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Eugene Gierczak

Counsel / Patent & Trademark Agent

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Expertise

Intellectual Property

Registered Patent & Trademark Agent
in Canada and the U.S.

Information Technology

Intellectual Property Litigation

Education

- LL.B., Osgoode Hall Law School,
York University
- B.Sc., Chem. Eng., Queen's
University

Bar Admission

- Ontario, 1979

Executive Summary

Eugene Gierczak provides advice on all aspects of intellectual property law including litigation, corporate transactions, and patent, copyright, and trademark applications.

In addition to being a lawyer, Eugene is a registered professional engineer for the province of Ontario, as well as a registered patent and trademark agent for Canada and the U.S. He has extensive experience in drafting original patent applications covering a wide range of technologies including on the chemical, mechanical, electrical, metallurgical, artificial intelligence, and computer fields. He assists his clients with patent issuance in Canada, the U.S. and worldwide.

Eugene has a long history in the preparation and prosecution of patent, trademark, copyright, and design applications, as well as trademark opposition and expungement proceedings, in Canada, Brazil, the United States, and Europe.

He represents clients' interests in technology transfers, joint ventures, licenses, computer hardware and software transactions, and other intellectual property and information technology issues relating to corporate transactions. His skills extend to developing intellectual property strategies including IP audits to define and protect his clients' intellectual assets.

Eugene is an experienced litigator before the Canadian courts in cases dealing with infringement, validity, search and seizure, and injunction applications concerning patents, trademarks, designs, copyright, intellectual property, and confidential information. He incorporates alternate dispute resolution strategies to bring litigation issues in line with clients' business goals.

Eugene has written numerous papers and is a frequent speaker on intellectual property issues including "Licensing of Patents," "Technology Transfers," and "Intellectual Property Integration with Business Plans" before the legal profession in Canada, the United States, Brazil, and Europe. He was called upon annually to speak on "Joint Ventures and Strategic Alliances in the Context of IP Issues" before the Canadian Institute of Lawyers.

His legal strategy involves understanding a client's business and adding value by defining and protecting intellectual assets using a business-minded approach consistent with the client's goals.

Articles and Presentations

- Presenter, Doing Business in Canada – IP Issues, Sao Paolo Brazil, and New York, NY, 2019
- Presenter, Designing Competitive IP Strategies for North American and Asian Markets, 2015 Chief IP Counsel Exchange, Texas, September 2015
- Moderator, Understanding & Communicating the Value of IP in M&A Transactions, Global IP Exchange, Austin Texas, February 21-23, 2015
- Moderator, The Importance of IP in Transactional Matters: An Initial Consideration or Afterthought, La Jolla, December 6-8, 2009



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- Big Data-Secrets You Must Know From an IP Lawyer, University Ontario Institute of Technology, 2015
- Comparison of Canadian and Brazilian Intellectual Property Law, GTMA, Sao Paulo, Brazil, 2014
- Intellectual Property – Is it Worth Protecting, Markham Convergence Centre, 2013
- Intellectual Property Protection in Canada, Ubifrance, 2013
- Sales From Social Media, Legal Issues, CED Workshop, Toronto, 2011
- An Overview of Bilateral Israel/Canada Intellectual Property, Strategic Alliances and Licensing Strategies, Tel-Aviv, Israel, 2011
- GIS and the Law, Collaborative Issues in GIS, URISA OC, 2011
- Patent Protected, Lexpert 2010 Guide to the Leading US/Canada Cross-Border Litigation in Canada, December, 2010
- Comparison of Canadian and Czech Intellectual Property, Canadian Bar Association, topics in Prague (Czech Republic), 1991
- Technology Transfers, Canadian Bar Association, topics in Warsaw Poland, 1990

Board Memberships

- Past President, Mississauga Symphony
- Past President, Mississauga Art Gallery
- Past President, Mississauga Chapter of Professional Engineers of Ontario
- Past Councillor for the Association of Professional Engineers of Ontario

Recognition

- Award for Excellence, Patents and Trademarks lawyer, Canadian-Polish Chamber of Commerce, 2015

Professional Involvement

- Member, Law Society of Ontario Member
- Member, The Canadian Bar Association
- Member, INTA (Intellectual Trade Mark Association)
- Past Member, Association of Professional Engineers of Ontario, Disciplinary Hearing Committee
- Member of Canada Poland Chamber of Commerce
- Past Director of Greater Toronto Marketing Alliance (GTMA)