



Monica Sharma

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Partner, Chair, Student Committee
Committee on Technology
Intellectual Property
Technology Transactions and Emerging Company Services
Privacy
Capital Markets, Securities, Mergers & Acquisitions

Profile

Monica is a business lawyer with extensive experience advising clients on intellectual property, technology, privacy and commercial law matters. Her practice includes transactions involving intellectual property and technology, negotiating technology and commercial contracts, and advising on privacy law issues.

Monica's clients operate in a wide range of industries, including financial services and payments, retail, e-commerce, artificial intelligence, healthcare, manufacturing, energy, technology, professional services, marketing, advertising, clean tech and life sciences. She is a pragmatic advisor, approaching her work with a solutions-based nature to help her clients achieve their goals.

Having practiced in law firms as well as in-house for several major companies, Monica brings a practical and unique perspective to providing legal advice to executive and management teams. During her in-house career, Monica was an integral part of commercial operations, which has given her a unique understanding of the internal operations of businesses and how those operations interact with the law.

Monica understands the challenges businesses encounter on a day-to-day basis: from

commercial risk management and mitigation, to protecting, promoting and gaining strategic value from intellectual property and technology assets. Her multi-disciplined practice allows her to serve our clients' interests in a way that considers commercial and legal aspects.

Work Highlights

Leading creator and distributor of Internet stock photography, music and multimedia products

- > Intellectual property and corporate counsel for restructuring of \$1 billion business
- > Intellectual property and corporate counsel for \$50 million dollar share purchase of private stock photography business

Major electricity, natural gas, renewable energy, and value-added services provider

- > Intellectual property and technology counsel for \$250 million business process outsourcing transaction

International software and media development and engineering company

- > Technology and commercial counsel for agile software development transaction with global education services provider

Additional work highlights below

Transactional Services in Intellectual Property, Technology and Commercial Law

- > Structuring, negotiating and closing national and international transactions involving the purchase, sale, and licensing of intellectual property and technology
- > Structuring and negotiating technology licensing, software development, technology procurement, acquisition and implementation, cloud computing, and information technology supply arrangements and other complex commercial contracts for national and international clients
- > Protection, development and commercialization of intellectual property and technology assets
- > Mergers and acquisitions, corporate finance, corporate reorganizations and other transactional matters for both purchasers and vendors of shares and assets, including restructuring transactions and share and asset purchase transactions
- > Outsourcing (customer service and business process) transactions
- > Negotiating and advising on commercial contracts including services, distribution, licensing and development agreements.

Intellectual Property, Marketing, Consumer Protection and E-Commerce Services

- > Trademark, copyright and trade secret matters, including advice on obtaining registered trademark protection
- > Marketing, advertising, e-commerce, consumer protection and competition law issues,

including review of promotional contests, advertising copy, websites and online contractual terms

Privacy and Data Security Services

- > Privacy and anti-spam (CASL) advice; advising on data security matters

Credentials

Industry Involvement

- > Canadian Technology Law Association (CAN-TECH), Board of Directors
- > Canadian Bar Association
- > Registered Trademark Agent for Canada
- > Canadian Technology Law Association Mentorship Program, Chair

Education & Call to Bar

- > Calls to Bar: Upper Canada, 1998; Alberta, 1999; British Columbia, 2014
- > Bachelor of Common Law and Bachelor of Civil Law, both with Distinction, McGill University
- > Bachelor of Arts in Political Science, with First Class Honours, University of Alberta

Languages

- > French

Awards & Distinctions

- > Best Lawyers® in Canada, Technology Law, 2021-2025, Intellectual Property Law, 2022-2025, and Information Technology Law, 2022-2025
- > Lexpert, "Repeatedly Recommended" Lawyer for Intellectual Property Law
- > Lexpert, Recognition as Leading Lawyer in Technology and Health Sciences, 2024

External Publications & Presentations

- > Co-Chair, CAN-TECH Law 2023 Fall Conference, October 25-26, 2023
- > Moderator, CAN-TECH Law 2023 Fall Conference Session, "IP and Contracting in the Metaverse", October 25, 2023
- > Data: Collect it, Own it, Keep it, Digital Supercluster Seminar, February 13, 2023
- > Data in Contracts and Commercial Transactions, Canadian Technology Law Association Conference, November 2, 2022
- > Women in Technology and Business Law, Faculty of Women in Law Club Panel, Thompson Rivers University, February 16, 2022
- > IP Licenses and Insolvency Client Professional Development Seminar, Calgary November, 2013
- > Can the SPAM: Canada's Online Protection Legislation Client Professional Development Seminar, Calgary November 2012
- > Intellectual Property in Business Transactions Negotiating and Drafting Major Business Agreements Federated Press, Calgary January 24, 2012

- > Get off my Cloud: Data Security Cloud Computing Conference Insight ALM, Calgary November 1, 2011
- > Online Privacy and Security Internet Law Conference Federated Press, Calgary March 3 and 4, 2011
- > Intellectual Property Aspects of Energy Contracts Energy Contracts Conference Insight ALM, Calgary September 20-21, 2010
- > Protecting your Brand in Today's Marketplace Hot Button Topics in IP Law Client Professional Development Seminar Series, Toronto October 1, 2009
- > Protecting Ownership: Key Copyright Issues Hot Button Topics in IP Law Client Professional Development Seminar Series, Toronto October 1, 2009
- > Intellectual Property in the Commercial Context Client Professional Development Seminar, Calgary March, 2009
- > Protecting Intellectual Property Licenses in Insolvency Licensing Executives Society, Calgary October 23, 2008
- > Trademarks on the Internet and the status of Copyright Reform Internet Law: Latest Developments and Strategies Conference Insight ALM, Vancouver November 13 and 14, 2008
- > Protecting Intellectual Property Licenses in an Insolvency Context IP Summit Insight ALM, Vancouver September 8-9, 2008
- > Search Engines, Keyword Linked Advertising, and Trademark Infringement Intellectual Property Institute of Canada Meeting, Montreal July, 2008
- > Intellectual Property and the Energy Sector Client Professional Development Seminar, Calgary March 12, 2008
- > Doing Business in China: Intellectual Property Client Professional Development Seminar, Calgary February 28, 2008
- > Trademark Law Business Law: IP Issues Legal Education Society of Alberta, Calgary and Edmonton 2008
- > Protecting Intellectual Property Rights in the Energy Sector Conference Intellectual Property Workshop The Canadian Institute, Calgary October 30, 2007
- > Commercial Transactions in the Internet Age, World International Internet Law Report, January 2005
- > Information Technology Outsourcing, Parts I and II, Bulletin on Information Technology, October 2003

Additional Work Highlights

National health care services provider

- > Intellectual property and technology counsel for transactions involving artificial intelligence, machine learning, intellectual property and data security

International life sciences companies

- > Counsel for transactions involving sale of intellectual property (including patents) portfolios and related assets

Electronic medical records company

- > Intellectual property counsel for transaction involving sale of assets, including proprietary software solutions

Clean technology company

- > Intellectual property and technology counsel for investment and licensing transactions for proprietary clean technology solutions

Global Fortune 500 exploration, production, power generation, and renewable energy company

- > Intellectual property counsel for licensing of extraction of sulfur from heavy oil process and commercial transactions involving intellectual property and technology assets.

Canadian energy research and development company

- > Providing advice on licensing arrangements with Fortune 500 energy companies licensing proprietary bitumen upgrading technology

Leading provider of virtual healthcare and consulting services

- > Advising on technology and intellectual property matters for asset and share purchase transactions involving the purchase of intellectual property and information technology assets
- > Advising marketing team with respect to trademark and branding issues
- > Providing commercial and privacy advice with respect to online agreements and collection of personal health information

International cosmetic technology and beauty product developer and supplier

- > Advising on regulatory requirements for importing products into Canada, including packaging and labeling requirements in Canada and product notifications required prior to commencing sales

Leading manufacturer and distributor of nutritional supplements and vitamins

- > Advising marketing team with respect to consumer protection and other legal considerations for advertising and marketing campaigns and promotional contests, including Internet and social media campaigns and blogging
- > Providing commercial and intellectual property advice regarding complex distribution, on-line reseller, licensing and supply chain agreements
- > Advising on regulatory compliance matters regarding natural health products
- > Advising with respect to intellectual property matters in asset and share purchase transactions

Leading international manufacturer of nuclear probes and non-destructive testing equipment

- > Intellectual property and corporate counsel for asset purchase of \$50 million nuclear probe business

International manufacturer of iconic novelty toys

- > Intellectual property and commercial legal advisor regarding licensing and sale of international copyrights and trademarks

Major Canadian integrated energy company

- > Counsel with respect to all information technology matters, including outsourcing of technology services

One of the world's largest financial services providers

- > Advising on technology licensing issues and global supply agreements for provision of information technology, payment processing and professional services

Biotechnology research and development company

- > Corporate and intellectual property counsel advising on equity and debt financing (secured convertible debentures) and licensing matters

North American manufacturer of railway equipment and technology

- > Legal advisor for patent licensing transaction involving calibration technology in railcars

National mutual fund and investment portfolio management firm

- > Providing trademark, branding and marketing related advice in the context of financial services

Global payment, risk management and authentication solutions provider

- > Advising on commercial, intellectual property and electronic transactions issues

Multi-national cosmetic device manufacturer

- > Advising client on how to bring their products into Canada, including regulatory, consumer protection and labeling issues

Global Fortune 500 steel and metal producer

- > Corporate counsel for \$1 billion coal sales agreement and purchase of partnership interest in Canadian coal mine

Major operator in Canadian oilsands and crude oil production

- > Commercial and intellectual property counsel to research department developing extraction and clean technology processes and solutions