



Barry Fong
Partner, Intellectual Property
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Ottawa
(613) 787-1097
bfong@osler.com
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Bar Admission: Ontario, 2010

Areas of Expertise

- Technology
- Media and Entertainment
- Pharmaceuticals and Life Sciences
- Retail and Consumer Products
- Food and Beverage
- Intellectual Property
- Intellectual Property Disputes

Barry practises intellectual property law, with an emphasis on copyright, trademarks, domain names, and anti-counterfeiting enforcement. Clients have praised him as a “solutions-oriented lawyer distinguished by thoroughness and flexible decision making” (2021 World Trademark Review (WTR) 1000).

In his copyright practice, Barry acts on behalf of rights holders and users engaged in litigation, administrative proceedings, and commercial matters involving complex issues of copyright law, including the educational use of copyright-protected works, the use of music for public performances, artists’ exhibition and reproduction rights and the provision of professional services in the visual arts.

Barry is also a registered trademark agent and advises domestic and foreign clients on trademark clearance, prosecution, opposition, acquisition, licensing, and litigation. He represents owners of some of the most recognized Canadian and international brands across a broad range of industries, including fashion, hospitality, media & entertainment, wine & spirits, pharmaceuticals, and professional sports.

As a litigator and advocate, Barry has acted or appeared as counsel before the Copyright Board of Canada, Trademarks Opposition Board, Federal Court, Federal Court of Appeal, and Supreme Court of Canada. Barry’s experience also includes a secondment as Associate Counsel to Re:Sound, the Canadian not-for-profit collective society representing thousands of artists and record companies.

Barry has co-authored several publications and is a frequent speaker in the areas of trademarks and copyright law. He has been recognized as a leading IP professional in Canada by: *The Canadian Legal Lexpert Directory*; *Best Lawyers in Canada*; IP STARS; *World Trademark Review 1000* (WTR); and the *World Intellectual Property Review* (WIPR) Leaders Directory, which recognizes lawyers who — in addition to industry expertise — have helped shape and influence future IP practitioners.

Barry is a member of Osler’s Diversity Committee, committed to promoting diversity and inclusion at the firm and in the legal profession. He is an avid supporter of the visual arts in

his community, currently serving as a member of the Advisory Board to the Carleton University Art Gallery (CUAG) and on the Board of Directors of the Ottawa Art Gallery (OAG).

Awards and Recognition

- **Chambers Canada: Canada's Leading Lawyers for Business:** Recognized in Intellectual Property
- **The Canadian Legal Lexpert Directory:** Recognized in Intellectual Property; Litigation – Intellectual Property
- **Lexpert's Leading 500 Cross-Border Lawyers: A Guide to Doing Business in Canada:** Recognized in Intellectual Property
- **Best Lawyers in Canada:** Recognized in Intellectual Property Law
- **World Intellectual Property Review (WIPR):** Global Leader (2023)
- **World Trademark Review: WTR 1000 – The World's Leading Trademark Professionals:** Recognized in Prosecution and Strategy (Silver band)
 - “solutions-oriented lawyer distinguished by thoroughness and flexible decision making.”
 - “come highly recommended for any work dealing with trademark prosecution and enforcement.”
- **IP Stars:** Recognized as a “Trade Mark Star”
- **Lexpert Special Edition:** Recognized in Technology

Community Involvement

- Carleton University Art Gallery, Advisory Board Member
- Osler Diversity Committee, Member
- Ottawa Art Gallery, Board of Directors and Chair of the Acquisitions & Collections Committee

Credentials

Education

- Western University, J.D. (Area of Concentration in Intellectual Property, Information & Technology Law)
 - Western University, M.Sc. (Physiology)
 - Western University, B.Sc. (Hons.) (Pharmacology and Toxicology)
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Languages

- English
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Professional Affiliations

- Law Society of Ontario
- Registered Trademark Agent
- Intellectual Property Institute of Canada Member, Copyright Policy Committee (2017-2019) Member, Forums & Seminars Committee (2015-2017, 2017-2019)
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- International Trademark Association Member, Trademark Administrators Committee (2018-2019) Member, Young Practitioners Committee (2014-2015, 2016-2017)
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- Member, Young Practitioners Committee (2014-2015, 2016-2017)
- ALAI Canada (Association littéraire et artistique internationale)
- Copyright Society of the USA
- Canadian Bar Association
- Ontario Bar Association