

SERVICE

Strategic Antitrust Guidance and Risk Management

Solid tax structures are carefully aligned with compliance and regulatory requirements.



Related Expertise

- [Competition/Antitrust](#)
- [Risk Management and Crisis Response](#)

In the dynamic landscape of Canadian competition law, businesses require astute legal guidance to navigate the intricacies of compliance and investigation. At Osler, our clients are provided with strategic, responsive, and practical advice, ensuring they manage their competition law risks effectively and with confidence.

Comprehensive antitrust counseling and advisory services: Our practice is anchored in a profound understanding of how Canadian competition law applies to business conduct, arrangements, and agreements. Global clients are presented with a full spectrum of counseling on competition law issues, including the review of distribution agreements, exclusivity arrangements, and collaborations with competitors. Osler's expertise extends to advising on standard-setting, intellectual property licenses, patent settlements, benchmarking, intelligence gathering, and strategic unilateral conduct.

Enhanced civil competition law representation: As the landscape evolves with increasing private plaintiff challenges, alongside those from the Competition Bureau, the demand for experienced and trusted antitrust advisors has never been greater. Osler's team excels in representing clients during substantial civil investigations, leveraging our deep knowledge of the Bureau's processes to achieve successful outcomes, whether through effective responses to antitrust probes or negotiating settlements, when necessary.

Criminal antitrust investigations: Our seasoned professionals adeptly represent clients in all phases of domestic and international antitrust investigations, from the initial "dawn raids" to defense strategies and judicial proceedings. Clients are guided through critical decisions regarding immunity, leniency and cooperation with Canadian authorities (the Competition Bureau and the Public Prosecution Service of Canada), ensuring a coordinated and consistent defense across jurisdictions.

Misleading advertising investigations and disputes: Advertising and marketing claims, without careful validation of their accuracy, can lead to legal and reputational issues for businesses, who risk catching the ire of consumers, the attention of non-governmental organizations, and enforcement action and litigation. Osler provides pragmatic and business-focused advice on the application of the *Competition Act* deceptive marketing practices provisions to our clients' advertising and marketing initiatives.

With both a criminal and civil enforcement regime, the stakes are high. In addition, the

Competition Bureau's investigation and enforcement of these marketing practices provisions has become increasingly rigorous in the digital economy, with particular attention to issues such as drip pricing. Other areas of enhanced scrutiny include greenwashing and other environmental claims, ordinary selling price claims, and the veracity of performance claims. Our lawyers work with our clients, providing practical and real-time advice to achieve their advertising objectives while minimizing risk under the *Competition Act*, drawing on our deep knowledge of the Competition Bureau's evolving enforcement approach and priorities.

Proactive compliance and internal investigations: Osler's team is entrusted by boards and senior management to conduct thorough internal investigations, addressing compliance issues head-on to mitigate the risk of future violations. Our lawyers assist in designing, implementing and monitoring global antitrust audit and compliance programs, tailored to each client's unique business context and risk tolerance.

Osler's competition law practice stands as a beacon of strategic guidance and risk management for businesses operating within the Canadian economy and beyond. Our commitment to delivering responsive and practical advice, coupled with our track record of success in both counseling and litigation, positions us as the premier choice for clients seeking to safeguard their interests in the face of competition law challenges.

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