

Cassels



Jessica Zagar

Partner

Contact Information

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Office

Toronto

Expertise

- Intellectual Property
- Litigation
- Entertainment & Sports

Biography

Jessica Zagar is a partner in the Litigation Group at Cassels. Jessica practices in the area of copyright, trademark, and commercial litigation. She provides strategic direction and support to clients in the music, literary, television, film, broadcasting and entertainment sectors in the development, exploitation, and enforcement of intellectual property.

Jessica regularly represents clients in copyright and intellectual property proceedings before the Copyright Board of Canada, the Ontario and Federal Courts, the Federal Court of Appeal, and the Supreme Court of Canada. Jessica has acted as counsel for a broad spectrum of clients ranging from Canadian copyright collectives, media outlets, large and small publicly-traded companies and private corporations in a variety of industries. Jessica's strengths lie in her attention to detail and focus on achieving creative and practical solutions for her clients.

Jessica's notable experience includes representing:

- Copyright collectives in tariff proceedings before the Copyright Board of Canada and Federal Court of Appeal
- A major political party in a copyright infringement proceeding brought by a Canadian broadcaster
- A coalition of music industry associations in a Supreme Court of Canada proceeding involving the nature and scope of fair dealing
- A significant ethnic specialty television service in a lawsuit involving the unauthorized use of its program content and broadcast signals
- A group of Canada's biggest news publishers arising from allegations of copyright infringement and breach of the terms of use of their websites

Jessica is an active member of the Copyright Committee of the Intellectual Property Institute of Canada (IPIC) and the Copyright Policy Committee of the Canadian Bar Association. Jessica is the Vice-Chair of the American Bar Association International Copyright Laws Committee. Jessica regularly speaks on developments in copyright,

entertainment, and media law, including at events hosted by the Toronto Intellectual Property Group, the Intellectual Property Institute of Canada, the IP Osgoode Intensive program, and the LSO Entertainment & Media Law Symposium.

Achievements

- *Best Lawyers in Canada* (Entertainment Law | Intellectual Property Law)
- *Legal500 Canada* (Intellectual Property) (Intellectual Property)
- *Lexpert*, Top 10 Business Decisions of 2021/2022 (*Society of Composers, Authors and Music Publishers of Canada v. Entertainment Software Association*)
- *Managing Intellectual Property*, IP Star (Copyright)
- *Managing Intellectual Property*, ManagingIP Awards, Impact Case of the Year (2023)

Recent Representative Work

- Cassels Successfully Represents Conservative Party of Canada in Dismissal of CBC's Copyright Infringement Lawsuit
- Jessica Zagar and Casey Chisick Bring Successful Motion to Strike Copyright and Privacy Claim in its Entirety

Insights

- Will AI Companies Face the Music? Major US Record Labels Sue for Copyright Infringement Over AI-Generated Recordings
- Cassels on IP: May 2024
- Cassels on IP: February 2024 – 2023 Year in Review

Education / Bar Admissions

- J.D., Osgoode Hall Law School, 2008
- B.A. (Criminology and Criminal Justice), Carleton University, 2005
- Ontario, 2009

Associations

- ALAI Canada
- American Bar Association

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- Ontario Bar Association, Entertainment, Media and Communications Section
- Intellectual Property Institute of Canada (IPIIC)
- The Advocates' Society