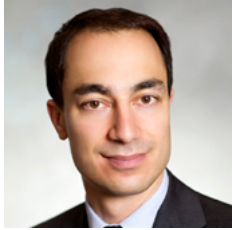




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Eric Mayzel practices civil litigation with an emphasis on intellectual property law, franchise law, and class actions. He focuses on the strategic and practical resolution of disputes through trial, appeal, mediation, and arbitration.

Eric has appeared before the Supreme Court of Canada, Ontario Court of Appeal, Superior Court of Justice, Federal Tax Court of Canada, Tax Court of Canada, and the Copyright Board of Canada.

Representative examples of Eric's work include:

- Representing clients in copyright and trademark disputes across a variety of industries, and advising clients regarding the protection, exploitation and enforcement of intellectual property rights
- Representing franchisors in class actions and individual proceedings involving claims under the *Arthur Wishart Act* and at common law
- Enforcing non-competition and non-solicitation covenants in commercial agreements
- Representing copyright collective societies in tariff certification proceedings before the Copyright Board of Canada
- Enforcing creditor rights and remedies, including through garnishment proceedings, *mareva* injunctions, and the enforcement of mortgage remedies

Eric has worked on the following representative matters:

- *Canadian Broadcasting Corp. v. SODRAC 2003 Inc.*, 2015 SCC 57, appearing as co-counsel before the Supreme Court of Canada on behalf of a coalition of interveners consisting of a copyright collective society and music publisher trade associations
- *Henco Industries Limited v. The Queen*, 2014 TCC 192 (successful appeal of a \$16 million tax reassessment by the Minister of National Revenue at trial before the Tax Court of Canada)
- *Henco Industries Limited v. The Queen*, 2014 TCC 278 (one of the largest costs awards issued by the Tax Court of Canada)
- *1250264 Ontario Inc. v. Pet Valu Canada Inc.*, 2013 ONCA 279 (leading Court of Appeal decision regarding the opt-out procedure in class actions)
- *Pet Valu Canada Inc. v. 1381114 Ontario Ltd et al*, 2013 ONSC 5361 (injunction ordered against a former franchisee, her spouse, and their corporate alter-egos to enforce a non-competition covenant in a



franchise agreement)

- *Healy v. Canadian Tire Corp.*, 2012 ONSC 77, leave to appeal to CA denied (a 42-day arbitration, appeal before the Superior Court of Justice (Commercial List), and motion for leave to appeal to the Court of Appeal for Ontario, involving allegations of breach of contract, negligent misrepresentation, and breach of the *Arthur Wishart Act*)

Eric acts as pro bono duty counsel at the Ontario Small Claims Court. He coaches student teams in the Harold G. Fox Intellectual Property Moot and has organized the Cassels Brock Cup, an annual moot competition for first-year law students. He has previously served as a tutorial leader of Civil Procedure at Osgoode Hall Law School.

Call to the bar

Ontario, 2010

Associations

- The Advocates' Society
- Canadian Bar Association & Ontario Bar Association
- Pro Bono Ontario (Volunteer Lawyer)
- Toronto Intellectual Property Group
- Intellectual Property Institute of Canada
- L'Association Littéraire Artistique Internationale (ALAI Canada)
- Copyright Society of the USA

Expertise

Class Actions
Copyright & Entertainment
Franchise
Intellectual Property
Litigation