



Steven Tanner

Partner

Toronto

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Bar Admission

Ontario 2006

Law School

University of Toronto

Practices

IP Litigation
Intellectual Property

Industries

Pharmaceutical
Oil & Gas
Communications

Steven is a partner in our Intellectual Property Litigation Group in Toronto. With a focus on patent litigation, he represents clients in a broad range of sectors with a focus on the pharmaceutical, oil and gas, and telecommunication sectors. He appears frequently in the Federal Court and Federal Court of Appeal, primarily in patent disputes.

As Co-Lead of McCarthy Tétrault's Oil and Gas Patent Litigation practice, Steven has led successful and significant oil and gas patent litigation mandates. A selection of Steven's recent mandates in this sector includes:

- **MEG Energy:** This patent infringement action involved a patent that allegedly claimed an improved method of practicing SAGD to recover bitumen from oil sands. The Plaintiffs claimed over a billion dollars in the action and sought an injunction. Steven helped lead MEG Energy's defence, which resulted in the Federal Court invalidating every asserted claim and issue a declaration that MEG Energy had not infringed any asserted claims. Steven helped lead MEG Energy's appeal which resulted in a complete dismissal and costs to MEG Energy in excess of half a million dollars [2021 FC 10 and 2022 FCA 118]
- **Aux Sable:** This patent impeachment action involved a patent that allegedly claimed an improved method of transporting natural gas by pipeline. Steven helped lead Aux Sable's claim and obtained an order invalidating the key claims of JL Energy's patent [2019 FC 581]
- **Enbridge:** The Plaintiff brought an action for patent infringement and various other forms of relief relating to monitoring systems. Steven successfully led Enbridge's defence, which resulted in the action being struck before Enbridge was required to plead in response [2019 FC 504]

Steven also led patent infringement mandates relating to proppant technology for Preferred Sands (T-668-17), environmental waste cleanup for Clean Harbors (T-568-15), efficient heaters for Astro Thermal Tec (T-135-18) and downhole tools for Pulse Directional Technologies (T-1668-13).

Additionally, Steven has led or helped lead numerous actions and applications for innovative pharmaceutical companies. A selection of Steven's mandates in this sector includes:

- **Allergan:** This patent infringement action involved patents to crystal forms and formulations containing the medicine silodosin (RAPAFLO®) for the treatment of BPH. Steven helped lead Allergan's action which resulted in the Federal Court upholding the validity of Allergan's 002 Patent [2020 FC 1189]
- **Sunovion:** Steven helped lead patent infringement actions against Pharmascience [T-315-20], JAMP [T-891-20] and Taro [T-671-20] relating to multiple patents to Sunovion's drug LATUDA®, which treats schizophrenia and bipolar disorder.

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- **Allergan:** Steven helped lead Allergan's successful efforts to obtain a preliminary injunction to prevent Apotex from launching its generic version of Allergan's cosmetic drug Latisse® [CV-12-459810]
- **Allergan:** Steven successfully led Allergan's infringement actions relating to its drugs ALPHAGAN® P (0.15%) and ASACOL 800® [T-503-18 and T-1098-15]
- **AbbVie:** Steven helped lead Allergan's successful efforts to judicially review the Commissioner's decision not to issue a patent in relation to AbbVie's blockbuster drug, HUMIRA® [2014 FC 1251]

Steven has helped lead numerous actions in the telecommunications sector. He has successfully defended Bell Canada and has variously acted for TELUS, Ericsson and MediaKind in multiple patent infringement actions relating generally to IPTV (Internet Protocol television) [2022 FC 979, T-809-14, T-1184-21, T-113-18, T-206-18].

Steven has been an active teacher and mentor throughout his career. For years, Steven was an adjunct professor at Osgoode Hall Law School where he taught patent law. He has also led the firm's sponsorship of the Fox IP Moot and has been a guest Judge for many years. Steven has been a constant mentor to partners, associates and students at the firm and has been an active participant in student recruitment. He has actively supported the firm's mental health initiatives including through "Bell Let's Talk". In 2022, he helped lead a firm initiative to support the awareness and prevention of suicide.

In his spare time, Steven has competed in numerous triathlons at the sprint, Olympic, IRONMAN 70.3, and IRONMAN distances. In 2022, he joined a team of lawyers from the firm to raise money for, and complete, the Enbridge Ride to Conquer Cancer bike ride from Toronto to Niagara Falls. Steven has completed numerous running races at the 10k, half marathon and marathon distances, and he regularly helps lead the firm's participation in the Sporting Life 10km run for Campfire Circle (formerly Camp Ooch).

Steven is also an avid guitar player. Recently he joined forces with fellow members of the firm (and alumni) to form "Chambers Band One" which plays at firm charitable events and special occasions.

Steven received his Honours Co-operative Biochemistry (Biotechnology option) BSc from the University of Waterloo in 2001 and his JD from the University of Toronto Faculty of Law in 2005.

Awards & Rankings

Intellectual Asset Management (IAM) Patent 1000

Leading Lawyer: Patent Litigation

Managing Intellectual Property: IP Stars

Patent Star

Managing IP - 2013-2015

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Patent Contentious Team of the Year - Canada

Managing IP - 2015

Milestone Case of the Year - Canada

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