



Stewart Hayne

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PRACTICE AREAS

Commercial Litigation • Intellectual Property & Technology • Health • Ocean Innovation

BIOGRAPHY

Stewart is a Partner in the Halifax office. Stewart brings over 15 years of experience in commercial litigation with a focus on contractual, shareholder, trade-mark, copyright, and patent litigation, as well as medical defence litigation, and professional regulation.

Stewart's IP practice includes trade-mark application and prosecution, trade-mark opposition practice, trade-mark infringement opinions and litigation, patentability opinions, patent infringement opinions and litigation, and domain name disputes.

Stewart obtained his Bachelor of Science in physics from St. Francis Xavier University and his Master of Science in physics from the University of Guelph. Stewart worked in radiology imaging software before obtaining his law degree from Dalhousie University in 2003. Stewart practiced IP litigation in Toronto and was in-house IP counsel at Ballard Power Systems in Vancouver, before returning home to join Cox & Palmer in 2010.

Stewart has been recognized nationally as a Lexpert "Rising Star: Leading Lawyers Under 40" and "Canadian Corporate Lawyer to Watch."

Stewart also works in the area of health law and medical defence, including acting as counsel to the Canadian Medical Protective Association and its member physicians.

EXPERIENCE

Stewart practices a broad range of commercial litigation, particularly commercial litigation with a scientific or technology component.

Stewart has appeared before the Ontario Superior Court of Justice, the Supreme Court of Nova Scotia, the Nova Scotia Court of Appeal, the Federal Court, and the Federal Court of Appeal. Sample matters are described below:

- Contractual dispute in the field of mineral extraction.
- Patent infringement dispute in the field of mining technology.
- Patent infringement dispute in the field of electric heaters.
- Trademark dispute between international rental car companies.
- Breach of non-competition provision in the field of software development.
- Shareholder dispute in the field of dental technology.
- Contractual dispute in the field of on-demand software.

- Trademark disputes in the field of international clothing companies.
- Audit dispute in the field of regulated utilities.
- Trademark dispute in the field of international banking.

INDUSTRY RECOGNITION & AWARDS

- Recognized in the Canadian Legal Lexpert Directory as a leading practitioner in Medical Negligence Law, Professional Liability, and Corporate Commercial Litigation.
- Recognized by the publication The Best Lawyers in Canada as a leading practitioner in Health Law, Corporate & Commercial Litigation and Intellectual Property Law
- 2014 Lexpert "Canadian Corporate Lawyer to Watch"
- 2013 Lexpert "Rising Star: Leading Lawyer Under 40"

LANGUAGES

- English

LAW SOCIETY MEMBERSHIPS

- Canadian Bar Association
- Nova Scotia Barristers' Society
- The Law Society of British Columbia

BAR ADMISSION

- Ontario (2004) (retired)
- British Columbia (2006) (retired)
- Nova Scotia (2010)

LAW SCHOOL

- Dalhousie University

EDUCATION

- Dalhousie Law School (LLB, 2003)
- University of Guelph (M.Sc., Physics 1997)
- St. Francis Xavier University (B.Sc., Hons Physics 1995)

PUBLICATIONS

- Are You Ready to Comply with Canada's Anti-Spam Legislation?

LECTURES & PRESENTATIONS

- Taking Security Interests in Intellectual Property – Canadian Barristers Association, Nova Scotia Branch Annual Professional Development Conference (2011)
- Stewart often speaks on IP matters and good IP practice

PROFESSIONAL ACTIVITIES & AFFILIATIONS

- United States Trade-mark Agent (2014)

- United States Patent Agent (2013)
- Canadian Patent Agent (2008)
- Canadian Trade-mark Agent (2006)
- Intellectual Property Institute of Canada
- Canadian Bar Association (Former Chair, Intellectual Property – Nova Scotia Branch)

ACTIVITIES WITHIN FIRM

- Halifax Executive Committee (2014 – 2017)
- Past Chair, Halifax Recruiting Committee (2012 – 2014)
- Member, Regional Diversity Committee (2013 – 2014)