



# Alexis Vaughan

## ALEXIS VAUGHAN

is an associate at Lenczner Slaght.

Alexis' practice encompasses a broad range of intellectual property litigation. She has assisted with matters before the Federal Court of Canada, including copyright, trademark, and patent infringement trials. Alexis has advised clients on various regulatory matters, including those related to drugs, medical devices, natural health products, tobacco products, and cannabis.

Prior to joining Lenczner Slaght, Alexis summered, articulated, and practiced intellectual property law at an international law firm.

Alexis received her JD from the University of Toronto, where she volunteered at various legal clinics including the International Human Rights Program, Aboriginal Legal Services Toronto, and Downtown Legal Services – in the criminal division as well as the Health Professions Appeal and Review Board. In her graduating year, Alexis received the Gordon Cressy Student Leadership Award in recognition of her outstanding extra-curricular contributions.

Prior to attending law school, Alexis completed her degree in Human Behavioural Biology at the University of Toronto and then worked at the Princess Margaret Cancer Centre as a clinical data and regulatory coordinator. Her area of focus was phase I to III clinical trials in medical oncology and hematology.

### Education

University of Toronto (2018) JD  
Humber College (2012)  
Postgraduate Certificate in Clinical Research (Honours)  
University of Toronto (2010) HBS  
(Human Behavioural Biology and Psychology with Distinction)

### Bar Admissions

Ontario (2019)

### Practice Areas

Intellectual Property  
Injunctions  
Appeals  
Commercial Litigation

### Contact

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## SELECT CASES

- **GlycoBioSciences Inc v Industria Farmaceutica Andromaco SA de CV and Montebello Packaging and Nadro SAPI de CV** – Counsel to Andrómaco, a Mexican pharmaceutical company, a defendant in a dispute relating to the manufacture, approval, and distribution of a wound gel product in Mexico, the United States, and Europe. On a preliminary motion, successfully stayed the action for lack of jurisdiction.
- **Gilead Sciences, Inc et al v Pharmascience Inc** – Counsel to Gilead Sciences, Inc. and Gilead Sciences Canada, Inc. in a NOC action in the Federal Court in respect of Canadian Patent No. 2,845,553.
- **Gilead Sciences, Inc et al v Pharmascience Inc** – Counsel to Gilead Sciences, Inc. and Gilead Sciences Canada, Inc. in a NOC action in the Federal Court in respect of Canadian Patent Nos. 2,845,553 and 2,990,210.
- **Gilead Sciences, Inc et al v JAMP Pharma Corporation** – Counsel to

- Gilead Sciences, Inc. and Gilead Sciences Canada, Inc. in a NOC action in the Federal Court in respect of Canadian Patent No. 2,990,210.
- **Gilead Sciences, Inc et al v Natco Pharma (Canada) Inc** – Counsel to Gilead Sciences, Inc. and Gilead Sciences Canada, Inc. in a NOC action in the Federal Court in respect of Canadian Patent No. 2,845,553.
  - **Gilead Sciences Inc, et al v JAMP Pharma Corporation** – Counsel to Gilead Sciences, Inc. and Gilead Sciences Canada, Inc. in a NOC action in the Federal Court in respect of Canadian Patent No. 2,845,553.
  - **Gilead Sciences, Inc et al v Apotex Inc** – Counsel to Gilead Sciences, Inc. and Gilead Sciences Canada, Inc. in a NOC action in the Federal Court in respect of Canadian Patent Nos. 2,845,553 and 2,990,210.
  - **Gilead Sciences, Inc et al v Natco Pharma (Canada) Inc** – Counsel to Gilead Sciences, Inc. and Gilead Sciences Canada, Inc. in a NOC action in the Federal Court in respect of Canadian Patent Nos. 2,845,553 and 2,990,210.
  - **Gilead Sciences, Inc et al v Apotex Inc** – Counsel to Gilead Sciences, Inc. and Gilead Sciences Canada, Inc. in a NOC action in the Federal Court in respect of Canadian Patent No. 2,845,553.
  - **Society of Composers, Authors and Music Publishers of Canada, et al v Entertainment Software Association, et al** – Counsel to the intervener Professor Ariel Katz in an appeal to the Supreme Court of Canada addressing the interpretation of the “making available” provision of the Copyright Act, the role of the Copyright Board of Canada in determining legal questions, and the question of when copyrights trigger entitlements to royalties.
  - **Strategic Patent Advice** – Counsel to a global biologics company and a global pharmaceuticals company providing pre-litigation strategic patent advice.
  - **Merck Sharp & Dohme Corp et al v JAMP Pharma Corporation** – Counsel to JAMP in a NOC action relating to JANUVIA (sitagliptin), a medication used to control high blood sugar in people with type 2 diabetes.
  - **Sunovion Pharmaceuticals Canada Inc et al v JAMP Pharma Corporation** – Counsel to JAMP in a NOC action relating to LATUDA (lurasidone), an anti-psychotic medication used to treat bipolar depression and schizophrenia.
  - **The Estate of Vivian Maier v Stephen M. Bulger** – Counsel to the Stephen Bulger Gallery in an action for copyright infringement in fine art photographs taken by the posthumously-discovered photographer Vivian Maier.

## BLOG POSTS

- **Inside or Out: Jurisdiction in the Context of Copyright** – The application of the test for jurisdiction in the copyright context can sometimes be an exercise in gut feel. Luckily for litigants who prefer to make decisions based more on case law than feelings, the Divisional Court recently provided clarification on the application of the test for jurisdiction for statutory torts, like copyright infringement. The Ontario Divisional Court’s decision in *Pourshian v Walt Disney Company* (“*Pourshian*”), an appeal of a motion for an order to stay the plaintiff’s copyright infringement action on the basis of lack of jurisdiction, will hopefully take some of the guess work out of jurisdictional issues in the future.
- **Door Left Open for Use of Foreign Patent Prosecution History** –

Since its enactment in 2018, section 53.1 of the *Patent Act* has been the subject of much discussion. This provision allows courts tasked with construing the claims of a patent to consider communications previously made by the patentee to the Canadian Patent Office in the course of patent prosecution (known as the “prosecution history” or the “patent file wrapper”). Recently, the Federal Court has provided differing interpretations regarding the limitations of this section.

#### SELECT NEWS ARTICLES

- **Lexpert's Top 10 Business Decisions of 2021/2022** – In Lexpert's Top 10 Business Decisions of 2021/2022, Lenczner Slaght is featured for its involvement in *Li v Barber* and *Society of Composers, Authors and Music Publishers of Canada v Entertainment Software Association*. Monique Jilesen was further interviewed on our involvement in *Li v Barber*, where our team successfully obtained a precedent-setting Mareva order.
- **Alexis Vaughan Joins Lenczner Slaght** – Canada's leading litigation firm continues to grow its expert Intellectual Property Group with the addition of another exceptional lawyer, Alexis Vaughan.

#### PROFESSIONAL ACTIVITIES

- Canadian Bar Association
- Ontario Bar Association
- Intellectual Property Institute of Canada  
Copyright Committee (2021-present)
- The Advocates' Society