



## Neil Melliship

Partner

Intellectual Property  
Information Technology  
Franchising

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### Profile

Neil Melliship is a partner of the firm and the Chair of its Intellectual Property and Information Technology Practice Groups.

Neil has a background in commercial law and his practice is focused on complex intellectual property and related legal issues arising out of the development, implementation, exploitation and transfer of information technology-related products and services. His clients include a wide array of software developers, hardware and electronics manufacturers, major financial and insurance service providers, health care providers and other public bodies, franchisors and other businesses involved in developing, implementing, exploiting and using technology-based products and services.

### Work Highlights

#### **Lead trade-mark counsel to 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. Additionally provide strategic domain-name related services

## **Legal counsel to leading health care services providers**

> Legal advisor on numerous projects relating to the procurement of enterprise software and hardware solutions for leading health care service providers

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

> Conducted all aspects of Canadian trade-mark clearance, filing, registration, maintenance, and enforcement of trade-mark rights for the world's leading online retailer. Also provided strategic domain-name related services

*Additional work highlights below*

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### **Intellectual Property Services**

- > Trademark registration, enforcement, licensing and portfolio counseling;
- > Domain name registration, acquisition and disputes
- > Intellectual property audits and due diligence
- > Copyright registration, enforcement, licensing and counseling
- > Industrial Design applications and counseling
- > Trade Secret counseling
- > Social Media advice and counseling
- > Commercialization and transfer of IP rights
- > Intellectual Property aspects of employment and contractor agreements

### **Technology Services**

- > Master agreements for procurement of hardware, software and professional services
- > Outsourcing agreements
- > Software licensing and support agreements, including for SaaS, IaaS and PaaS services
- > Hardware and software design and development agreements
- > Website terms of use and privacy policies
- > Open source software licenses and related issues
- > Licensing, bundling and distribution agreements
- > Hosting and co-location agreements
- > Marketing and promotional agreements
- > Manufacturing, supply, distribution and sales representative agreements
- > Licensing and acquisition of systems and hardware

Neil is a frequent speaker and author on intellectual property and technology law matters. He has also been a lecturer on intellectual property law for the Centre for Digital Media, Masters of Digital Media Program at Great Northern Way Campus, on Ecommerce in Canada for Insight, on technology licensing issues for the BC Continuing Legal Education and on advanced trade-mark law issues for Law Seminars International in the United States.

Based on peer selection, Neil has been repeatedly recognized as one of the Best Lawyers in Canada in the areas of Intellectual Property Law, Technology Law and Information Technology Law. He was named the Best Lawyers' Vancouver Technology Law "Lawyer of the Year." Neil has also been repeatedly named to the prestigious World Trademark Review (WTR) 1000, an annual listing of the World's Leading Trademark Practitioners, in the category of Individuals: Prosecution and Strategy.

Neil is a co-founder of and regular contributor to the Canadian Trademark Blog. He is regularly called on by the media to comment on current trade-mark, domain name and other intellectual property matters.

Neil is an active volunteer in community organizations, including Habitat for Humanity (in El Salvador) and Global Access (in Honduras).

## Credentials

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### Awards & Distinctions

- > Canadian Legal Lexpert Directory, 2017: Rated Repeatedly Recommended in the area of Intellectual Property
- > Best Lawyers in Canada, Intellectual Property Law, Technology Law and Information Technology Law,
- > Lawyer of the Year for Vancouver, Technology Law, Best Lawyers in Canada
- > Leading Trademark Practitioner-Individuals: Prosecution and Strategy, World Trademark Review 1000

### Industry Involvement

- > International Trademark Association, The Bulletins Committee and The Trademark Reporter Committee
- > Intellectual Property Institute of Canada
- > Patent and Trademark Association of BC
- > Canadian Bar Association, National IP Subsection

### Community Commitments

- > Habitat for Humanity, El Salvador, Volunteer
- > Global Access, Honduras, Volunteer

### Education & Call to Bar

- > Registered Canadian Trade-mark Agent
- > Call to Bar: British Columbia, 1986
- > Bachelor of Laws, University of British Columbia, 1985

### External Publications & Presentations

- > Uses and abuses of trademarks online, Canadian Lawyer, October 7, 2013

## Additional Work Highlights

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### Legal advisor to leading Canadian hotel chain

- > Assisted with Canadian trade-mark clearance, filing, registration, maintenance and enforcement for leading Canadian hotel chain. Also assisted with drafting and vetting contest rules

### Counsel to one of the world's largest financial services providers

> Assist with trade-mark clearance, filing, registration, maintenance, and enforcement for Canadian division of the world's largest financial services provider. Also provide advice and assistance on strategic information technology projects

#### **Lead counsel to leading health care technology services provider**

> Legal advisor on numerous projects relating to the procurement of enterprise software and hardware solutions for leading health care technology administrative services provider

#### **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. Also advise on strategic marketing, supply and distribution agreements. Additionally assist with drafting and vetting contest rules

#### **Trade-mark counsel to leading Canadian Airport authority**

> Provide trade-mark filing, registration, maintenance, and enforcement services for one of Canada's largest Airport Authorities

#### **Canadian portfolio management for world's largest aerospace company**

> Provide trade-mark filing, registration, maintenance, and enforcement services for one of the world's largest aerospace manufacturers

#### **Domestic trade-mark guidance for casual gaming company**

> Advised the world's largest producer and distributor of casual games regarding domestic trade-mark strategies for key brands