

## Events

**Exciting 2011 IP Osgoode events will be announced soon. If you would like us to help you promote an event, please let us know.**

**April 1, 2011**

*IP/Gender: Mapping the Connections*  
American University  
Washington College of Law

[See Call for Papers and Symposium details](#)

## IP in the News

[Retirement homes await SCC's decision in trade-mark battle](#)

Masterpiece Inc., a retirement home company battling in a trade-mark war, got a rare chance to have its appeal heard in the Supreme Court of Canada.

[Report: Apple, Google to bid for Nortel mobile IP](#)

Two of the biggest names in mobile are reportedly participating in the land grab for the patents belonging to bankrupt telcom firm Nortel.

[Canadian WikiLeaks mirrors could spark legal battles](#)

Champions of free speech are lauding the proliferation of Canadian WikiLeaks mirror sites, but the growing practice could spell trouble for Canadians committed to the continued exposure of state secrets.

[Yahoo Case Over U.K. Soccer Data Sent to Top](#)

## The IPIGRAM (15 December 2010)

### Feature Posts



**Contemporary Intellectual Property: Law and Policy**  
December 13, 2010 by Matt Lonsdale (IPilogue Editor)

*Matt Lonsdale is a JD candidate at Dalhousie University*

Oxford University Press has published a new edition of *Contemporary Intellectual Property: Law and Policy*. The textbook was co-authored by Hector MacQueen, Professor at Edinburgh Law School, Scottish Law Commissioner and member of the IP Osgoode [International Advisory Council](#). While the book is intended to cover a broad range of topics, Canadians may find the chapter on Technical Protection Measures particularly relevant, as the legal protection of TPM's has been one of the more controversial aspects of the upcoming reforms to the Copyright Act. The book also takes a European focus at times, devoting chapters to the status of intellectual property laws within the framework of the European Union.

[Read more](#)

### Bill C-32 Legislative Committee Hearings and Public Submission of Briefs

December 13, 2010 by IP Osgoode

Visit the Parliament of Canada website to [view a calendar of meetings](#) of the Legislative Committee on Bill C-32 (the "Copyright Modernization Act"). Meeting recordings and minutes are available on the site.

The Committee is also welcoming briefs from groups and individuals who will not have the opportunity to appear before the Committee (documents should be [submitted by the end of January, 2011](#)).

### Recent Posts

#### SCC Hears Case on Hyperlink Defamation

December 14, 2010 by Stuart Freen (IPilogue Editor)

*Stuart Freen is a JD candidate at Osgoode Hall Law School*

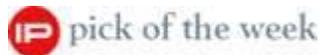


### [EU Court](#)

A lawsuit between Yahoo! Inc. and U.K. soccer leagues over their match schedules should be sent to the European Union's highest court, London judges ruled.

### [Hyperlinks bind web, Supreme Court hears](#)

Canada would be offside with other English-speaking countries if legal restrictions were imposed on linking to online postings, the Supreme Court was told.



The [IP Finance](#) weblog looks at financial issues for intellectual property rights.

Can a blogger posting links on a website be held liable for the contents of those linked sites? This is the question that was [posed to the Supreme Court of Canada](#) last week when it heard *Crookes v. Newton*, the latest case to tackle defamation and publication on the internet. The plaintiff Wayne Crookes argues that websites should be held liable when they refuse to remove external hyperlinks to defamatory articles. If answered in the affirmative, the decision could have a [major impact](#) on Canadian web publishing by forcing websites to be much more cautious on who they link to.

[Read more](#)

### **Privacy in Power Consumption Data: R. v. Gomboc**

December 12, 2010 by Matt Lonsdale (IPilogue Editor)

*Matt Lonsdale is a JD candidate at Dalhousie University*

In 2004 the Southern Alberta Marijuana Investigation Team, a joint effort of the RCMP and the Calgary Police Service, requested that the utility company Enmax attach a digital recording ammeter ("DRA") to a residence in Calgary suspected of housing a marijuana growing operation. A DRA is a device which collects detailed information about power consumption, allowing a graph to be produced showing how consumption varies over time. This graph can be compared to known patterns indicative of marijuana growing operations. The request was made without a warrant, but a number of prior observations made about the house supported the inference that it might contain a marijuana growing operation.

[Read more](#)

### **Google Plans on Translating European Patents**

December 9, 2010 by Dan Whalen (IPilogue Editor)

*Dan Whalen is a JD candidate at Osgoode Hall Law School*

In an interesting turn of events since [my post](#) last month, the European Patent Office has recently [inked a deal](#) with Google to have the Internet titan do some of its much-debated translation work. Each side will benefit from the arrangement. It takes some pressure off the European Union to reduce the number of sanctioned languages of its planned European patent to English, French, and German. Such a move will surely please Italy and Spain, the two most vocal opponents to the proposed trilingual system. Google, for its end, does not expect to profit immediately but will improve its translation technology in gaining a vast body of documents already translated by professionals.

### **Nike Gets Personal Over Counterfeit Shoes**

December 8, 2010 by Matt Lonsdale (IPilogue Editor)

*Matt Lonsdale is a JD candidate at Dalhousie University*

In late 2009, the UK Border Agency (UKBA) seized several shipments of counterfeit Nike athletic shoes originating from an unknown source within China and destined for customers within the UK. The UKBA notified Nike of the seized shipments, and Nike brought an action for trademark infringement against the UK customers. The majority of the claims were either settled out of court or went undefended. The sole case in which a defence was entered was resolved in October by [summary judgment in favour of Nike](#). The court held that the defendant's defence that he did not know the shoes were counterfeit had no real chance of succeeding at trial. The language of the Trademarks Act makes it clear that "[W]hether or not the defendant believed the goods were authentic is irrelevant to the question of trade mark infringement".

[Read more](#)

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