

The Legal Business Environment-Essay Proposal

Name

Institutional Affiliation

The Legal Business Environment

To: Lee Smith

From: Student number

**Re: A report related to the laws and policies governing Intellectual property rights in
Canada**

I am proposing to research and write down a ten-page report focusing on the issue of intellectual property and rights in Canada, including the laws that govern them. The report which will make up for 20% of the final grade will be segmented into two: the first part is this proposal, and the second part is the final report, which will be submitted on Blackboard.

My report will explore how trademark and patent registrations are carried out in Canada and the effectiveness of these laws. Examining cases such as that of *Monsanto vs. Schmeiser*, I will gain a better historical understanding of IP rights in Canada. The Canadian laws have continued to illustrate a common thread regarding the exhaustion of Intellectual Property rights. Extensive researches continue to report that the Supreme Court and other legal institutions. Despite realizing the importance of IP rights in future innovation and development, continue to demonstrate the concept of exhaustion in all IP rights-related cases. Therefore, my report will also explore some of the possible solutions and recommendations that can help solve the conflict of IP rights in the country. I believe that highlighting some of these recommendations; various businesses can gain more protection and security regarding their trademarks and patents.

My report will mainly focus on the legal doctrine of IP rights and critique its lack of effectiveness. For a more conducive business atmosphere in the future, the Canadian government

needs to pay more attention to the issue of intellectual property. This implies that they have to identify current weaknesses with the existing IP legal doctrine and formulate possible solutions. Questions regarding how effective these laws have been in the past few years will be asked. My report will further explore which steps are observed by Canadian businesses during the securing and enforcement of their IP rights. It will also look at the various cases of counterfeit in Canada and how the Canadian government can minimize these cases in the future.

Some of the sources that will be used in the report include:

1. Fraser Institute (2017).

This article focuses on the ineffectiveness of legal protection of IP rights by the Canadian legal doctrine and how this has increased the issue of counterfeits among Canadian pharmaceutical businesses.

2. Correa & Vinuales (2016).

This article explores the future of IP rights in various countries including Canada and the possible outlook for this issue in future innovation and development in all business sectors.

3. Kneller, Mongeon, Cope, Garner, & Ternouth (2014).

The main theme of this article is to focus on the problems facing major businesses across the world including Canadian businesses in regards to trademarks and counterfeit. It further looks at some of the steps that governments have failed to take during legislation and implementation of laws to protect business patents and trademarks.

Some of the questions I have as I write this proposal include:

1. What are the challenges that businesses face during patent and trademark registration?
2. What are the laws that govern IP rights in Canada?

3. How effective are these laws?
4. Does my report explore this issue as needed?
5. Has the proposal fully explored the issue?
6. Are there more issues that need to be focused on?

I look forward to getting your feedback and recommendations on this proposal. I greatly appreciate you taking your time to look at this proposal

HWS

References

- Correa, C., & Vinuales, G. (2016). Intellectual Property Rights as Protected Investments: How Open is the Gates? *Journal of International Economic Law*, 19 (1), 91-120.
- Fraser Institute. (2017, January 28). Canada's inadequate intellectual property rights protections hurt patients and the economy. *National Newswatch*. Retrieved from <https://www.fraserinstitute.org/article/canadas-inadequate-intellectual-property-rights-protections-hurt-patients-and-the-economy>.
- Kneller, R., Mongeon, M., Cope, J., Garner, C., & Ternouth, P. (2014). Industry-University Collaborations in Canada, Japan, the UK, and the USA – With Emphasis on Publication Freedom and Managing the Intellectual Property Lock-Up Problem. *PLOS One*, 9 (3).