

# Intellectual property and your business: What you need to know

April 26, 2021

Intellectual property (IP) comes in many forms, including [trademarks](#), [copyrights](#), [industrial designs](#), trade secrets, plant breeders rights, [and patents](#).

With IP rights, an idea can be turned into a business opportunity that generates value, creates employment and enhances the market by offering consumers more choice of innovative products and services. Patent rights also encourage publication of the latest research, which serves to further collective knowledge.

IP rights also serve [a defensive purpose](#) by allowing companies to protect their businesses and research and development activities, while creating a stronger negotiating power for [licensing opportunities](#) and counterclaims. They also allow companies to block competitive products, dissuade potential entrants and clear a technological path for future market share. IP rights serve both as a protective tool and generate value.

## SMEs and intellectual property protection

While large businesses often create and maintain a large IP portfolio, many small- to medium-sized enterprises (SMEs) often wait too long into the development process before acquiring or paying attention to IP protection.

It is important for SMEs to leverage IP ownership and licensing at an early stage. This helps SMEs protect themselves from other companies using something identical or similar to their creations, brands or products. IP can also create new sources of revenue should businesses decide to license goods or services to third parties.

Without such protection, SMEs could end up spending a lot of time and resources defending against third parties or even rebranding, rather than focusing on business growth opportunities. Further, if the opportunity arises to sell the company or seek investment, not owning or having valid and enforceable protection of company IP can negatively affect a transaction; it can even prevent the transaction from moving ahead altogether.

SMEs play a critical role in the economy. By acquiring IP rights they can build stronger, more competitive and resilient businesses. It is important for companies to identify, protect and leverage IP assets for business growth, for the business opportunities that can flow from IP licensing and to increase the range of options available to finance innovation. Without IP protection and enforcement, companies take on a greater **business risk - in terms of IP infringement, for example - and may run the risk of not actually owning the IP assets they have created.**

For additional information on IP rights and strategy, take a look at our recent content below.

If you have any questions, or would like to discuss how IP might apply to your specific business circumstances, please reach out to [BLG's Intellectual Property Group](#) or any of the contacts listed below.

By

[Beverley Moore](#), [Curtis Behmann](#)

Expertise

[Intellectual Property](#), [Copyright](#), [Industrial Design](#), [Intellectual Property Litigation](#), [Licensing](#), [Patents](#), [Trademarks](#)

---

## **BLG | Canada's Law Firm**

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

[blg.com](http://blg.com)

### **BLG Offices**

#### **Calgary**

Centennial Place, East Tower  
520 3rd Avenue S.W.  
Calgary, AB, Canada  
T2P 0R3

T 403.232.9500  
F 403.266.1395

#### **Ottawa**

World Exchange Plaza  
100 Queen Street  
Ottawa, ON, Canada  
K1P 1J9

T 613.237.5160  
F 613.230.8842

#### **Vancouver**

1200 Waterfront Centre  
200 Burrard Street  
Vancouver, BC, Canada  
V7X 1T2

T 604.687.5744  
F 604.687.1415

#### **Montréal**

1000 De La Gauchetière Street West  
Suite 900  
Montréal, QC, Canada  
H3B 5H4

T 514.954.2555  
F 514.879.9015

#### **Toronto**

Bay Adelaide Centre, East Tower  
22 Adelaide Street West  
Toronto, ON, Canada  
M5H 4E3

T 416.367.6000  
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing [unsubscribe@blg.com](mailto:unsubscribe@blg.com) or manage your subscription preferences at [blg.com/MyPreferences](http://blg.com/MyPreferences). If you feel you have received this message in error please contact [communications@blg.com](mailto:communications@blg.com). BLG's privacy policy for publications may be found at [blg.com/en/privacy](http://blg.com/en/privacy).

© 2025 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.