

Chantal Desjardins

Partner | Lawyer - Trade-mark Agent

Chantal Desjardins is a partner, lawyer and trade-mark agent in Lavery's intellectual property group. She contributes actively to the development of her clients' rights in this field, which includes the protection of trade-marks, industrial designs, copyright, trade secrets, domain names and other related forms of intellectual property, in order to promote her clients' business goals.

Me Desjardins provides legal advice and expertise with respect to protecting and managing IP assets, represents her clients in the examination of applications, opposition proceedings, and litigation in Canada and in other countries. She negotiates IP licences, various contracts in the field, and technology transfers, advises and defends clients' rights in the field of advertising and labelling and other topics such as the Charter of the French language. She regularly provides guidance to clients on IP issues implicated in new and existing products and services. She is involved in the IP due diligence review of transactions. She regularly gives conferences, seminars and courses and publishes articles on intellectual property matters and participated on the advisory board of the Trademarks Office regarding the reform in trademark law and its implementation.



Publications

Text Reviser of two articles published in the *“Revue francophone de la propriété intellectuelle”* by l'Association francophone de la propriété intellectuelle, ECTA special number, December 2017

“La notion d'emploi en marques de commerce”, Québec Bar, November 2016

“Procédure de radiation des enregistrements de marques”, Barreau du Québec, Montreal, November 2011

“Marques sous haute surveillance”, Barreau du Québec, Montreal, November 2008

Partner, Lawyer and Trademark Agent Montréal

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Bar Admission

Québec, 1985

Languages

English
French

Practice areas

Intellectual Property litigation

Trade-Marks and Domain Names

Industrial Designs

Copyrights

Contracts, Titles, and Due Diligence Reviews

Trade Secrets

“Are we speaking the same language”, INTA Annual Meeting, Toronto, May 2006

“*Licence de marques de commerce, Survol des décisions administratives et judiciaires récentes*”, *Développements récents en droit de la propriété intellectuelle*, Vol. 215, 2004

“*Keep an eye on how others use your trade-mark: a simple authorization is generally not enough!*”, Newsletter GGData, Vol. 4, No. 4, December 2004

“*Le contrôle en droit canadien des marques de commerce et un second regard sur l'article 50*”, *Les Cahiers de Propriété Intellectuelle*, Vol. 14, No. 1, 2001

“*Infringement of Trade-marks Relating to Products on a Website*”, Newsletter GGData, Vol. 1, No. 5, December 2001

“*Drawing the Line Between Comparative Advertising and Third Party Use: Canada*”, International Trademark Association, San Antonio, Texas, United States, 1997

Coates, M. A., Desjardins, C., McGurhill, G., “*Canadian Trademark Practice and Procedure*”, International Trademark Association, Practice Paper No. 3, 1993.

“*Les derniers développements jurisprudentiels dans le droit des marques*”, Continuing Education Department, Québec Bar, 1991

Desjardins, C., Tremblay, C., “*Aide-Mémoire. Marques de commerce*”, Wilson & Lafleur, 1990

“*Pourquoi conserver l'article 49 dans la Loi sur les marques de commerce?*” 2 C.I.P.R. 295, 1986

Conferences

The year in review- trade-marks, Webinar, Intellectual Property Institute of Canada, February 2018

“Top IP Cases of the year (trademarks)”, Intellectual Property Institute of Canada, Annual meeting, Niagara Falls, October 2017

President and Moderator of the Trade-mark Practitioners Group (RPM) , Canadian Chapter of the APRAM Association, conferences since January 2013, including the following subjects:

“*Classification de Nice*”, “*Utilisation permise de marques de tiers*”, “*Problèmes de contrefaçon sur*

internet: les recours au Canada et en France à l'égard des intermédiaires et des contrefacteurs",
"Quelle est la valeur d'un enregistrement de marque de commerce dans le cadre d'un litige?",
"Contrefaçon de marques de commerce et recouvrement de dommages-intérêts ou de profits : à
qui le choix?", "Système de Madrid: système d'enregistrement international de marques et la
classification internationale", "Marque 'ordinaire' à trois dimensions et signe distinctif", "Charte de la
langue française: Dispositions relatives aux marques de commerce", etc.

"Les considérations linguistiques en rapport avec le droit des marques". Faculty of Law, University
of Montreal, December 2016

"La propriété intellectuelle : quels avantages peut-elle vous offrir?", conference to students in
fashion design, Marie-Victorin College, Montreal, 2014, 2015 and 2016

"Les Rudiments de la Propriété Intellectuelle", Association des juristes italo-canadiens,
Montreal, Novembre 2015

"La propriété intellectuelle comme actif d'entreprise", Hautes Études Commerciales (HEC),
Montreal, April 2012

"La propriété intellectuelle comme actif d'entreprise", presented to a group of Legal Professionals,
Montreal, February 2012

"Procédure de radiation des enregistrements de marques", Québec Bar : "Les développements
récents en droit de la propriété intellectuelle", Montreal, November 2011

"How to win the speed-dating by protecting packaging or Protecting packaging in Canada", 2010
FICPI ABC Meeting, Ottawa, June 2010

"Panel sur la pratique en droit des marques Canada-U.S.", Association des Praticiens du Droit des
Marques et des Modèles (APRAM), Paris, France, September 2009

«L'Ère post jeux et fête», The Canadian Institute, Montreal, November 2008

"Noms de produits de santé à présentation et à consonance semblables", *Regroupement des
praticiens du droit des marques de commerce (RPM)*, Montreal, June 2008

"Les chemins de la réussite d'une carrière/trouver sa passion : Prendre des risques", Career
Women Interaction, Montreal, September 2007

"Droits des marques et modèles au Canada et aux États-Unis", *Association des Praticiens du Droit
des Marques et des Modèles (APRAM)*, Paris, France, June 2007

"Le point sur les exigences en matière de licences de marques de commerce au Canada :
comment faut-il gérer l'utilisation de la marque par d'autres entreprises (y compris à l'intérieur du
même regroupement) pour éviter de compromettre leur validité", *Regroupement des praticiens du
droit des marques de commerce (RPM)*, Montreal, April 2007

"Conflicts : Where and how to draw the line", Intellectual Property Institute of Canada 80th Annual
Meeting, St. Andrews-by-the-Sea, New Brunswick, September 2006

"Are we speaking the same language", International Trademark Association Annual Meeting

- Toronto, May 2006
- President of the second day at the forum on the “Women Leadership”, Canadian Institute, April 2006
- “Women and Technology”, “*Understanding the current issues*”, Career Women Interaction, Montreal, Quebec, February 2006
- Moderator at the “INTA Emerging Issues Forum”, Savannah, Georgia, February 2006
- “*Pourquoi s’attarder au territoire alors que nous sommes tous citoyens du village global?*”, The Canadian Institute, Montreal, June 2005
- “*Les licences en marques : une interprétation sclérosée ?*” Canadian Bar Association, October 2002
- “*Mock cross-examination*”, Bi-annual meeting of the Canadian Institute of Intellectual Property, Ottawa, March 2002
- Honorary President of the VIth “*Forum québécois pour les femmes-cadres*” organized by the “*Institut International de Recherche*”, January 2001
- “*Les aspects légaux de la propriété intellectuelle*”, presented at the *Centre de recherche informatique de Montréal (CRIM)*, November 2000
- “*Intellectual Property in the New Millenium. Non-Traditional Trade-marks. Animated Trade-marks and Two-Dimensional Get-Up*”, Annual Meeting , Intellectual Property Institute of Canada, Quebec City, September 1999
- “*Deontology in intellectual property practise*”, Intellectual Property Institute of Canada, Montreal, November 1997
- “*Drawing the Line Between Comparative Advertising and Third Party Use: Canada*”, International Trade-Mark Association, Annual Meeting, San Antonio, Texas, United States, May 1997
- “*L’avenir de l’adhésion du Canada aux conventions internationales*”, Quebec City, 1996
- “The knock-off”, conference organized in conjunction with Goudreau Gage Dubuc and Martineau Walker, Montreal, 1995
- “*Le licensing au Canada*”, IRPI Henri-Desbois Intellectual Property Research Institute and Paris Chamber of Commerce, Paris, France, 1994
- “*Les derniers développements jurisprudentiels dans le droit des marques*”, *Service de la formation permanente*, Quebec Bar Association, Montreal, 1991
- “*Pourquoi conserver l’article 49 dans la Loi sur les marques de commerce?*”, London, Ontario, 1986
- Workshops on the basic and advanced courses relating to trade-marks. Courses organized by McGill University and the Intellectual Property Institute of Canada
- Roundtable guest speaker on various intellectual property subjects for the International Trademark

Association

Training sessions on trade-marks, copyrights, trade secrets and related topics for various clients and audience

Professional and community activities

Fondation du Conservatoire de musique et d'art dramatique du Québec

Board member, since 2017

Trois Tristes Tigres (theater company)

Board member, since 2016 and vice-president of the Board since 2017

Fondation du Centre des auteurs dramatiques (CEAD)

Board Member, 2009-2014

Fund raising Ambassador for the Fondation du Conservatoire de musique et d'art dramatique, 2016

Member of the Board, Chœur de chambre du Québec, 2013-2015

Distinctions

The Best Lawyers in Canada, 13th Edition

The Canadian Legal LEXPERT® Directory in the field of Intellectual Property, depuis 2016

World Trademark Review 1000

Leading Trademark Professionals (since 2011)

Who's Who Legal: Canada

Leading Trademark Practitioner (since 2010)

The International Who's Who of Trademarks Lawyers

Leading Practitioner (since 2011)

The Best Lawyers in Canada, Lawyer of the Year, Intellectual Property, 2020

Chantal Desjardins



Intellectual Property Law
Montréal, Canada



2022 LEXPERT RANKED LAWYER

Education

Diploma in Notarial law, *Université de Montréal*, 1980

L.L.L., *Université de Montréal*, 1979

Boards and Professional Affiliations

Member of Lavery's Board of Directors

Canadian Bar Association

Member of Council of CBA-Québec, 2008

Member of the Organizing Committee of 2003 Annual Meeting

Co-managing Director of the intellectual property firm Goudreau Gage Dubuc 2006-2018

Québec Bar

Member of the managing partners task force on Panorama project (ethnocultural equality in the profession), 2016

Member of the managing partners task force on Justicia project (equality for the advancement of women in the profession), 2013-2016

Intellectual Property Institute of Canada (IPIC)-Fellow member-

Member of the Industrial Design Committee, 2008

Member of the Madrid Protocol Liaison Committee, 2004-2006

Member of the Education Committee, 1998-1999

Director of the Advanced Course on Trade-marks offered by the Intellectual Property Institute of Canada and McGill University, 1998

Assistant-Director of the Advanced Course on Trade-marks offered by the Intellectual Property Institute of Canada and McGill University, 1997

Member of the Trade-mark Practices Committee, 1996-1997

Association des Praticiens du droit des Marques et des Modèles (APRAM)

President of APRAM Canada Commission, since January 2013

Regroupement des praticiens en marques de commerce (RPM)

President, since January 2013

International Trademark Association (INTA)

Member of the Forum Committee, 2005

Member of the Roundtable Committee, 1998-2000

Member of the Planning Committee, 1996-1997

Member of the Legislative Analysis Committee, 1996

Member of the Publication Committee, 1990-1993

Fédération des chambres de commerce du Québec

Member of the manufacturer, innovation and exportation committee, 2016-

Member of International Strategist, a multidisciplinary task force supporting exporting companies

Board of Trade Metropolitan Montreal

2002 – President ex-officio of the Business Women in Action committee

2000 – 2002 – President of Business Women in Action

1998 – Vice-President of the reading committee and Member of the Executive Committee of Business Women in Action

1997 – 1999 – Member of the Organizing Committee of the Networking Dinner of Business Women in Action

European Communities Trade Mark Association (ECTA)

Former Assistant Editor for the “Canadian Legislative Report” and responsible for the synopsis for the Quebec legislations