



## Chantal Saunders

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Chantal specializes in all areas of intellectual property litigation, with an emphasis on complex patent, trademark and copyright litigation, including pharmaceutical patent litigation under the Patented Medicines (Notice of Compliance) Regulations. She has acted for clients in a variety of sectors.

She has appeared before the Federal Court and Federal Court of Appeal on patent, trademark and copyright matters.

Chantal also advises clients at the intersection of patent and regulatory aspects, such as with respect to Certificates of Supplementary Protection, data protection, and issues related to the Patent Register and the Patented Medicine Prices Review Board. In addition, she provides advice in respect of patentability, validity and freedom-to-operate issues, and contentious matters relating to industrial designs. Chantal also provides advice to diverse clients on copyright issues including Artificial Intelligence and copyright.

She is a lawyer and registered patent agent.

Chantal is the current Chair of the Litigation Committee of the Intellectual Property Institute of Canada (IPIC) and a member of the Federal Court IP User Committee of the Federal Court. She is also a member of the Artificial Intelligence, Data & Emerging Technologies Committee, and the Copyright Committee of the IP Owners Association (IPO), and a member of the Copyright Society. She is a frequent speaker and writer on IP issues, including the annual Copyright – Year in Review in the *Consolidated Intellectual Property Statutes and Regulations* published by Thomson Reuters.

## Experience

- Counsel for innovator companies in proceedings brought pursuant to the *Patented Medicines (Notice of Compliance) Regulations*.
- Counsel in patent infringement and patent impeachment actions.
- Counsel in trademark infringement and expungement proceedings.
- Counsel in copyright infringement proceedings.
- Counsel for innovator companies in judicial review proceedings relating to listing of patents on the Patent Register.
- Advising clients with respect to data protection, listing patents on the Patent Register and reporting patents to the Patented Medicine Prices Review Board.

## Insights & Events

- Autrice, « Le Conseil d'examen du prix des médicaments brevetés publie des lignes directrices très attendues par les titulaires de brevet », article de BLG, juillet 2025
- Autrice, « Can one infringe an apparatus patent with mere plans or drawings? The SCC's denial of leave confirms that the answer is no », article de BLG, juillet 2025
- Autrice, « Patent is NOT listed on Patent Register when Form IV is filed; only when Minister determines it is eligible », article de BLG, janvier 2025
- Autrice, « The FCA concludes PMPRB decision re Differin® exceeded the Board's jurisdiction », article de BLG, décembre 2024
- Autrice, « Premier contrôle judiciaire d'une décision du comité d'enquête du CABAMC », article de BLG, septembre 2024
- Autrice, « Federal Court of Appeal in summary trial on ownership upholds finding that neither party owns the patent », article de BLG, août 2024
- Autrice, « Allégations de fausses déclarations en vertu de l'article 53 de la Loi sur les brevets : le détail complet est nécessaire », article de BLG, août 2024
- Autrice, « Consultations are open: CIPO proposes amendments to the Trademarks Regulations », article de BLG, juin 2024
- Autrice, « Legislative provisions delineating double patenting would be beneficial for all », article de BLG, juin 2024
- Autrice, « PMPRB's decision that patent pertains to drug held to be reasonable by Federal Court », article de BLG, janvier 2024
- Autrice, « Court of Appeal finds abuse of process for second notice of allegation », article de BLG, janvier 2024
- Autrice, « The Patented Medicines Prices Review Board is consulting on new guidelines », article de BLG, novembre 2023
- Autrice, « Consultation en cours : Modifications apportées à la Loi sur le droit d'auteur relativement à l'intelligence artificielle générative », article de BLG, octobre 2023
- Autrice, « Benjamin Moore : la Cour d'appel fédérale rejette le test imposé par la Cour fédérale dans une décision fort attendue », article de BLG, août 2023
- Autrice, « Accounting of profits remedy for patent infringement in Canada », article de BLG, juin 2023
- Autrice, « Stopping counterfeit goods at the Canadian Border », article de BLG, juin 2023
- Autrice, « SCC provides clarity on accounting of profits remedy in patent infringement », article de BLG, novembre 2022

- Autrice, « NOC Regulations do not apply to biosimilars when reference products are not marketed », article de BLG, août 2022
- Autrice, « Supreme Court confirms that making copyrighted works available online is not a stand-alone interest », article de BLG, juillet 2022
- Autrice, « Intellectual property highlights in the Federal Budget 2022 », article de BLG, avril 2022
- Autrice, « New prior user rights provision in the Patent Act: first judicial consideration », article de BLG, janvier 2022
- Autrice, « Regulatory context for patented pharmaceuticals and biotechnology drugs in Canada », article de BLG, décembre 2021
- Autrice, « Examen par les tribunaux de la portée du privilège de l'agent de brevets énoncé dans le nouvel article 16.1 », article de BLG, décembre 2021
- Autrice, « Patent validity challenges in Canada », article de BLG, juin 2021
- Autrice, « FCA allows defendant to amend pleadings to allege grounds of invalidity not in NOA », article de BLG, juin 2021

## Beyond our Walls

### Professional Involvement

- Member, Canadian Bar Association; Chair, Newsletter Committee, National Intellectual
- Member, County of Carleton Law Association
- Chair, Intellectually Property Institute of Canada, Litigation Committee
- Member, The Advocates' Society
- Member, Chiefs in Intellectual Property (ChIPs)
- Member, Federal Court IP Users Committee

## Awards & Recognitions

- Recognized in the 2025 edition of *The Best Lawyers in Canada* (Intellectual Property Law)
- Recognized in the 2024 edition *WTR 1000 — The World's Leading Trademark Professionals*.
- Recognized in the 2024 edition of *The Canadian Legal Lexpert® Directory* (Life Sciences & Health) and in 2020-2023 editions (Intellectual Property; Litigation - Intellectual Property)
- Recognized in the 2024 edition (and since 2016) of *Intellectual Asset Magazine's (IAM) Patent 1000 - The World's Leading Patent Professionals* (Patent Litigation)
- Recognized in the 2024 edition (and since 2022) of *Lexpert Special Edition: Technology & Health Sciences*
- Recognized in the 2024 edition (and since 2023) of *Who's Who Legal: IP*
- Recognized in the 2024 edition (and since 2023) of *Who's Who Legal: Canada* (Patents)
- Recognized in the 2023 edition (and since 2022) of *Lexpert Special Edition: Litigation*
- Recognized in the 2022 (and since 2020) edition of *Managing Intellectual Property's* IP Stars (Patent, Trademark)
- Recognized in the 2021 edition of *Lexpert Special Edition: Health Sciences*.
- Recognized in the 2021 edition of *Lexpert Special Edition: Technology*
- Recognized in the 2021 and 2020 editions of *The Canadian Legal Lexpert® Directory* (Intellectual Property)

## Bar Admission & Education

- Ontario, 2002
- LLB, Université Dalhousie, 2001
- BSc. (Hons.), Biochemistry, Université Queen's, 1997

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