

Overview

Technology, New Media and Intellectual Property Litigation

As the world adapts to an increasingly digital environment, the potential for unforeseen disputes rise in tandem. Our diverse national team assists clients with the unique disputes that can emerge from the development, implementation, use, and abuse of technology and media in Canada and around the world. Our global platform allows us to adopt a seamless multi-jurisdictional approach, and to consider cross-border issues arising from various technology and intellectual property disputes wherever they may be. We also have a national Intellectual Property group with a wide variety of industry-relevant experience.

Our litigators provide both risk management advice and representation before all levels of court, as well as arbitral tribunals, as may be necessary. By identifying and confronting issues at an early stage, we can help clients avoid unnecessary and expensive disputes and mitigate risk. If a dispute arises, we can help clients resolve it, or litigate it to conclusion.

We have deep bench-strength that can assist clients with commercial disputes and risk management related to (among others):

- Software ownership and related copyright / trade secret disputes
- Defamation (online or otherwise)
- Trademark disputes, including domain name, business name and passing-off disputes
- Copyright disputes
- Breach of confidence and protection of trade secrets
- Rights enforcement: Obtaining immediate injunctive relief to preserve rights pending disputes, including through Anton Piller orders (in the nature of a civil search warrant)
- Privacy and data disputes
- Anti-SLAPP matters
- Intangible rights valuation issues
- Rights-related litigation financing arrangements
- Distribution and license litigation
- Corporate and securities disclosure-related matters
- Taxation matters related to intangible rights

- Domestic and global/international rights arbitration
- Corporate oppression: Use this remedy as a tool to address technology-related disputes between warring ex-partners in business
- Patent infringement and validity challenges

Third party funding

Technology-related disputes can be tremendously valuable, yet very expensive. We can assist clients in their approach to monetize disputes. We understand the unique products available on the market to shift risk through financing and post-event insurance policies, and can find unique ways to share legal spend and risk with third parties.

Financial market experience

We leverage our long-standing relationships with banks and leading accounting firms to assist them in addressing issues that can arise during valuation and audits in the event of disputes.

Intangible rights in insolvency

We have a robust insolvency practice, and as these issues arise, there will be technology and content-related issues arising in bankruptcy. Our team members understand how to conduct insolvency litigation, and together through our complementary experience, we provide best-in-class support.

Recovery and tracing of assets

We have litigated employment disputes around confidential information collection and breach of disclosure. We work closely with forensic experts to win those cases. We advise and litigate with respect to breaches of duty and confidence where technology is involved.

Early planning

We can assist you in pre-dispute and pre-litigation planning to protect confidential information, either at the agreement, pre-litigation/arbitration or litigation/arbitration stage.

Rights enforcement

We are proficient in developing programs to investigate and prosecute copyright and trademark infringers, and can often solve such problems with carefully written correspondence.

Entertainment disputes

Dentons Canada's entertainment lawyers and litigators have deep familiarity of the industry, copyright and media law.

Your Key Contacts

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