



## Monica Sharma

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Partner

Information Technology  
Intellectual Property  
Venture Capital & Emerging Company Services

### Profile

Intellectual property and technology are key components of new, growing and established businesses. Companies make strategic investments in researching and developing technology, creative works and other industry-changing products and services. Businesses also look to technology solutions to improve their key processes and maximize efficiencies.

Throughout her years of practice, across a wide range of legal practice areas, Monica has advised clients from individuals and startups through to large, multinational corporations with using a pragmatic and solutions-based approach. Monica works with clients to protect, commercialize and strategically manage their intellectual property assets. Additionally, she partners with clients to secure complex technology solutions that are fundamental to their operations and success.

### 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*

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#### **Services**

- > Structuring, negotiating and closing national and international transactions involving the purchase, sale, and licensing of intellectual property and technology assets
- > Trademark, copyright and trade secret matters
- > Protection, development and commercialization of intellectual property and technology assets through technology transfer and joint ventures
- > Marketing, advertising, e-commerce, consumer protection and competition law issues, including review of promotional contests, website legal content and online contractual terms
- > Structuring and negotiating technology licensing, software development, technology acquisition and implementation, cloud computing, and information technology supply arrangements for national and international clients
- > 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
- > Privacy and anti-spam issues

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. She advises a broad range of clients with efficiency, flexibility and practicality to allow them to navigate complex legal issues.

## **Credentials**

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### **Industry Involvement**

- > Canadian Bar Association

- > Registered Trademark Agent for Canada

### **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, 1996
- > Bachelor of Arts in Political Science, with First Class Honours, University of Alberta, 1992

### **Languages**

- > French

### **External Publications & Presentations**

- > 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**

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### **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