



## firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at [www.mcmillan.ca](http://www.mcmillan.ca).

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## technology

### overview

From the innovations of the industrial revolution to today's breakthroughs in information technology and biotech, technology is frequently at the centre of the intellectual property (IP) domain.

For companies that invest valuable time and capital innovating, the financial stakes can be incredibly high. A successful technological breakthrough can make or break an enterprise's future, so it is vital to protect that work from imitation. In today's highly networked world, companies require expert assistance from lawyers who understand both the law and the process of technology development and commercialization.

McMillan's Intellectual Property Group is a recognized leader in helping companies address the interconnected legal and business issues that affect both suppliers and users of technology products and services. Our legal teams have years of industry knowledge and are committed to helping companies protect their IP assets at all stages of development, whether they are launching as a first-stage emerging company or as mature enterprise.

We help clients devise strategies to protect their hard work and financial investment, while commercializing their IP through direct sales, joint ventures and licensing agreements. We advise technology providers and users on how to protect these intangible assets, and if necessary, enforce that protection when it is breached.

McMillan professionals help clients lead by:

- Registering and enforcing patents, copyrights, trademarks and industrial designs
- Drafting confidentiality and non-competition agreements
- Developing IP protection strategies in joint ventures and data-sharing arrangements
- Structuring enterprise-wide software licensing strategies
- Handling IP litigation, including assisting in the prosecution of software pirating, counterfeiting and other computer crimes
- Drafting software development agreements

### representative transactions

- Norpax LLC and its managing director, RPX Corporation as bidder for Nortel's patent portfolio
- A leading global developer of advanced technologies, protections and countermeasures against hazardous device threats in connection with its restructuring under the CCAA



## technology

- JPMorgan in connection with the sale of a distressed electronic equipment supplier to the wireless, telecommunications and consumer electronics and defense markets
- A leading car manufacturer in relation to the sale of natural gas fueling systems technology and manufacturing capacity
- Comerica Bank in connection with the restructuring and sale of several technology and life sciences companies in the software sectors telecommunications