

MCMILLAN LLP WINS IMPACT CASE OF THE YEAR AT 2021 MIP AWARDS

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McMillan is delighted to announce that it has received the prestigious “Impact Case of the Year” award for its role in *SALT Canada Inc. v. John Baker, 2020 FCA 127*, at the 2021 Managing Intellectual Property (MIP) Awards. This recognition reflects a long tradition of success for our Intellectual Property group and is a testament to the firm’s commitment to client service excellence and market leadership.

Presented annually, MIP’s “Impact Case of the Year” award recognizes Intellectual Property disputes that have a significant impact in a jurisdiction or region. These cases are often landmark court/tribunal or IP Office decisions that clarified or changed a rule of law. See the full list of 2021 MIP Award winners [here](#).

[SALT Canada Inc. v. John Baker, 2020 FCA 127](#)

The [SALT decision](#) is recognized as a huge win in the Federal Court of Appeal (FCA) for significantly changing Canadian patent law by recognizing that the Federal court has jurisdiction to determine the issue of patent title based on analysis of contracts or other written instruments. Canadian patent practitioners and patent litigants alike celebrate the decision, as it removes the spectre of litigants having to go through a cumbersome exercise of seeking judgment on contractual matters in the provincial court system before seeking other remedies before the Federal Court. McMillan acted for the appellant, SALT Canada Inc., in this patent infringement and patent title dispute, with a team led by Keith Bird and included Jeffrey Levine and Peter Wells (Retired Partner).

McMillan’s [Intellectual Property Group](#) has been advising a full range of emerging and established industry players in Canada and globally for more than forty years. We are recognized as one of the leading IP practices in Canada, building on a successful record in sound IP protection and enforcement strategies that help our clients maximize the value of their critical intangible assets. We know that there is no silver medal when you’re second to file™. We prepare and prosecute trademarks, patents and industrial design applications in Canada and abroad for clients across a wide range of industries. We are also experts on the ownership of intellectual property in works created by employees, independent contractors and third-party agents. Our lawyers protect original creations and enforce IP rights by combining deep experience in patent law with a strong ability to



convey technical concepts. We understand the innovation process—from research and development to manufacturing and distribution agreements to transfers and licensing. We provide all the services required to protect your commercial interests.