



Sangeetha Punniyamoorthy

Partner

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Sangeetha Punniyamoorthy practises intellectual property litigation and has over a decade of experience litigating copyright, patent and trademark matters. She also provides strategic advice in the procurement and enforcement of global brands in a variety of industries, with a focus on pharmaceuticals.

Sangeetha has appeared as counsel in two appeals before the Supreme Court of Canada, as well as in matters before the Federal Court, the Ontario Court, the Trademarks Opposition Board, and the Competition Tribunal. Sangeetha has experience in all aspects of intellectual property litigation, ranging from pre-litigation opinions to appeals. In addition, she regularly works with counsel in various jurisdictions to co-ordinate the Canadian part of multi-jurisdictional lawsuits. She also has an active prosecution and opposition practice focused on global trademark portfolios. She counsels clients on brand clearance and related regulatory matters.

Sangeetha is a regular speaker, a published author and an active member of the intellectual property community. She is presently Chair of the Ontario Bar Association IP-IT Section, serves on the Canada Amicus committee of the International Trademarks Association, and is a Fellow of the Intellectual Property Institute of Canada.

Prior to obtaining her J.D. from Osgoode Hall Law School, Sangeetha obtained a B.Sc. in molecular biology from the University of Toronto and did research in psychosomatic medicine at the Toronto General Hospital.

LANGUAGES SPOKEN

- English

EXPERIENCE

- *Stargrove Entertainment Inc. v. Universal Music Canada Inc. et al.* (Competition Tribunal CT-2015-09) – representing the applicant in a successful application for leave before the Competition Tribunal relating to the refusal of mechanical copyright licenses.

RELATED SERVICES

- Intellectual Property and Technology
- Trademark and Copyright

RELATED SECTORS

- Life Sciences
- Media, Sport and Entertainment

LANGUAGES SPOKEN

English

- *BMW Canada Inc. v. Nissan Canada Inc.* (Federal Court File No. T-1395-05) – representing BMW AG and BMW Canada Inc. in a trademark infringement action relating to the trademark M in association with luxury performance vehicles.
- *GlaxoSmithKline SA v. Novartis Vaccines and Diagnostics Inc.* (Federal Court File No. T-2113-06) – representing Novartis Vaccines in a patent impeachment action relating to their patent on adjuvant compositions and related vaccines
- *Voltige Inc. v. Cirque X Inc.* (Federal Court File No. T-830-06) – successfully defending a motion for an interlocutory injunction based on the trademark infringement allegations relating to use of AVAIA mark in association with horse shows.
- *Omniglass Ltd. v. Wojick et al.* (Ont. Sup. Ct) – representing Omniglass in a trade secret lawsuit relating to pultrusion technology.
- *Creative Matters Inc. v. Korhani of Canada Inc.* (Federal Court File No. T-726-11) – representing Creative Matters, the copyright owner and a leading Canadian carpet designer, in an infringement and moral rights action relating to carpet designs.
- *Robertson v. Thomson Corp.* (SCC File No. 30644/C38148) - representing the plaintiffs in this class action lawsuit at the Supreme Court of Canada in an appeal relating to substantive issues of copyright in respect of articles written by freelance authors and reproduced by newspaper publishers in electronic form.
- *SOCAN v. Bell Canada et al* (SCC File No. 33800) – representing two interveners (CanLII and Federation of Law Societies of Canada) in successfully advocating for a large and liberal interpretation of research and the analysis of the purpose of fair dealing from the perspective of the ultimate user.

CREDENTIALS

Admissions

- Ontario, 2004

Recognitions

- *Best Lawyers in Canada* (Intellectual Property Law), 2019-2020
- Global Fellow, Federal Circuit Bar Association, 2019-2020
- *The Legal 500 Canada* (Intellectual Property), 2018-2019
- *Expert Guides: Guide to the World's Leading Women in Business Law*, 2019
- *WTR 1000*, World Trademark Review, Leading Trademark Professional (Enforcement and Litigation), 2017-2019; (Prosecution and Strategy), 2017-2019
- *World Intellectual Property Review*, Leading Lawyer, 2017-2019
- *LMG Life Sciences Directory*, Life Sciences Star in Canada, 2017, 2019
- *Canadian Legal Lexpert Directory* (Litigation: Intellectual Property), Lawyers to Watch, 2017, 2019
- Lexpert Rising Stars: Leading Lawyers Under 40 in Canada, 2018
- Expert Guides - Trade Mark, 2018
- Litigation Lawyers to Watch, Lexpert Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada, 2017
- South Asian Bar Association Legal Excellence Award, 2017

Education

- J.D., Osgoode Hall Law School, 2003
- B.Sc., University of Toronto, 2000

Memberships

- Past Chair, Information Technology and Intellectual Property Law Section Executive, Ontario Bar Association
- Past Chair, Copyright Policy Committee, Intellectual Property Institute of Canada (IPIC)

- Fellow, Intellectual Property Institute of Canada
- Member, International Trademarks Association (Canada Amicus Committee)
- Member, American Bar Association
- Intellectual Property Executive (Ontario Representative), Canadian Bar Association
- Member, Pharmaceutical Trademark Group (PTMG)
- Editorial Board Member, Intellectual Property Journal, Federated Press, 2008-2015

Community Involvement

- Organizing Committee, Harold G. Fox IP Moot
- Director, National Inventors Hall of Fame Canada
- Advisory Board, Canadian Tamil Professionals Association
- Advisory Board, Practical Law - Corporate and Commercial Transactions, Thomson Reuters
- Director, Girls Inc. of York Region, 2011-2016

INSIGHTS

Publications

Significant changes to Canada's trademark laws now in effect

17 JUN 2019

The most significant amendments to the Federal Canadian trademark statute finally came into effect June 17, 2019. Some of the changes align Canada's trademark laws with that of other jurisdictions and allow, for the first time, the inclusion of Canadian trademark rights in international applications.

Canada's new trademark laws to make a significant impact

1 MAY 2019

Long awaited amendments to Canada's trademark laws are set to come into force on June 17, 2019. The amendments will significantly alter the Canadian trademarks system as we know it.

- Co-author, "Why you shouldn't overlook Canadian IP litigation," *Life Sciences Intellectual Property Review*, October 2, 2017
- Co-author, "Canadian Supreme Court upholds global injunction against Google", *Leading Internet Case Law*, August 4, 2017
- Co-author, "Trader v. CarGurus", *Leading Internet Case Law*, June 27, 2017
- Co-author, *Canadian Marketing Law Handbook, Second Edition*, Carswell
- Co-author, Intellectual Property chapter, *Bullen & Leake & Jacob's Canadian Precedents of Pleadings*, Carswell
- Co-author, "Interlocutory injunction for copyright infringement by pre-loaded TV set-top boxes," *E-Commerce Law Reports*, Volume 16 Issue 04
- Co-author, "Consumer seeks class action over Viagra patent," *The Lawyers Weekly*, May 2016
- Co-author, "The Supreme Court affirms the principle of technological neutrality in copyright law," *Lexology*, March 2016
- Co-author, "Branding of Pharmaceuticals and Medical Devices: What you need to know about the latest developments in Canada," *LawyerIssue*, July 2015
- Co-author, "Red Label Vacations Inc. (Redtag.ca) v. 411 Travel Buys Limited," *e-commerce Law Reports*, Volume 15 Issue 2,

March/April 2015

Events

Previous

The Harold G. Fox Moot

22-23 FEB 2019

- Speaker, "Trademarks Update," 24th Intellectual Property Law: The Year in Review, Law Society of Ontario, January 16, 2020
- Co-speaker, "Top IP Law Decisions: Year in Review in Canadian Jurisprudence," IP Beyond Borders: Canada Coming of Age in a Global Economy, IPIC Annual Conference, September 27, 2019
- Speaker, "Ethical Dilemmas in IP," 23rd Intellectual Property Law: The Year in Review, Law Society of Ontario, January 17, 2019
- Moderator, Global Series 2018, Federal Circuit Bar Association, October 10-12, 2018
- Speaker, "Dealing with Domain Names: Critical Advice and Essential Updates," Ontario Bar Association, March 26, 2018
- Speaker, Litigation Panel at the 14th Annual Asian Canadian Law Students Conference, Ontario Bar Association, March 3, 2018
- Co-chair, "Driving Innovation: The Interface Between Competition and Intellectual Property Law," Ontario Bar Association, November 22, 2017
- Co-chair, "Impacts of recent international treaties on intellectual property law", Ontario Bar Association, April 5, 2017
- Co-presenter, "Are you protecting your intellectual property?" Toronto Public Library - Small Business Network, March 29, 2017
- "Beyond the B.Sc. Conference", Keynote Speaker, Ryerson University, Toronto, Jan 21, 2017
- "Your First Civil Appeal", Ontario Bar Association, Toronto, October 17, 2016
- "Intellectual Property and the Internet: Google v. Equustek," Ontario Bar Association, Toronto, June 2016
- "Women in IP: Have issues evolved, are they resolved?", Intellectual Property Institute of Canada, Ottawa, January 2016
- "Intellectual property remedies - What do you need to know?", Ontario Bar Association, Toronto, December 2015
- "Copyright and Trademark remedies and recent changes in Canadian Practice," 89th Annual Intellectual Property Institute of Canada Conference, Banff, October 2015
- "Trademarks Virtual Roundtable," CorporateLiveWire, July 2015

NEWS

DLA Piper (Canada) LLP set to host The Harold G. Fox Moot 2020

12 FEB 2020

DLA Piper (Canada) LLP is proud to once more participate as a platinum sponsor and event co-ordinator of The Harold G. Fox Moot on intellectual property law.

DLA Piper (Canada) LLP partners awarded LMG Life Science Stars

28 OCT 2019

DLA Piper (Canada) LLP is thrilled that four partners have been awarded Life Science Stars in Canada by the Legal Media Guide's (LMG) 2019 Life Sciences ranking guide.

DLA Piper Canada lawyers recognized in 2020 edition of *Best Lawyers in Canada*

21 AUG 2019

DLA Piper (Canada) LLP is pleased to see 70 of our lawyers across 34 practice areas recognized in the 2020 *Best Lawyers in Canada* guide.

DLA Piper (Canada) LLP represented Difference Capital Financial Inc. in \$110 Million acquisition of Mogo Finance Technology Inc.

26 JUNE 2019

Difference Capital Financial Inc. has completed its previously announced acquisition of all of the issued and outstanding common shares of Mogo Finance Technology Inc. DLA Piper Canada represented the special committee of Difference Capital's board of directors, as lead deal counsel.

DLA Piper (Canada) LLP ranked in 2019 *Canadian Legal Lexpert Directory*

3 MAY 2019

DLA Piper (Canada) LLP is pleased to announce that thirty-eight of the firm's lawyers have been recognized as leading practitioners in the 2019 edition of the *Canadian Legal Lexpert Directory*.

DLA Piper (Canada) LLP acting for Difference Capital Financial Inc. in combination with Mogo Finance Technology Inc.

26 APR 2019

On April 15, 2019 Difference Capital Financial Inc. announced that it entered into an arrangement agreement pursuant to which it would acquire all of the issued and outstanding common shares of Mogo Finance Technology Inc. DLA Piper Canada is representing the special committee of Difference Capital's board of directors, as lead counsel in this transaction.

Ron Dimock and Sangeetha Punniyamoorthy recognized by World IP Review Leaders Directory

1 MAR 2019

Partners Ron Dimock and Sangeetha Punniyamoorthy have been included in the 2019 edition of *World Intellectual Property Review's Leaders Directory*.

DLA Piper (Canada) LLP hosts 2019 Fox Moot

27 FEB 2019

DLA Piper Canada is delighted to have once more hosted the Harold G. Fox Moot, one of Canada's most prestigious mootling events.

29 DLA Piper lawyers in 10 countries ranked among *The World's Leading Trademark Professionals*

12 FEB 2019

WTR 1000: The World's Leading Trademark Professionals 2018 has named 29 DLA Piper lawyers from nine countries to its list of

top trademark professionals.

DLA Piper (Canada) LLP named a leader in Canadian trademarks in the 2019 *World Trademark Review*

6 FEB 2019

DLA Piper (Canada) LLP has once more been recognized as a leader in Canadian trademarks in the 2019 edition of *World Trademark Review - The World's Leading Trademark Professionals*.

DLA Piper (Canada) LLP recognized in 2019 *Legal 500 Canada guide*

7 DEC 2018

DLA Piper (Canada) LLP is pleased to announce that 42 firm lawyers across 17 practice areas have been recommended in the latest edition of the *Legal 500 Canada*.

Sangeetha Punniyamoorthy named a 2018 Lexpert Rising Star

9 NOV 2018

DLA Piper (Canada) LLP is pleased to announce that Sangeetha Punniyamoorthy from the firm's Toronto office has been named a 2018 Lexpert Rising Star.

Best Lawyers in Canada 2019 recognizes 72 DLA Piper (Canada) LLP Lawyers

22 AUG 2018

DLA Piper (Canada) LLP is pleased to have once more increased its rankings in the 2019 edition of *Best Lawyers*, with close to one-third of the firm's lawyers recommended as leading practitioners in Canada across key practice areas.

Ron Dimock and Sangeetha Punniyamoorthy recognized by World IP Review in 2018 Leaders Directory

1 MAR 2018

DLA Piper (Canada) LLP is pleased to announce that partners Ron Dimock and Sangeetha Punniyamoorthy have been included in the 2018 edition of *World Intellectual Property Review's* Leaders Directory.

MEDIA MENTIONS

- Quoted, "Copyright board overdue for review, say lawyers", *Law Times*, December 12, 2016
- Mentioned, "Sony, Universal Curbing Competition, Budget CD Maker Says," *Law360*, September 2015
- Quoted, "Stung by CBC, Lost in Court," *Blacklocks Reporter*, May 4, 2015
- Quoted, "Fair Dealing Evolves," *Law Times*, February 2, 2015.