

Chantal Desjardins

Partner | Lawyer - Trademark Agent

Chantal Desjardins is a partner, lawyer and trademark 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 trademarks, industrial designs, copyright, trade secrets, domain names and other related forms of intellectual property, in order to promote her clients' business goals.

Ms 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 licenses, 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.

She actively participates in various associations and is the president of the Canadian section of the French international association of trademark law practitioners, AFRAM.



Publications

- Publication of the Regulation clarifying the obligations of Bill 96: Impacts on trademarks for products, advertising and public signage, Newsletter August 2023 (with Geneviève Bejean and Isabelle Jomphe)
- Absent use of the complaints mechanism on an online commerce platform, Newsletter, June 2024
- Official brands in Canada: towards new perspectives? Newsletter, February 2024 (with Suzanne Antai)
- Intellectual Property Office: Fee Increase, October 2023
- Ten Things You Need to Know About the Changes to the Charter of the French Language of Quebec, Newsletter, September 2022 (with Britany Carson, Raymond Doray, Brigitte Gauthier, Gabrielle Mathias)
- Trademarks and the Charter of the French Language: What Does Bill 96 Have in Store for You, Newsletter, May 2022 (with Blainville Bull and Jean-Vincent Prévost-Bérubé)
- Entrepreneurs and intellectual property: avoid these thirteen mistakes to protect yourself - 3 parts July 2021, April 2021
- Product Advertising in the time of COVID-19: health Canada and the competitive Bureau are on the lookout, March 2021
- An introduction to Trade Secrets: what they are and why they matter to your business, September 2020
- E-commerce: Protecting your work, May 2020
- New notification process at the Trademarks Office, July 2019
- The countdown is on to protect your trademarks in Canada, May 2019
- Réviser de deux articles publiés dans la Revue francophone de la propriété intellectuelle par l'Association francophone de la propriété intellectuelle, ECTA numéro spécial, Décembre 2017
- La notion d'emploi en marques de commerce, Québec Bar, Novembre 2016
- Procédure de radiation des enregistrements de marques, Barreau du Québec, Montréal, Novembre 2011
- Marques sous haute surveillance, Barreau du Québec, Montréal, Novembre 2008
- Are we speaking the same language?, INTA Annual Meeting, Toronto, Mai 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 GGDua, Vol. 4, No. 4, Décembre 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 GGDua, 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
- Cotes, M. A., Desjardins, C., McGillivray, G., "Canadian Trademark Practice and Procedure", International Trademark Association, Practice Paper No. 3, 1993.
- Les derniers développements jurisprudentiels dans le droit des marques", Département de la formation continue, Barreau du Québec, 1991
- Desjardins, C., Tremblay, C., "Aldé-Mémoire: Marques de commerce", Wilson & Lafleur, 1990
- Pourquoi conserver l'article 69 dans la Loi sur les marques de commerce? 2 C.I.P.R. 295, 1986

Conferences

- Trademark Case Law Review Series, Distinctiveness, Intellectual Property Institute of Canada, March 2021
- The year in review – trademarks, 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
- Présidente and Modératrice du Regroupement des marques (RPM) - Canadian Présidente du Chapitre canadienne de l'Association AFRAM depuis janvier 2011.Les thèmes divers sujets des que : "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 contreparties", "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", Faculté de droit, Université de Montréal, December 2016
- La propriété intellectuelle : quels avantages peut-elle vous offrir?", conférence aux étudiants en design de mode, Collège Marie-Victorin, Montréal, 2014, 2015 et 2016
- Les Radiments de la Propriété Intellectuelle", Association des juristes italo-canadiens, Montreal, November 2015
- La propriété intellectuelle comme actif d'entreprise", Hautes Études Commerciales (HEC), Montréal, April 2012
- La propriété intellectuelle comme actif d'entreprise", présenté à un groupe de juriste, Montréal, February 2012
- Procédure de radiation des enregistrements de marques", Barreau du Québec : "Les développements récents en droit de la propriété intellectuelle", Montréal, November 2011
- How to win the speed-dating by protecting packaging or Protecting packaging in Canada", 2010 FICPA 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 file", 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), Montréal, 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 fait-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), Montréal, 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
- Modératrice, "INTA Emerging Issues Forum", Savannah, Georgia, February 2006
- Pourquoi s'arrêter au territoire alors que nous sommes tous citoyens du village global?", L'Institut canadien, Montréal, June 2005
- Les licences en marques : une interprétation sclérosée ? Association du Barreau canadien, October 2002
- Mock cross-examination", Bi-annual meeting of the Canadian Institute of Intellectual Property, Ottawa, March 2002
- Présidente honoraire Vitrine "Forum québécois pour les femmes-cadres" organisé par l'Institut International de Recherche", January 2001
- Les aspects légaux de la propriété intellectuelle", présenté au Centre de recherche informatique de Montréal (CRIM), November 2000
- Intellectual Property in the New Millennium: 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 practice", Intellectual Property Institute of Canada, Montreal, November 1997
- Drawing the Line Between Comparative Advertising and Third Party Use: Canada", International Trademark Association, Annual Meeting, San Antonio, Texas, United States, May 1997

- "L'avenir de l'adhésion du Canada aux conventions internationales", Québec 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, Québec 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 trademarks. 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 trademarks, copyrights, trade secrets and related topics for various clients and audience

Professional and community activities

- Head of the Intellectual Property Group of World Services Group (WSG) for the North America region (since 2024)
- Academos (since 2024)
- Deux par deux (Learning the French language) (since 2024)
- Montreal University of Montreal (since 2023)
- Festival international de littérature (since 2023)
 - Member of the Board of Directors
- Montreal Québec (since 2023)
 - Member of the Monitoring and Research Committee
- Trois Trains Tigres (theatre company)
 - Board member (since 2016 and vice-president of the Board since 2017)
- Fondation du Conservatoire de musique et d'art dramatique du Québec (2017-2019)
 - Board member
- Fondation du Centre des auteurs dramatiques (CEAD) (2009-2014)
 - Board Member
- 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

- *Canadian Legal Expert Directory* in the field of Intellectual Property, since 2019
- *The Best Lawyers in Canada* in the field of Intellectual Property
- *The Best Lawyers in Canada, Lawyer of the Year, Intellectual Property* (2020)
- *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)



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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 (2018-2021)
 - Canadian Bar Association
 - Member of Council of CRA-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 Justice project (equality for the advancement of women in the profession) (2013-2016)
 - Intellectual Property Institute of Canada (IPIIC) - Fellow member
 - Member of the Director General Advisory Committee of the Trademarks Office
 - Member of the Industrial Design Committee (2008)
 - Member of the Madrid Protocol Liaison Committee (2004-2006)
 - Member of the Education Committee (1998-1999)
 - Member of the Trademark Practices Committee (1996-1997)
 - Director of the Advanced Course on Trademarks offered by the Intellectual Property Institute of Canada and McGill University (1998)
 - Assistant-Director of the Advanced Course on Trademarks offered by the Intellectual Property Institute of Canada and McGill University (1997)
 - Association des Praticiens du droit des Marques et des Modèles (APRAM)
 - President of APRAM Canada Commission (organizing 5-6 conferences per year 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 (2016-2019)
- Member of International Strategist, a multidisciplinary task force supporting exporting companies

■ Board of Trade Metropolitan Montreal

- President ex-officio of the Business Women in Action committee (2002)
- President of Business Women in Action (2000-2002)
- Vice-President of the reading committee and Member of the Executive Committee of Business Women in Action (1998)

■ Member of the Organizing Committee of the Networking Dinner of Business Women in Action (1997-1999)

■ European Communities Trademark Association (ECTA)

- Former Assistant Editor for the "Canadian Legislative Report" and responsible for the synopsis for the Quebec legislations