



# Cannabis

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## Overview

Cannabis organizations require rapid, client-focused advice to help set up, staff and capitalize on the business opportunities presented by the legalization of cannabis. Since Bill C-45 was first tabled, Field Law has been involved in readying organizations for compliance and positioning them for success. Combining industry knowledge with deep experience in business, employment and intellectual property law, we are here to help you grow your business and succeed in this budding field.

## Industries

Protecting Your Cannabis IP

Field Law helps with:	What we offer:	
Raising capital	<ul style="list-style-type: none"> <li>• <a href="#">Mergers and Acquisitions</a></li> <li>• Initial Public Offering (IPO)</li> <li>• Equity or Debt Offerings - public or private</li> <li>• Representation with securities commissions and stock exchanges</li> <li>• Corporate secretarial services</li> <li>• Shareholder meeting services</li> <li>• <a href="#">Finance and Banking</a></li> <li>• Ongoing Continuous Disclosure services</li> </ul>	<a href="#">More information</a>
Setting up your corporate structure	<ul style="list-style-type: none"> <li>• Business structure, partnerships, joint ventures</li> <li>• Unanimous Shareholder Agreements</li> <li>• Corporate Governance</li> <li>• Distribution agreements</li> <li>• Streaming agreements</li> </ul>	<a href="#">More information</a>
Acquiring the necessary licenses	<ul style="list-style-type: none"> <li>• Licenced producer applications</li> <li>• Craft cultivation applications</li> <li>• Retail store applications</li> <li>• AGLC compliance</li> </ul>	<a href="#">More information</a>
Protecting your brand	<ul style="list-style-type: none"> <li>• Registering trade name and trademarks</li> <li>• Patent protection for innovations</li> <li>• Protecting innovations in product distribution</li> <li>• Commercialization, franchise agreements, licensing agreements, confidentiality agreements</li> <li>• Advising on compliance with advertising, marketing and packaging requirements</li> </ul>	<a href="#">More information</a>
Real estate	<ul style="list-style-type: none"> <li>• <a href="#">Commercial leasing</a></li> <li>• Large scale commercial development</li> <li>• Agricultural land purchases</li> <li>• Development permits</li> <li>• Planning law</li> <li>• Zoning applications</li> </ul>	<a href="#">More information</a>
Human resources	<ul style="list-style-type: none"> <li>• Employment agreements</li> <li>• Workplace policies</li> <li>• Immigration support</li> <li>• <a href="#">Occupational health + safety</a></li> </ul>	<a href="#">More information</a>

## Raising Capital

Raising money is a demanding and necessary requirement for a growing cannabis business. Whether it is preparing for your initial public offering (IPO) on a Canadian stock exchange, or raising cash to build out your production facility, Field Law provides timely client-focused

advice to help clients capitalize on their budding business opportunities. We regularly advise bidders and target companies (including boards of directors and special committees) on how to best navigate complex merger and acquisition transactions. We assist clients in choosing appropriate financing techniques, negotiating commercial terms and designing and structuring transactions that meet specific business needs. We will work collaboratively with your external service providers to ensure that your tax and accounting needs are met.

### **Setting up your Corporate Structure**

Setting up your corporate structure in an efficient and effective manner now can save you money in the future. Whether it is drafting a joint venture or streaming agreement or setting up your organization to allow for efficient tax planning, it is important to have business-oriented experienced lawyers that will collaborate with you to develop and execute on your growth business strategy.

### **Licensing**

Obtaining a license to grow or a license to sell is a critical moment in any cannabis business. Our team has experience navigating the *Cannabis Act* regulations and application guidelines to help you obtain your cannabis license. We work to help you succeed in your application within the fastest possible timeline and provide services with respect to:

- Cultivation licenses (standard and micro-cultivation)
- Nursery licenses
- Processing licenses (standard and micro-processing)
- Cannabis sale for medical purposes
- Retail cannabis licences

### **Protecting your Brand**

New legislation often leads to innovation in the marketplace, so a practical, cost-effective intellectual property (IP) strategy is crucial to achieving the goals of your business. It is important to have experienced lawyers that will collaborate with you to develop and implement your strategy, through the registration of IP rights, commercialization, enforcement, and protection of your IP in the jurisdictions where you need it.

Field Law is ready to help navigate the challenging aspects of cannabis law as it applies to Intellectual Property.

### **Real Estate**

The complexity and uniqueness of the real estate market, especially in Alberta, requires a collaborative, goal-oriented approach to projects. With various options available such as direct ownership, co-ownership and partnerships there is a lot to consider when it comes to structuring the ownership of your cannabis store or manufacturing facility.

A development permit is required for all new cannabis stores. When a permit is refused, the decision can be appealed in front of the Subdivision Development and Appeal Board (Appeal Board). While the process is designed to be simpler than appearing before a court of law, it is worth investing in working with a lawyer who understands the zoning and bylaw requirements and can represent your best interests before the Appeal Board. The team at Field Law works with a number of cannabis retailers and licensed producers in Alberta to assist with their development permit, zoning, and planning law needs.

The team at Field overturned a refusal of a cannabis store development permit in front of the Appeal Board. In doing so, they were able to get a relaxation of approximately 45m of the Land Use Bylaw's required 300m separation distance between cannabis stores. In addition, our cannabis team has successfully defended the appeal of an approved cannabis store permit.

### **Human Resources**

Field Law develops tailored solutions for organizational, policy and other issues that impact your business and workforce following the legalization of cannabis. We understand how the federal and provincial laws may impact your business and can help you prepare for the impending changes that the legislation could have on your workforce and workplace safety. We offer training on how to deal effectively and legally with cannabis use by employees, whether off duty or on duty and whether medical or recreational, through our completely customizable workshops, seminars and lunch and learn sessions. We also provide contract and policy creation and review in order to ensure that you promote a fit for work culture and ensure safety in the workplace to the fullest extent.

## People

Michael Sharp (He/Him) ,  
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## Notable Work

- Assisted an Alberta based cannabis producer with the private placement of \$4.5 million worth of securities
- Assisted an Alberta based cannabis producer with the private placement of \$1.5 million worth of securities in Canada and the U.S.
- Obtained a cannabis cultivation and export licence for an Alberta based producer
- Assisted an industrial hemp business with the purchase of agricultural lands
- Assisted a national cannabis retailer with lease negotiations in Edmonton
- Assisted a national cannabis retailer with lease negotiations in Calgary and surrounding communities
- Assisted an Alberta based cannabis retailer with the acquisition of a retail cannabis store
- Assisted an Alberta based cannabis producer with preparing a trademark application
- Successfully overturned the refusal of a cannabis store development permit in the City of Calgary
- Successfully defended the appeal of a cannabis store development permit in the City of Calgary
- Provided advice on regulatory compliance to various cannabis related business, including cannabis accessory and cannabis tourism businesses
- Assisted cannabis businesses with immigration requirements in Canada and the U.S.

## News + Views + Events

February 10, 2020

[Human Rights Obligations Following a Positive Drug Test](#)