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Area of Practice

Civil Litigation, with emphasis on employment issues, gaming litigation and intellectual property law.

Profile

David Buchanan is a partner of Clark Wilson LLP and a member of its Litigation Department. Mr. Buchanan has practised as counsel for over 30 years in a range of cases in the BC Supreme Court, the BC Court of Appeal, and the Federal Court of Canada. He obtained his Bachelor of Laws degree from the University of British Columbia in 1966.

Employment Law: Mr. Buchanan has been counsel in many leading cases in the BC Supreme Court and Court of Appeal including cases determining:

- the enforceability of post termination agreements between parties;
- the nature of notice of termination; mitigation of damages;
- the enforceability of agreements collateral to the master servant contract;
- the ability to change implied contractual terms;
- the “reasonable offer” doctrine; and
- fiduciary duties and post-employment competition.

Gaming Law: Mr. Buchanan has represented the British Columbia Lottery Corporation in several high profile cases involving conflicting provincial and municipal legislation.

Intellectual Property: Mr. Buchanan has extensive experience in intellectual property litigation including acting as counsel for Expo 86 Corporation on intellectual property litigation affecting the 1986 World's Fair in several lawsuits at the trial and appellate levels. He was also retained by counsel to Expo 88 in Brisbane, Australia to advise with respect to international issues relating to copyright and trademark litigation.

Memberships & Associations

Member, Law Society of British Columbia (1967)
Former President, Vancouver Bar Association
Member, Canadian Bar Association
Former Director, Legal Services Society of British Columbia
Former Chair, Law Day of British Columbia
Appointed Queen's Counsel (1983)
Member, Board of Trustees of Vancouver Hospital & Health Sciences Centre (1979-1983) (1986-1994).
Chairman (1992-1993)
Former Member, National Judiciary Committee, Canadian Bar Association
Member, International Commission of Jurists