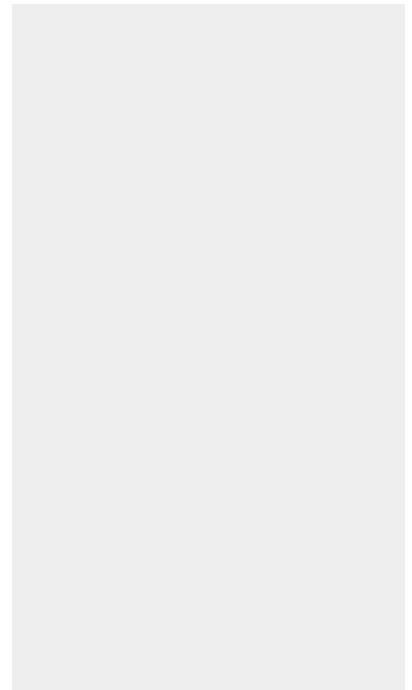
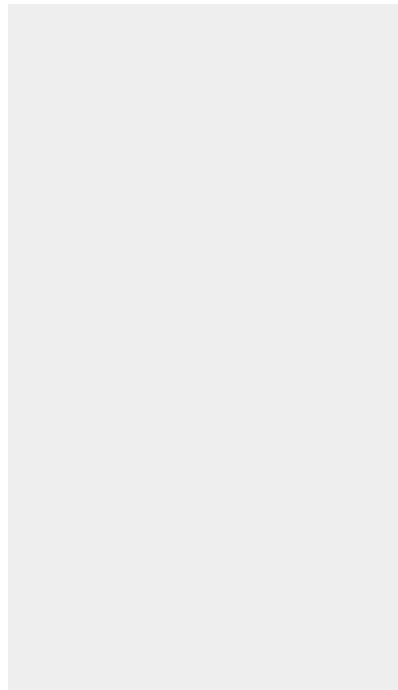


JANINE MACNEIL



Categories: [People](#), [Lawyers](#)

Janine MacNeil is widely respected for her exceptional capability in advertising and marketing law as well as antitrust matters. In this capacity she works with some of Canada's largest and most respected companies in manufacturing, payments, and regulated consumer products such as food, alcoholic beverages, natural health products, medical and wireless / electronic devices.

Advising on all legal aspects of advertising and marketing, Janine provides guidance on promotional contests, games and sweepstakes (and related privacy matters), compliance with consumer protection legislation, marketing and advertising-related agreements, and packaging and labelling requirements. She is recognized by *Chambers Canada* and the *Canadian Legal Lexpert Directory* for expertise in advertising and marketing law.

In addition, Janine assists clients in complying with the Competition Bureau's merger notification regime,

creating competition compliance programs, and responding to Competition Bureau investigations including cartel investigations.

Janine is past chair of the Marketing Practices Committee of the Canadian Bar Association's Competition Law Section.

Email: janine.macneil@mcmillan.ca

Expertise: Competition, Antitrust & Foreign Investment, Manufacturing, Marketing & Advertising, Cryptocurrency, Payments & Fintech, Product Liability & Regulation

Location: Toronto

Phone: 416.307.4124

Position/Title: Partner, Advertising & Marketing

Directorships & Affiliations:

- Canadian Bar Association, Past Chair, Marketing Practices Committee, Competition Law Section
- American Bar Association, Antitrust Law Section
- Ontario Bar Association
- Advertising Standards Canada
- Canadian Marketing Association
- Promotion Marketing Association
- Certified Information Privacy Professional / Canada (CIPP/C)

Publications:

- "[Blurred Lines: How Dow Chemical and Royal J & M May Confuse Remedies Under the Competition Act](#)," Canadian Competition Law Review (CCLR), Vol. 35, No. 1 (September 13, 2022)
- "[Canada's Anti-Spam Law: Are You Ready?](#)", McMillan at a glance (May 2014)
- "The Implications of the Recent Decision Of The U.S. Supreme Court in Leegin for Distribution Policies in Canada", TerraLex Connections (May 2008)
- "Competition Bureau Releases Draft Bulletin on Corporate Compliance Programs", CCH Corporate Brief, No. 165 (May 2008)
- "Til Death Us Do Part: Is the Canadian Law of Refusal to Deal Becoming an Increasing Challenge for

Efficient Distribution Arrangements in Canada?", Distribution, The Newsletter of the Distribution and Franchising Committee, Antitrust Section - American Bar Association Volume 11, Number 2 (September 2007)

- "The Canadian Efficiencies Defence: A New Approach", International Antitrust Bulletin (January 2007)
- "Efficiencies Again", Toronto Law Journal (November 2006)
- "Important Practical Competition Law Issues in Day-to-Day Transactions: Developments in the Law of Predation, Price Maintenance and Refusal to Deal", The Advocates' Quarterly, Vol. 31, No. 2 (April 2006)
- "Marketing Payment Cards in Canada", Canadian Institute Payment Card Compliance in Canada Conference (February 2006)
- "What's in Store for Sears? A Look at the Competition Tribunal's Decision", Lang Michener Advertising & Marketing Brief (Winter 2005)
- "Competition Act Amendments Tabled: What's in Bill C-19", Lang Michener Competition & Antitrust Brief (November 2004)

Education & Admissions:

Degree: Called to the Ontario bar

Year: 2002

Degree: LLB

University: Dalhousie University

Year: 2000

Degree: BBA

University: Mount Saint Vincent University

Year: 1997

Media Mentions:

- "[Anticompetitive regulatory risk: is Canadian business equipped to cope?](#)" by Julius Melnitzer, LegalWriter.net, April 26, 2021
- "[Greenwashing: Cleaning up by 'saving the world'](#)" by Rebecca Harris, Marketing Magazine, April 22, 2013
- "[The Hidden Costs of Canada's Anti-Spam Law](#)" by Rebecca Harris, Marketing Magazine, February 25, 2013

Rankings & Recognition:

- Recognized by Chambers Canada (2024) as a leading lawyer in the area of Advertising & Marketing
- Recognized by *Best Lawyers* in Canada (2024) as a leading lawyer in the area of Advertising and Marketing Law
- Recognized in the 2023 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the areas of Advertising & Marketing Law and Competition Law
- Recognized by Chambers Canada (2023) as a leading lawyer in the area of Advertising & Marketing
- Recognized by *Best Lawyers* in Canada (2023) as a leading lawyer in the area of Advertising Law
- Recognized in the 2022 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the areas of Advertising & Marketing Law and Competition Law
- Recognized by Chambers Canada (2022) as a leading lawyer in the area of Advertising & Marketing
- Recognized by *Best Lawyers* in Canada (2022) as a leading lawyer in the area of Advertising Law
- Recognized in the 2021 Canadian Legal Lexpert Directory as a Repeatedly Recommended Lawyer in the area of Advertising & Marketing Law
- Recognized by the Best Lawyers in Canada (2021) as a leading lawyer in the area of Advertising and Marketing Law
- Recognized by Chambers Canada (2021) as a leading lawyer in the area of Advertising & Marketing
- Recognized in the 2020 Canadian Legal Lexpert Directory as a Repeatedly Recommended lawyer in the area of Advertising & Marketing Law
- Recognized by Chambers Canada (2020) as a leading lawyer in the area of Advertising & Marketing Law
- Recognized by Best Lawyers in Canada (2020) as a leading lawyer in the area of Advertising & Marketing Law
- Recognized in the 2019 Canadian Legal Lexpert Directory as a Repeatedly Recommended lawyer in the area of Advertising & Marketing Law
- Recognized by Chambers Canada 2019 as a leader in Advertising & Marketing
- Recognized by Best Lawyers in Canada (2019) as a leading lawyer in the area of Advertising and Marketing Law
- Recognized in Best Lawyers in Canada (2018) as a leading lawyer in the area of Advertising and Marketing Law
- Recognized in Chambers Canada 2017 as a leading lawyer in the area of Advertising & Marketing - Canada

Speaking Engagements:

- The Canadian Institute 29th Annual Advertising & Marketing Law Conference: Understanding How the Evolving Role of Influencers in Canada and how Developments in the U.S. Continues to Change the Marketing

and Advertising Playing Field in Canada

- January 18–19, 2023

- Online and Influencer Advertising, CBA Competition Law and Foreign Investment Review Section, Panel Moderator

- October 20, 2021

- Professional Responsibilities for In-house Counsel and Compliance Officers Competition Law Compliance Programs: Meet the Commissioner and the Deputies, Toronto

- Data Storage: Understanding Your Legal and Ethical Obligations MagNet 2013

- June 6, 2013

- New Anti-Spam Regulations Association of Canadian Advertisers

- January 31, 2013

- Canada's Anti-Spam Legislation - Revised Regulations Released. Is Your Organization Ready? McMillan 2013 Corporate Counsel Series

- January 30, 2013

- Social Media and Mobile Privacy Issues Information Privacy and Data Protection: Technology, Security and Corporate Responsibility in Today's Marketplace, Lexpert

- December 6, 2012

- Upload File

- Ontario's Consumer Protection Act: Learning from a Decade of Compliance Consumer Law Essentials, The Canadian Bar Association

- October 17, 2012

- Upload File

- Impact of Social Media on Regulators: Balancing Privacy and Public Interest in the World of Social Media College of Respiratory Therapists of Ontario Annual Education Day

- December 2, 2011

- Upload File

- Contests, the Internet and...Zombies? The Importance of Awareness, Responsiveness and Legal Compliance in Running Successful Online Contests Digital Marketing & Advertising Law: New Rules & Practical Advice to Protect Your Corporation While Increasing Your Profits, Insight Information Co.

- November 30, 2011

- Speaker, Preventing WikiLeaks: How to Keep Your Client's Information Private and Data Protected McMillan Corporate Counsel Continuing Professional Development Series

- How to Keep Your Cutting Edge Creative Compliant McMillan Corporate Counsel Continuing Professional Development Series

- March 1, 2011

- Upload File

- Liability Issues Arising from COVID-19, Part 2 Association of Home Appliance Manufacturers, webinar

- May 21, 2020

- Social Media and the Regulator's Dilemma Ontario Professional Regulators' Policy Network: Balancing Practitioners' Privacy and Public Interest

- February 25, 2011

- Information Privacy and Data Protection Privacy and Marketing, Lexpert

- November 29, 2010

- The 2009 Competition Act Amendments: Assessing Your Marketing Practices Consumer Law Seminar, Ontario Bar Association, Business Law Section

- June 2010

- Upload File

- Ensuring Compliance for Your Privacy Policies: The Latest Developments in Privacy Law Advertising & Marketing Law & Compliance for Financial Institutions, The Canadian Institute

- April 29, 2010

- Upload File

- Information Privacy and Data Protection Conference Lexpert

- Staying On-Side: Corporate Compliance Programs Mapping the Terrain: An Update on Canadian Competition Law and a Look at the Year Ahead, presented by Lang Michener's Competition & Marketing Law Group

- May 2008

- Upload File

- Developments in the Law of Price Maintenance, Refusal to Deal, and Predatory Pricing and Loyalty Programs and Abuse of Dominance: Canada Pipe Competition Law Essentials Conference, The Continuing Legal Education Society of BC, Vancouver

- December 2006

- Upload File

- Cost of Credit Disclosure Issues – Credit Cards: Taking a Swipe at Ontario's New Consumer Protection Act, 2002 New Rules for Consumers and Businesses – The New Consumer Protection Act, presented jointly by the Ontario Bar Association and the Law Society of Upper Canada, Toronto

- April 2005

- The Price Claim is Right (or is it?): How to Factor Pricing Issues Into Your Marketing Practices 11th Annual Advertising & Marketing Conference

- January 25, 2005

- Upload File

- Price Claims: Too Good to be True? Separating Fact from Fiction in Ordinary Price Claims 7th Annual Conference Advertising & Marketing Law, presented by Insight Information, Toronto

- November 29, 2004

- Upload File

- Canada's Anti-spam Legislation (CASL) – 2019 Update, 2019 Year in Review: Privacy, Data Protection & Cybersecurity Seminar

- February 4, 2020

- Price (Mis)Representations: The Continuing Challenge of Regular Price Comparisons 9th Annual Advertising and Marketing Law Conference, presented by the Canadian Institute, Toronto

- January 31, 2003

- Upload File

- 2019 Year in Review: Privacy, Data Protection & Cybersecurity McMillan LLP, Toronto

- February 4, 2020

- Advertising & Marketing Law: Social, Digital, Online Compliance - Legal Issues for 2018 and Beyond OBA | Professional Development, Toronto

- October 2018

- Advertising and Marketing Law: Made in Canada Canadian Bar Association National Competition Law Section's Young Lawyers Symposium

- April 28, 2017

- Portfolio Management Association of Canada Compliance Officers' Network, CASL Compliance Recap

- April 25, 2017

- From Fine Print to Another Fine Mess: Developments in Advertising Law in Canada Canadian Bar Association National Competition Law Section's Marketing Practices Committee

- February 23, 2017

- Corporate Counseling Committee Monthly Antitrust Update Program December 2016 Developments ABA Section of Antitrust Law, Toronto, Ontario

- January 11, 2017

Representative Matters: Janine MacNeill's representative work includes advising some of Canada's largest and most respected companies in the telecommunications, retail, automotive, manufacturing, insurance, mass media and entertainment sectors in the following areas:

- Advertising copy review for all media; food, drug and cosmetic packaging and labeling review; drafting and negotiating co-promotion, talent, licensing and sponsorship agreements; identifying and advising on privacy issues relating to consumer promotions; and compliance in the design, review and execution of contests and promotions.
- Privacy law matters including security, compliance procedures and documentation, information audits, privacy policies, consent documentation, organizational procedures and practices, compliance

procedures and regulatory matters.

- Information technology/e-commerce matters, including transaction and contracting; website development; online advertising and marketing issues; security of transaction and privacy issues; consumer protection issues; intellectual property rights; jurisdiction and multi-national law issues.
- Merger matters, including Kraft/Cadbury, West Fraser/Weldwood, Kraft/Nestle, Teck Cominico/Aur Resources, Teck Cominico/Inco, Teck Cominico/Fording, Davis + Henderson/Resolve, Poscor/Triple M, among others.
- Cartel investigations, including Liquid Crystal Display, Cathode Ray Tubes, and Copper Concentrates.

Industries: Manufacturing, Marketing & Advertising, Cryptocurrency, Payments & Fintech

Practices: Competition, Antitrust & Foreign Investment, Product Liability & Regulation