



industrial designs

overview

In today's consumer culture, a well-designed product can be a source of significant competitive advantage. Indeed, manufacturers of products from toasters to automobiles to furniture can command a premium price based on a unique design element.

That is why it is important for companies to protect their designs from infringement by third parties. Copies do not just compete for a share of the consumer's wallet—usually at a much cheaper price—they can also ultimately damage an originator's brand equity. The sub-par quality coming from imitators may even endanger consumers.

At McMillan, we understand that companies make significant investments to develop original products and when their industrial designs are effectively protected, they can be assured of a fair return on that investment.

McMillan's Intellectual Property Group helps clients in a myriad of industries to ensure their designs are protected from infringement. We prepare and prosecute patent applications and industrial design applications in Canada, and can coordinate patent and design protection in the United States or in any other country in which such protection is offered.

McMillan professionals help clients lead by:

- Determining a design's likelihood to be accepted for registration
- Filing registered design applications in Canada and coordinating registrations in other jurisdictions
- Drafting and enforcing non-disclosure agreements with third parties involved in the design or production process
- Advising on how to ensure designs are adequately marked as registered to prevent infringement
- Litigating infringement claims and negotiating settlements

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.

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