



Making your mark and protecting your brand online in Canada

Part two – Mitigating branding risks in the era of social media and eCommerce

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In short:
New branding and marketing is viral, widespread, consumer driven, and digital. Clashes with trademark law which is premised on consistent, controlled, central, and tangible marketing.

Title: Strategic online marketing and branding

Key takeaways

- A digital-ready trademark portfolio, including registrations for domains, handles, and hashtags.
- Active and continuous education that is both internal, and consumer and fan-facing.
- Operating at both the national and international levels:
 - Nationally obtaining protection, and building a digital model that isn't drawn into other jurisdictions.
 - Tracking unified international platforms and systems to obtain first-to-register rights.
- Building connections
 - Counsel can assist marketing to advise on SEO and paid advertising (for trademark issues); targeted promotions (for privacy and CASL issues); and new registrations (for new platforms and competitors).
 - Marketing can assist counsel with brand-appropriate messaging and preserving evidence.
 - Both can assist with educating consumers and fans, engaging appropriately and strategically, and empowering appropriate trademark use.

Key contact



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