



Trademarks

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Overview

A brand starts with a single mark and can become one of the most valuable assets of your business. Trusting us with your brand is a responsibility we take very seriously. By combining trademark advice with practical business advice, we support your brand management as an essential part of your IP strategy.

With experience handling trademark registration and disputes before both the Canadian and US trademark offices, we have a team of seven registered trademark agents who provide a full range of services:

- Canadian and US trade-mark screening and selection
- Practical advice on brand protection
- Trademark registration including oppositions (unlike many firms, we handle your Canada and US trademarks ourselves)
- Trademark-watch services
- Trademark oppositions, infringement prosecution and defence, seizure orders and injunctions
- Oversee registration of trademarks all over the world through our closely-maintained network, and
- Advising on strategies for brand protection and competitive intelligence

No matter the size of your business or the industry sector, contact Neil Kathol at nkathol@fieldlaw.com or 403-260-8564 or Laura MacFarlane at lmacfarlane@fieldlaw.com or 403-260-8577 to discuss your brand management and trademark needs and get an initial assessment of your IP strategy.

Experience

International Karate-Do Goju-Kai Association of Canada, International Karate-Do Goju-Kai Association Canada and Hirofumi Yamaguchi v. Jason Berresford and Norman M. Maher (individually and jointly and severally as a partnership c.o.b. White Tiger Martial Arts (High River)) et al 2019 FC T-2180-18

College of Dietitians of Alberta v. 3393291 Canada Inc. (Canadian School of Natural Nutrition), 2015 FC 449

Marty Sanders v. Smart & Biggar Intellectual Property & Technology Law, 2010 FC 73

Community Credit Union Ltd. v. Canada (Registrar of Trade Marks), 2006 FC 1119

Credit Union Central of Canada v. Community Credit Union Ltd., 2005 CanLII 78195

Industries

Education
Energy + Environment
Manufacturing
Media + Entertainment
Technology

Services

Intellectual Property + Technology
Emerging Technology
Cyber Liability
Commercializing IP
Copyright
Designs
IP Litigation
Patents
Trade Secrets

People

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News + Views + Events

April 2020

[Will the Pandemic Impact Trademarks in Canada? - An Update](#)

July 11, 2019

[Understanding Your Intellectual Property Toolbox](#)

December 2018

[Pour a Glass of Trademarks](#)

October 2018

[#Hashmarks: Can a Hashtag be a Trademark?](#)

October 2018

[To Serve and Protect: The Many Reasons for a Trademark Registration](#)

Client Stories

Textile trademark infringement claim defeated

Our Client: A manufacturer and retailer of textiles for the bedding industry based in Western Canada.

Where we began: Our client was facing a trademark infringement claim for millions of dollars in damages as well as demands that our client stop using the trademark.

Our approach: Neil Kathol argued his client had named its product using ordinary words common to the bedding industry. When the other side stubbornly dug in its heels, Neil created a 17-volume affidavit that documented over 500 references to the industry's use of the words in question. *"We put the affidavit on the doorstep of the courthouse for entering into the public realm where, if the matter didn't resolve, all others in the industry also using those words could rely on that same evidence."*

The result: The plaintiff agreed to mediation, which reversed the "who-pays-who" dynamic and led to a very favorable outcome for our client. As Neil put it, *"A creative, strategic, team approach and hard work meant that our client obtained an outstanding settlement, so favourable that the other side required it be kept confidential lest other competitors find out."*