



Marketing, Advertising & Compliance

Stikeman Elliott's Competition & Foreign Investment Group has broad and unparalleled experience navigating all aspects of the *Competition Act*. This includes advising clients on marketing and advertising matters, as well as risk management and compliance strategies pertaining to other types of unilateral and coordinated conduct.

In the area of advertising, our group delivers pragmatic and real-time advice to clients on how best to navigate the evolving legal and digital landscape of marketing communications. Our team is equipped to review print, digital and other marketing materials, including contests and social media campaigns. Clients are encouraged to be innovative in their advertising, and apply our solution-oriented approach throughout the entire creative process to address all legal and business issues efficiently. This full spectrum of service offerings is customized to clients' needs based on industry sector and marketing campaign size, and advice is delivered at the speed demanded by 21st century media.

For competition compliance, our group delivers tailored, proactive advice that helps clients manage risk and avoid harm to brand image and reputation. Our clients also rely on us for unparalleled litigation support in situations where their compliance efforts are questioned by regulators or customers, including compliance with the *Competition Act*, provincial consumer protection laws, sector-specific regulations, and the *Canadian Code of Advertising Standards*.

Our Expertise

- Abuse of dominance
- Compliance programs
- Contests
- Digital marketing
- Exclusive dealing
- Market restrictions
- Misleading advertising
- Refusal to deal
- Resale price maintenance
- Tied selling

Accolades

- Merger control matter of the year – Europe – *Global Competition Review Awards*, 2019
- Merger control matter of the year – Asia-Pacific, Middle East and Africa – *Global Competition Review Awards*, 2019
- Matter of the year – *Global Competition Review Awards*, 2019

Recent Work

- Hudson's Bay Company in a case brought by the Competition Bureau alleging a breach of the "ordinary selling price provisions" of the *Competition Act* with respect to the advertising of the sale of mattresses.
- Hertz and Dollar Thrifty in relation to a Competition Bureau misleading advertising investigation and that resulted in a consent agreement with the Competition Bureau.
- Canadian National Railway Company in relation to a Competition Bureau investigation into alleged anti-competitive conduct concerning rail transportation and transloading activities in Western Canada.