



## Kwan Loh

Associate

Intellectual Property  
Information Technology  
Franchising

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### Profile

In this age of intellectual property, the brand is the currency of power. It is the heart of a company's connection with its customers, and it drives growth through goodwill and reputation. A strong, distinctive brand is essential to the success of our clients, and this is Kwan's priority. He works to procure, protect and enforce the influential brands that position our clients as top competitors in the markets they serve.

#### Work Highlights

#### **Trade-mark advisor to world's leading online retailer**

- > Conduct all aspects of Canadian trade-mark clearance, filing, registration, maintenance, and enforcement of trade-mark rights for the world's leading online retailer
- > Provide strategic international portfolio advice, and copyright advice

#### **Trade-mark counsel for world's leading search engine services provider**

- > Conduct all aspects of Canadian trade-mark clearance, filing, registration, maintenance and enforcement of trade-mark rights for the world's leading search engine services provider

## Advisor to family-owned, Vancouver-based Chinese bakery

- > Advise a prominent local Chinese bakery on all aspects of their trade-mark needs, including the defense of their respected brand against a large, China-based conglomerate, through litigation at the Trademarks Opposition Board, Federal Court and Federal Court of Appeal
- > As litigation counsel, assisted with pleadings, preparation of evidence, hearing preparation and organization, oral and written argument, and appellate records
- > Used knowledge and understanding of Chinese language and culture to create persuasive arguments and refute claims advanced by the other side

*Additional work highlights below*

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A tenacious and dedicated nature makes Kwan a natural fit for practicing trademark law, which is grounded in the idea of competition. Taking tremendous pride in his work benefits our clients-because he recognizes that their business is their livelihood, and he takes protecting that livelihood seriously.

### Services

- > Trademark clearance searches and opinions
- > Trademark filings and prosecution
- > Contentious trademark matters, including oppositions, cancellation proceedings, and litigation
- > Advising and consulting on contracts involving intellectual property, including licenses, assignments, and other commercial agreements
- > Business strategy relating to trademarks, including global portfolio management

Working on both sides of the same coin, Kwan is a trademark solicitor and litigator. He has appeared before the Trademarks Opposition Board, Federal Court and Federal Court of Appeal. This creates an advantage for our clients because he can identify common issues raised in litigation and avoid those pitfalls when advising clients. In addition, Kwan's experience as both a solicitor and litigator lends itself to reaching reasonable, strategic settlements that provide our clients with business certainty.

Our clients also benefit from Kwan's fluency in Mandarin and ability to converse in Cantonese. He is experienced in assessing linguistic and cultural nuances, making it easier for our clients to navigate trademark issues in an international business community.

Kwan recognizes that the services our clients provide, and the products they create, have shaped and continue to shape our modern society. It is therefore a privilege, an inspiration and a pleasure for Kwan to act as an advocate for their businesses-their ideas, innovations and identity-so that they can continue enhancing our lives.

## Credentials

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### Industry Involvement

- > Canadian Bar Association, BC Branch, Past Chair, IP & Technology Law Section
- > Intellectual Property Institute of Canada, Fellow
- > International Trademark Association, Canadian Intellectual Property Office Practice

Subcommittee member

### **Community Commitments**

- > Vancouver Dodgeball League Society, Former Board of Directors Member
- > HoopLaw Charity Basketball Tournament

### **Education & Call to Bar**

- > Call to Bar: Ontario, 2007; British Columbia, 2010
- > Registered Canadian Trade-mark Agent, 2008
- > Bachelor of Laws, University of British Columbia, 2006
- > Bachelor of Science in Physiology (with Honours), University of British Columbia, 2002

## **Additional Work Highlights**

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### **Trade-mark counsel to high-profile mobile handset manufacturer**

- > Assist with Canadian trade-mark clearance, filing, registration, maintenance, and enforcement for leading manufacturer of mobile handsets and virtual reality displays

### **Representation of leading restaurant brands**

- > Assist one of the world's largest quick service restaurant companies to provide trade-mark clearance and filing services, as well as marketing-related advice, in support of several well-known brands

### **Legal advisor to leading Canadian hotel chain**

- > Assist with Canadian trade-mark enforcement for leading Canadian hotel chain

### **Legal advisor to leading manufacturer and distributor of nutritional supplements and vitamins**

- > Provide trade-mark and marketing-related advice to leading manufacturer and distributor of vitamins and nutritional supplements, including both portfolio management and enforcement strategy
- > Advise on strategic marketing and copyright issues

### **Worldwide portfolio management for an internationally recognized toy maker**

- > Manage and coordinate enforcement of a global trade-mark portfolio covering stuffed animals, children's toys, and gifts in Canada, the U.S., Europe, Australia, China, other parts of Asia, and Africa, and advise on acquisitions relating to that portfolio
- > Provide guidance on copyright and domain name issues

### **IP counsel to an award-winning, Canadian designer of athletic apparel**

- > Manage a diverse portfolio of trade-mark, patent and industrial design rights covering fashionable, high-end, technical athletic apparel, in Canada, the U.S., Mexico and Asia, including the handling of contentious trade-mark disputes

### **Trade-mark advisor to a Vancouver-based beverage company with global reach**

> Manage and enforce an international trade-mark portfolio covering over 15 jurisdictions around the world, including instructing local counsel on the enforcement of the client's brand in China against a former distributor

### **Trade-mark litigation lawyer for a European housewares company famed for aesthetic designs**

> Worked with an iconic European designer of kitchenware and tableware to enforce and ultimately litigate their trade-mark rights in the Federal Court and Federal Court of Appeal  
> As litigation counsel, assisted with pleadings, documentary and oral discovery, pre-trial motions, trial preparation and organization, oral and written argument, and the appellate record

### **Legal advisor to one of Western Canada's largest drug and retail store chains**

> For one of B.C.'s greatest Chinese-Canadian immigrant success stories that has become one of the province's most recognized and beloved brands, assisted with the management and enforcement of a trade-mark portfolio spanning Canada, the United States, China, and Europe, including the management of Canadian trade-mark oppositions and assisting with appeals to the Federal Court  
> Provided guidance on domain name issues