

## OUR GROUP

We are retained by clients throughout Canada, the United States and internationally to assist with a broad range of regulatory and marketing law matters. We advise and represent clients involved with the manufacturing, packaging, labeling and distribution of a wide variety of products with a particular focus on foods, alcoholic beverages, pharmaceutical products, natural health products, nutritional supplements, cosmetics, medical devices and the automotive industry. We have over 25 years of experience assisting clients achieve and maintain product and advertising compliance as governed by many Canadian regulatory authorities, including Health Canada, the Canadian Food Inspection Agency, the Office québécois de la langue Française, the various provincial consumer protection authorities and the Competition Bureau.

We are actively involved in various industry organizations, including:

- Advertising Standards Canada
- Canadian Cosmetic, Toiletry and Fragrance Association
- Canadian Health Food Association
- Direct Sellers Association
- MEDEC (Canada's Medical Device Technology Companies)
- Non-Prescription Drug Manufacturers Association of Canada
- Women in Food Industry Management

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## ADVERTISING & MARKETING LAW

**MILLER  
THOMSON** LLP

Barristers & Solicitors  
Patent & Trade-Mark Agents

## OUR APPROACH

We understand that today's marketing and advertising needs transcend geographic boundaries. Promotions are regulated by a wide variety of federal and provincial statutes, administrative and industry guidelines, and voluntary codes of ethics. The multiplicity of regulation, together with the speed of change, dictates a tailored approach to meet our clients' varying needs to achieve cutting-edge promotions that are compliant and successful.

Our team draws on the strength of our national practice groups, including our competition law, intellectual property, hospitality and tourism, health, sports and entertainment law groups to offer a comprehensive package of legal services that meet all aspects of our clients' needs.

## OUR SERVICES

We provide proactive advice and recommendations to our clients through a keen awareness of market trends, legislative change and policy initiatives. We regularly update clients on current issues and, because of our expertise, we are often called upon to participate in industry events, panel discussions and conferences.

Members of our group have assisted clients in pursuing and defending challenges with respect to comparative advertising campaigns, *Competition Act* issues, product liability, trade complaints as well as responding to compliance issues from regulatory bodies. We understand the impact of technology in each of these areas and we work with clients to ensure compliance in everything from instant promotions to online media.

We regularly advise domestic and international clients on all aspects of French language law compliance, including product marking, packaging and labeling, promotional and advertising material, signage, and the franchising process.

No matter how large or small your company is, we are here to guide you through the technical legal landscape of advertising and marketing law.

## Advertising & Promotions

- Advertising copy and advertising review
- Promotional contests
- Gaming review and regulation
- Product promotions
- Comparative advertising and claims support
- Coupons and gift certificates
- Loyalty programs
- Trademark protection

## Packaging & Labeling

- Labeling compliance review
- Bilingual labeling requirements (Federal and Provincial)
- *Weights and Measures Act*
- Metric labeling
- Workplace Hazardous Materials Information System (WHMIS)
- Country of origin marking
- *Food and Drugs Act* and its Regulations (Food, Drugs, Cosmetics, Natural Health Products, Medical Devices)
- *Consumer Packaging and Labeling Act* and its Regulations
- *Hazardous Products Act* and its Regulations (Consumer Chemicals and Containers Regulations)

## Regulatory Compliance

- Regulatory compliance audits
- *Competition Act* requirements
- Food and drug compliance
- Pricing issues
- Trade complaints
- Dispute resolution
- Consumer protection issues
- Patented medicine (Notice of Compliance) regulations

## Contracts & Agreements

- Talent and sponsorship agreements
- Promotional agreements
- Product warranty and product liability

## Privacy

- Data collection and use
- Rights and obligations when disclosing information
- Compliance programs

## Online Advertising

- Internet marketing and advertising
- Linking practices and agents
- Website terms and conditions (e-commerce)
- Telemarketing
- Spamming legislation

## INDUSTRY EXPERTISE

- Arts and crafts supplies
- Automotive
- Broadcasters
- Children's advertising
- Consumer and commercial products and services
- Cosmetics
- Direct sellers
- Drugs (prescription / non-prescription)
- Educational products
- Electronic signage
- Food and beverage (including alcohol)
- Hazardous products
- Internet services
- Loyalty programs
- Medical devices
- Natural health products
- Pest control products
- Pet products
- Self-care products
- Textiles
- Tobacco and jewelry / precious metals
- Toys and infant products
- Travel
- Water treatment devices