



Neil Melliship

Retired

Intellectual Property
Information Technology

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Profile

Neil Melliship is a partner of the firm and the Co-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 trademark counsel to world's leading search engine services provider

- > Conduct all aspects of Canadian trademark clearance, filing, registration, maintenance and enforcement of trademark 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

Trademark counsel to world's leading online retailer

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

Additional work highlights below

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 trademark law issues for Law Seminars International in the United States.

Based on peer selection, Neil has been recognized for many years by Best Lawyers in Canada in the areas of Intellectual Property Law, Technology Law and Information Technology Law. He was recently named by Best Lawyers in Canada as Vancouver Technology Law "Lawyer of the Year." Neil has 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 also repeatedly recommended by the Canadian Legal Lexpert

Directory® in Computer & IT Law and Intellectual Property.

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 trademark, 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

Awards & Distinctions

- > Canadian Legal Lexpert Directory®, Repeatedly Recommended Lawyer, Computer & IT Law and Repeatedly Recommended Lawyer, Intellectual Property, 2022
- > Canadian Legal Lexpert Directory®, Repeatedly Recommended, 2017-2021
- > Canadian Lexpert-Ranked Lawyer®, Canada's Leading Technology Lawyers, 2020, 2021, 2022
- > Canadian Lexpert-Ranked Lawyer®, CanadianHealth Sciences lawyer, 2021
- > Best Lawyers in Canada, Information Technology Law, Intellectual Property Law, Technology Law, 2011-2022
- > Best Lawyers in Canada, Lawyer of the Year for Vancouver, Technology Law
- > World Trademark Review (WTR) 1000, Leading Trademark Practitioner-Individuals: Prosecution and Strategy

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 Trademark 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

Legal advisor to leading Canadian hotel chain

- > Assisted with Canadian trademark 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 trademark 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 trademark 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

Trademark counsel to leading Canadian Airport authority

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

Canadian portfolio management for world's largest aerospace company

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

Domestic trademark guidance for casual gaming company

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