research on cell lines which might result from a process in which embryos are destroyed or discarded is not banned, funding of research leading to the creation of such cell lines is. During his first term in office, President George W. Bush issued a Presidential statement declaring that federal funding of embryonic stem cell research based on lines created after August 9, 2001 (the date of the statement) would not be permitted. On June 20, 2007, during his second term, President Bush issued Executive Order 13435 which, among other things, directed

*A stem cell is a type of cell that can become any type of cell in the body, given the right signals to do so.*

The Secretary of Health and Human Services to “conduct and support research on the isolation, derivation, production, and testing of stem cells that are capable of producing all or almost all of the cell types of the developing body and may result in improved understanding of or treatments for diseases and other adverse health conditions, but are derived without creating a human embryo for research purposes or destroying, discarding, or subjecting to harm a human embryo or fetus.” This Executive Order complemented the restrictions of the Dickey-Wicker amendment.

In revoking the Presidential statement and Executive Order of President Bush, Executive Order 13505 does not reverse the effects of the Dickey-Wicker amendment, as it is explicitly to be implemented in a manner “consistent with applicable law and subject to the availability of appropriations.” While the Secretary of Health and Human Services is permitted to “support and conduct responsible, scientifically worthy human stem cell research, including human embryonic stem cell research”, she may do so only “to the extent permitted by law.”

The signing of Executive Order 13505 raised a concern that the ability of Canada and other countries to attract and keep outstanding stem cell researchers would be adversely affected. These concerns are premature; however, if the new administration’s change of policy translates into the repeal (or removal from future appropriations) of the Dickey-Wicker amendment and possibly to additional measures to encourage embryonic stem cell research, such concerns may be merited. In current circumstances, researchers in the United States are now free to carry out federally funded research on embryonic stem cell lines, whether created before or after August 9, 2001, but they still may not use federal funds to create new lines based on human embryos, unless they are able to do so without destroying, discarding or subjecting such embryos to risk of injury or death. In the current state of stem cell knowledge it would be difficult for an applicant for federal funding in the United States to demonstrate that research to create a new embryonic stem cell line did not subject such embryos to risk of injury.

This is not to say that Canadian researchers are unregulated. In March 2002, the Canadian Institutes of Health Research (CIHR), the Natural Sciences and Engineering Research Council (NSERC) and the Social Sciences and Humanities

Research Council (SSHRC) (“the Agencies”) adopted interim Tri-Agency stem cell measures, agreeing that no research with human pluripotent stem cells would be funded without the prior review and approval of the Stem Cell Oversight Committee (SCOC) in conformity with the CIHR guidelines. These guidelines are, not surprisingly, quite detailed, but in general, funding can only be approved under the guidelines where the acquisition of the material (whether embryos, placenta, umbilical cord) has been acquired with informed consent and non-commercially, and in the case of embryos, that they are no longer required for reproduction.

Stem cell research has grown in Canada, and many organizations engaged in this research have formed the Stem Cell Network. This organization has managed to assist Canadian researchers to co-ordinate their work, and to co-operatively

develop tools such as Stembase, said to be “the largest stem cell gene expression database in the world, containing data on DNA and gene expression, mostly on human and mouse stem cell samples and their derivatives.” The ability to obtain funding for the creation of new cell lines, so long as the guidelines are met, has provided Canada with a solid foundation in stem cell research. This is still a significant advantage Canada has

in attracting world-class researchers in this field. However, it is important that we consider what measures would be necessary to prevent these researchers from being lured away to the United States if it were to repeal the Dickey-Wicker amendment and replace it with something similar to the CIHR guidelines. Assisting organizations such as the Stem Cell Network is one way to do so, by providing Canadian researchers with access to useful tools and efficient ways of exchanging data and cell lines. If the Canadian research infrastructure has sufficient value, any researcher considering relocation would have to consider how to manage without that resource. Providing a consistent, stable funding and regulatory environment is also critical. No research project can be guaranteed to obtain results in the lifetime of a Canadian government or a United States administration. An environment in which support for stem cell research changes radically every time the government changes is not conducive to encouraging such research.

*Stem cell research has grown in Canada, and many organizations engaged in this research have formed the Stem Cell Network.*

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## Stalled Checkout for Amazon's One-Click Patent Application



**Marco  
Clementoni**

Amazon's success as an online retailer is unquestionably without rival. How could an online startup founded in 1994 establish itself as the market leader so quickly? Some would argue that its success is at least in part due to its innovative approach to conducting online sales, which it duly identified and sought protection

for via a number of patent applications.

In 1999, Amazon obtained a patent for its "one-click" online ordering method in the United States (U.S. Patent No. 5,960,411). Other companies sought to mimic Amazon's approach, and Amazon successfully asserted this U.S. patent against Barnes and Noble, obtaining an injunction against its use of the one-click ordering system and method. Criticism of the patent system in the United States ensued.

Amazon filed a Canadian patent application in 1998 for another aspect of its one-click online ordering method, leading to a showdown with the Canadian Patent Office.

The application, as amended, has 75 claims, seven of which are independent. Independent claims 1, 19, 33, 51, 60 and 68 are method claims, and independent claim 44 is a system claim. Independent claim 1 is an exemplary independent method claim:

1. A method in a client system for ordering an item, the method comprising:
  - receiving from a server system a client identifier of the client system;
  - persistently storing the client identifier at the client system;
  - when an item is to be ordered,
    - displaying information identifying the item and displaying an indication of a single action that is to be performed to order the identified item; and,
    - in response to the single action being performed, sending to the server system a request to order the identified item along with the client identifier, the client identifier identifying account information previously supplied by a user of the client system wherein the user does not need to log in to the server system when ordering the item; and

- when account information is to be changed,
  - coordinating the log in of the user to the server system;
  - receiving updated account information; and
  - sending the updated account information to the server system whereby the user does not need to log in to the server system when ordering the item, but needs to log in to the server system when changing previously supplied account information.

Independent claim 44 is the sole independent system claim:

44. A client system for ordering an item, comprising:
  - a component that receives from a server system a client identifier of the client system and that stores the client identifier persistently;
  - a component that orders an item by displaying information identifying the item along with an indication of a single action that is to be performed to order the identified item and by sending to the server system a request to order the identified item along with the client identifier, the client identifier identifying account information previously supplied by a user wherein the user does not need to log in to the server system when ordering the item; and
  - a component that updates account information by coordinating the log in of the user to the server system, receiving updated account information from the user, and sending the updated account information to the server system.

*In 1999, Amazon obtained a patent for its "one-click" online ordering method in the United States (U.S. Patent No. 5,960,411).*

The claims of the application were rejected by the Examiner on the grounds of obviousness and non-statutory subject matter in the Final Action issued on June 1, 2004. Amazon filed an appeal on December 1, 2004, and the Commissioner released her decision on March 5, 2009.

In its recommendations to the Commissioner of Patents, the Board first set out to address the question of obviousness. It



identified the test established in *Apotex Inc. v. Sanofi-Synthelabo Canada Inc. et al.*, 2008 SCC 61, and applied it, arriving at the conclusion that the claims of the application were not obvious.

Next, the Board established the following approach for assessing whether the claims defined statutory subject matter:

#### 1. Both the form and the substance of the claims would be considered

By “form”, the Board meant the language of the claim that, on its face, defines the invention. Form, as defined, has been the manner by which claims have been adjudged to be either falling under the definition of “invention” under Section 2 of the *Patent Act*, or falling outside thereof.

“Substance” was then defined as that which had been discovered, that which differentiated the claimed invention from the prior art.

This two-step approach represents a departure from the traditional approach to the determination of whether subject matter is statutory, but a recent Supreme Court decision appears to lend support. In *Apotex v. Sanofi-Synthelabo*, in discussing obviousness, Rothstein J. said, “The inventive concept of the claims is not readily discernable from the claims themselves. A bare chemical formula in a patent claim may not be sufficient to determine its inventiveness. In such cases, I think it must be acceptable to read the specification in the patent to determine the inventive concept of the claims.” Looking further back, the Supreme Court said in *Biolysse v. Bristol-Myers Squibb*, 2005 SCC 26, that the patented invention is not necessarily co-extensive with the patent claims, which define the exclusive privilege sought.

#### 2. The subject matter identified in the first step must fall into a category of invention

“Invention”, as defined in Section 2 of the *Patent Act*, is “any new and useful art, process, machine, manufacture or composition of matter, or any new and useful improvement in any art, process, machine, manufacture or composition of matter”. It was noted by the Board in its recommendations that, per *Lawson v. Commissioner of Patents*, 62 C.P.R. 101, for an art to be patentable, it must cause a change in the character or condition of some physical object.

#### 3. Certain subject matter is excluded

The Courts have determined that certain subject matter is excluded. Examples listed by the Board include methods of medical treatment, higher life forms, and computer programs if the substance of a claim is a formula.

In addition, the Board also included business methods in this list, relying upon a *dissenting* opinion in *Monsanto Canada Inc. v. Schmeiser*, 2004 SCC 34, [2004] 1 S.C.R. 902, and, surprisingly, the U.S. decision *State Street Bank & Trust Co. v. Signature Financial Group Inc.*, 149 F.3d 1368 (U.S. Fed. Cir. 1998). The Board’s position regarding business methods seems flawed, especially since, in *State Street*, the U.S. Federal Court concluded that a computer-implemented method of managing mutual funds was, in fact, patentable subject matter.

The Board did not provide a definition for what qualifies as a business method.

In arriving at its determination that business methods are non-statutory subject matter, the Board extrapolated from *Harvard College v. Canada (Commissioner of Patents)*, 2002 SCC 76, [2002] 4 S.C.R. 45, wherein Bastarache J. wrote:

[166] Patenting higher life forms would involve a radical departure from the traditional patent regime. Moreover, the patentability of such life forms is a highly contentious matter that raises a number of extremely complex issues. If higher life forms are to be patentable, it must be under the clear and unequivocal direction of Parliament.

The Board stated that business methods have traditionally not been patented in Canada and that their patenting would involve a radical departure from the traditional patent regime, and since the patentability of such methods is a highly contentious matter, clear and unequivocal legislation is required for business methods to be patentable.

#### 4. Non-technological subject matter is not statutory

The Board stated that each of the categories of the definition of “invention” under Section 2 of the *Patent Act* relate to technological areas, and then deduced that non-technological subject matter is not statutory.

The Board concluded that the method claims were directed to “a method for the purchase of goods”, stating that these claims define steps to place orders and facilitate administrative aspects of ordering. Such claims, according to the Board, are business methods that the Board believed exempt from statutory subject matter. The Board accordingly affirmed the rejection of these claims on the basis of non-statutory subject matter.

With respect to the system claims, the Board conceded that, on form, these claims fit into the category of machine under Section 2 of the *Patent Act*. The Board then identified aspects of the claims that it believed were novel and not obvious, in view

of the prior art, to determine the “substance” of these claims. It then concluded that “the essence of the claimed invention is the particular rules for carrying out an online order”. Applying the test set out in *Lawson*, the Board concluded that “there is no change either of character or of condition to any physical object itself by the act of ordering the product in one way or another”, and thus the system claims were directed to non-statutory subject matter.

The Board indicated that there was no need to continue its analysis, but then proceeded to conclude that the “substance” of the system claims was a business method, and did not represent “technological” improvements that would add to human knowledge, borrowing from the language of *Progressive Games v. Commissioner of Patents*, 3 C.P.R. (4th) 517, *aff’d* 9 C.P.R. (4th) 479.

During the determination of the substance of the claims, the Board identified the new use of a “cookie” (the small string of text stored on a user’s computer by a web browser containing bits of information) to enable a user to order online

without having to log in. The Board admitted that cookies were “technological”, but subsequently determined that a *new use* of cookies to achieve a seemingly-improved system and method for online ordering was, in fact, not technological and a business method, particularly in light of a prior art finding of non-obviousness.

The Commissioner refused the application based on the advice of the Board. It is noted that this decision is only binding on the application in question, but it does suggest that the prosecution of business method and, arguably, computer software applications will be more difficult in the future.

If Amazon files an appeal of this decision before the deadline of September 5, 2009, it will enable the Federal Court to establish some binding jurisprudence on the issues raised in the Commissioner’s Decision, namely the scope of patentable subject matter.

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## Commissioner’s Decision 1291: Double Patenting Practice Updates



Yasin Bismilla

On August 20, 1990, Orasure Technologies Inc. (the “Applicant”) filed Canadian patent application number 2,023,636 entitled “Oral Immunoglobulin Collection for Immunoassay” (the ‘636 application”) and subsequently on February 27, 1991 filed Canadian patent application number 2,076,754 entitled “Oral Collection for Immunoassays” (the ‘754 application). Examination was requested for the ‘636 application on July 22, 1997. The applicant requested examination and special order status, for expedited prosecution, of the ‘754 application on October 2, 1998. The application issued to patent on July 25, 2000.

On December 8, 2003, the Examiner issued a Final Action against all claims of the ‘636 application for overlapping the subject matter of ‘754 patent. The Applicant submitted that since both applications were co-pending before the Canadian Patent Office, both were laid open to public inspection well in advance of examination, and examination of both applications was requested within several months of each other, the Examiner failed to discharge his or her duties during pendency of the two applications to properly search and raise the relevant overlapping subject matter objection against both the ‘754 application and the ‘636 application. As such, the Applicant “cannot now be

expected to suffer by having to remove valid subject matter from one application because the Examiner considers that an already issued patent of the same Applicant is directed to the same subject matter....and cannot be disadvantaged by having to give up subject matter in that application because of errors made by the Examiner during the examination process” (C.D. 1291 Application No. 2,023,636, paragraph 13).

The Applicant further argued that since the ‘636 application, if granted, would expire before expiry of the ‘754 patent, there would be no extension of the monopoly and thus the Applicant should be entitled to the earlier date of invention of the ‘636 application.

The Commissioner did not directly address the issue of whether the Examiner failed to discharge his or her duties during pendency of the two applications to properly search and raise the relevant overlapping objections against both applications. However, the Commissioner suggests that there is no onus on the Patent Office to raise such double patenting objections against both applications and that, in accordance with subsection 30(1) of the *Patent Rules*, once an Examiner has “reasonable grounds” to believe that an application complies with the *Patent Act* and *Patent Rules*, the Applicant shall be notified that the application has been found allowable. Thus, once the Examiner had reasonable grounds to believe that

the '754 application was allowable, it was allowed to issue to patent.

At present, double patenting may be found against two patents to the same applicant where the claims of the two patents are coterminous, or where the claims of one patent are considered obvious in view of those of the other patent. Ultimately, after performing an analysis of the claims, the Commissioner found that the claims of the '636 application are not coterminous with those as issued in the '754 patent, but that most of the claims are not patentably distinct and as such, are rejected for obviousness-type double patenting.

In view of this decision, patent applicants would be well

advised to always review the claims of related, co-pending applications once a notice of allowance has been issued against a particular application, even where the co-pending applications have an earlier filing date. This is especially important where obviousness-type double patenting is cited, as it is conceivable that those claims of the issued patent may be narrower than those of an application still pending, but nevertheless, subject the claims of the pending application to obviousness-type double patenting objections.

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## Business Method Patents at the U.S. Supreme Court



**Yasin Bismilla**

Later this year, for the first time in nearly twenty years the United States Supreme Court will consider the issue of patent-eligible subject matter. On June 1, 2009, the United States Supreme Court granted *certiorari* in *Bilski v. Doll*, and will consider whether the *en banc* decision of the Court of Appeals of the Federal Circuit ("Federal Circuit") in subjecting business method patents to the "machine or transformation" test was appropriate. Specifically, the Supreme Court will consider the following two issues:

- Whether the Federal Circuit erred by holding that a "process" must be tied to a particular machine or apparatus, or transform a particular article into a different state or thing ("machine-or-transformation" test), to be eligible for patenting under 35 U.S.C. §101, despite this Court's precedent declining to limit the broad statutory grant of patent eligibility for "any" new and useful process beyond excluding patents for "laws of nature, physical phenomena, and abstract ideas.", and
- Whether the Federal Circuit's "machine-or-transformation" test for patent eligibility, which effectively forecloses meaningful patent protection to many business methods, contradicts the clear Congressional intent that patents protect "method[s] of doing or conducting business." 35 U.S.C. §273.

As was discussed in detail in the Spring 2009 edition of *IP Brief*, in *In re Bilski*, 545 F.3d 843, 88 U.S.P.Q.2d 1385, Fed. Cir. 2008, the Federal Circuit put strict limits on *State Street Bank & Trust Co. v. Signature Financial Group Inc.*, 149 F.3d 1368, Fed. Cir. 1998, by requiring that any method be tied to a machine, or otherwise bring about some transformation in a physical article to be considered patentable subject matter.

The last time the subject matter question was considered by the United States Supreme Court was in a pair of decisions in the early 1980s, specifically *Diamond v. Chakrabarty*, 447 U.S. 303, 309 (1980) and *Diamond v. Diehr*, 450 U.S. 175 (1981). In *Chakrabarty*, the Supreme Court held that a living, human-made micro-organism is considered patentable subject matter under 35 U.S.C §101. In *Diehr*, the Supreme Court affirmed that laws of nature, naturally occurring phenomena and abstract ideas are not considered patent-eligible subject matter, but held that where a claim includes a mathematical formula and performs a function "which patent laws were designed to protect," then the claim is eligible for patent protection. This holding in *Diehr* served as the basis for *State Street Bank*, and the broad protection afforded to method claims until *Bilski*.

While it is difficult to predict which way the Supreme Court will render its decision on this issue, applicants and interested parties alike will be awaiting the decision in the hopes that it will bring clarity to the patent-eligibility of business method patents, and put to rest the uncertainty surrounding business method patents in recent times. In granting *certiorari*, the Supreme Court has given weight to the importance of providing clear direction on the patenting of business methods. With broad implications for those patent applications being prosecuted before the United States Patent Office to those issued patents which may undergo litigation, the Supreme Court's decision will be eagerly anticipated, when it is delivered in late 2009 or early 2010.

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## News

### Lang Michener Lawyers Listed in *Expert Guides Leading Patent Practitioners 2009*



**Keith Bird**

**Donald MacOdrum**

**Donald Plumley**

We are pleased to announce that **Keith Bird**, **Donald MacOdrum** and **Donald Plumley** from our Intellectual Property Group have been listed in the Legal Media Group's *Expert Guides Leading Patent Practitioners 2009*.

### Donald MacOdrum and Donald Plumley Listed in *PLC Which Lawyer? Yearbook 2009*

**Donald MacOdrum** and **Donald Plumley** were among seven Lang Michener partners that have been recommended in the *PLC Which Lawyer? Yearbook 2009*. Donald MacOdrum was listed as Leading in IP Patent Litigation, and Highly Recommended in Life Sciences, Intellectual Property. Donald Plumley was listed as Recommended in IP Patent Litigation, and Recommended in Life Sciences, Intellectual Property. Lang Michener was also ranked among Canada's leading firms in six practice areas including Intellectual Property.

### Lang Michener Among Top Canadian Firms in the *MIP World IP Survey*

We are pleased to announce that our Intellectual Property Group has been recognized in all four categories (Patent Prosecution, Patent Contentious, Trademark Prosecution and Trademark/Copyright Contentious) in the *MIP World IP Survey*, conducted annually by *Managing Intellectual Property* magazine. The MIP World IP Survey is internationally recognized and respected, and is compiled from information collected from IP practitioners around the world.

## Events

### 2009 Summer Courses in Intellectual Property

Presented by McGill University and the Intellectual Property Institute of Canada  
August 10, 2009  
Montreal, Quebec

**Peter Wells** will be presenting at the 2009 Summer Courses in Intellectual Property presented by the Intellectual Property Institute of Canada and McGill University. The courses are for business, legal and public sector professionals to gain hands-on experience by participating in these unique programs. Peter will be presenting a module of the course titled *The Business of Copyright - Terms and Formalities*.

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