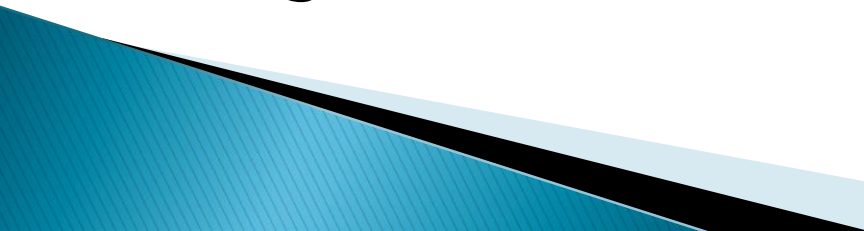


Cross-Jurisdictional Comparisons of Consumer Protection Regimes for Misleading Advertising, Privacy, Telecommunications, and Copyright

Preliminary Report by
Lukas Parker/Kernaghan Webb, Ryerson
University, for 2nd Annual PPOCIR Workshop
Montreal, Quebec, December 7, 2015

Roadmap for today's discussion:

- ▶ Preliminary Points re: Status and Nature of Research
 - ▶ Preliminary multi-jurisdictional comparative discussion of misleading advertising, consumer privacy and mobile communication device consumer protection regimes
 - ▶ Preliminary discussion of use of consumer research in Canada & U.S. passing off litigation
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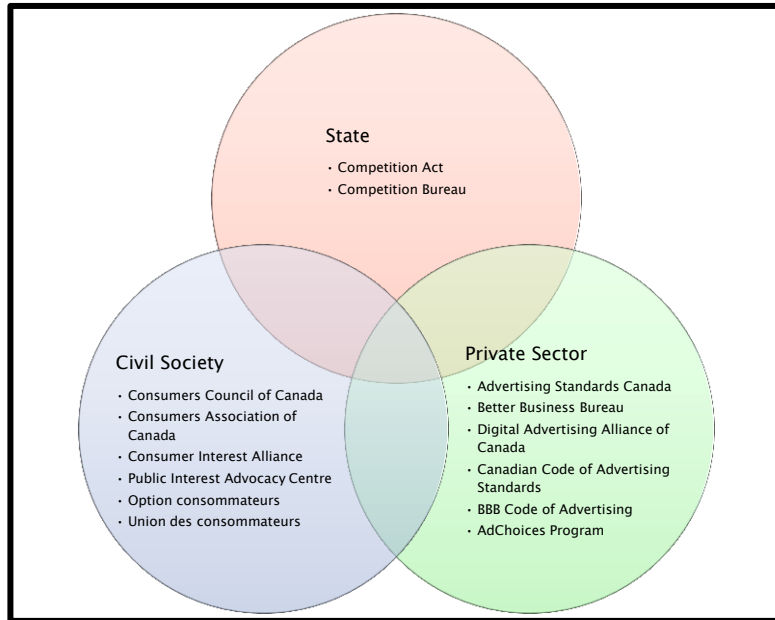
Preliminary points

- ▶ At 2014 workshop, Paul Goodrick, Ryerson Masters Student, presented preliminary work re: Canadian, Australian, UK & USA regime for mobile communication devices.
- ▶ today we add in multijurisdictional comparison re: privacy & misleading advertising regimes, and Cda/US passing off comparisons
- ▶ Focus is on national level governmental approaches
- ▶ Ultimately, the intention is to bring this research into a cohesive whole, to identify convergences and divergences
- ▶ “regime” encompasses state & non-state elements, as in OBSI (non-state) in Canada in support of financial institution regulation and BBB’s National Advertising Division in support of FTC in the USA

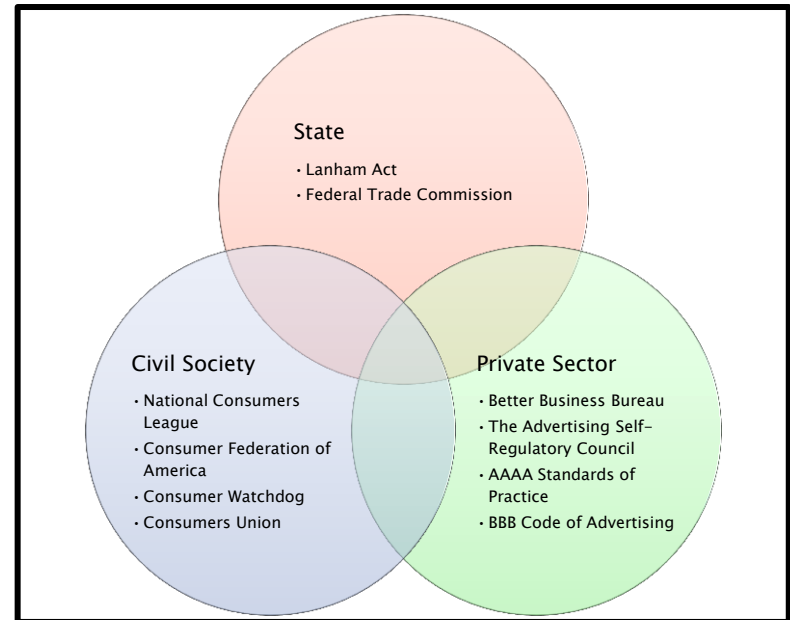
Misleading Advertising Consumer Protection Regime

- »» Comparing the Canadian, Australian, United Kingdom and United States Approaches

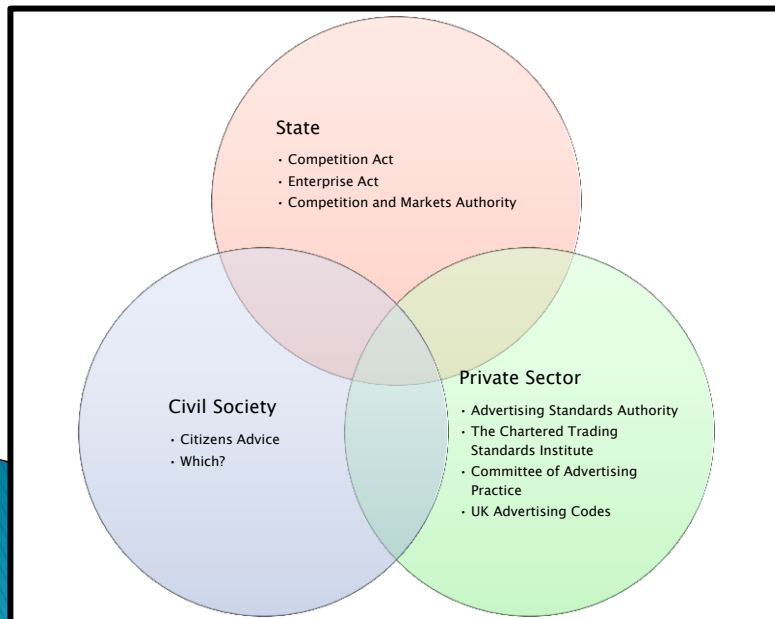
Canada



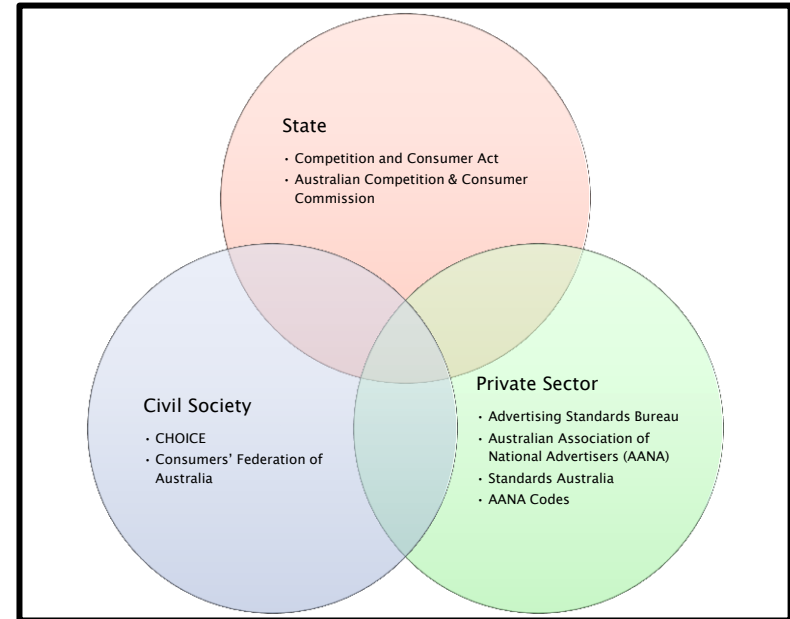
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United Kingdom



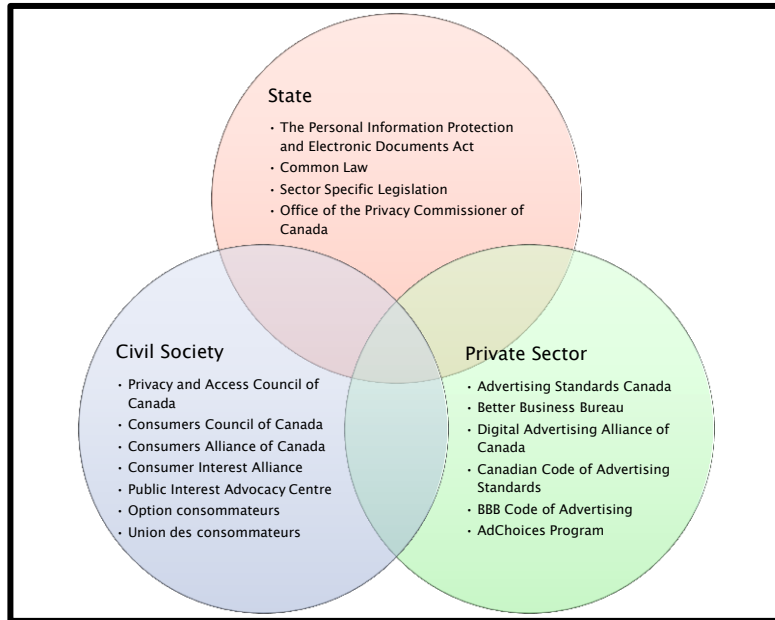
Australia



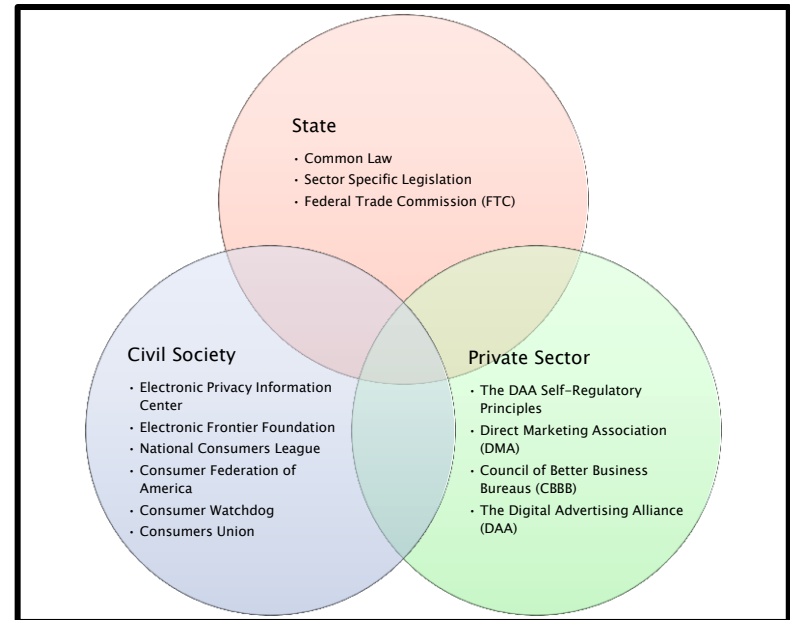
Consumer Privacy Protection

- »» Comparing the Canadian, Australian, United Kingdom and United States Approaches

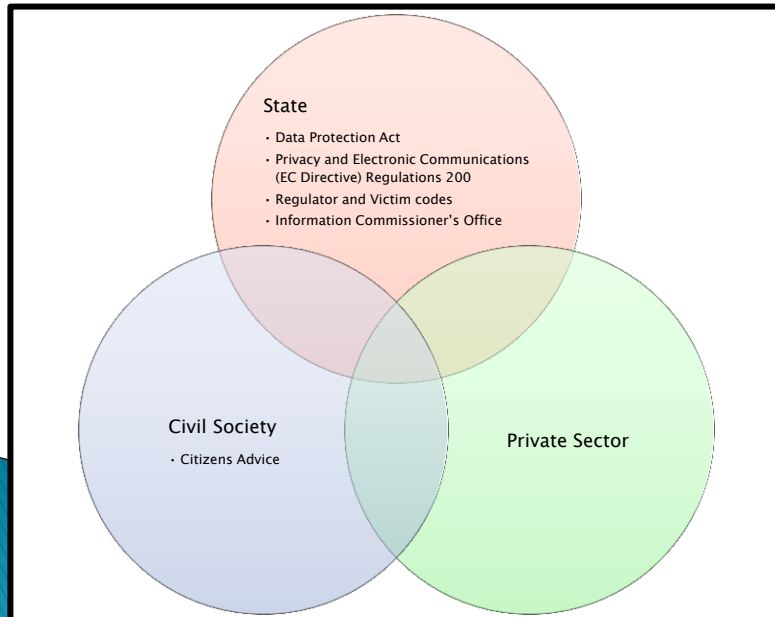
Canada



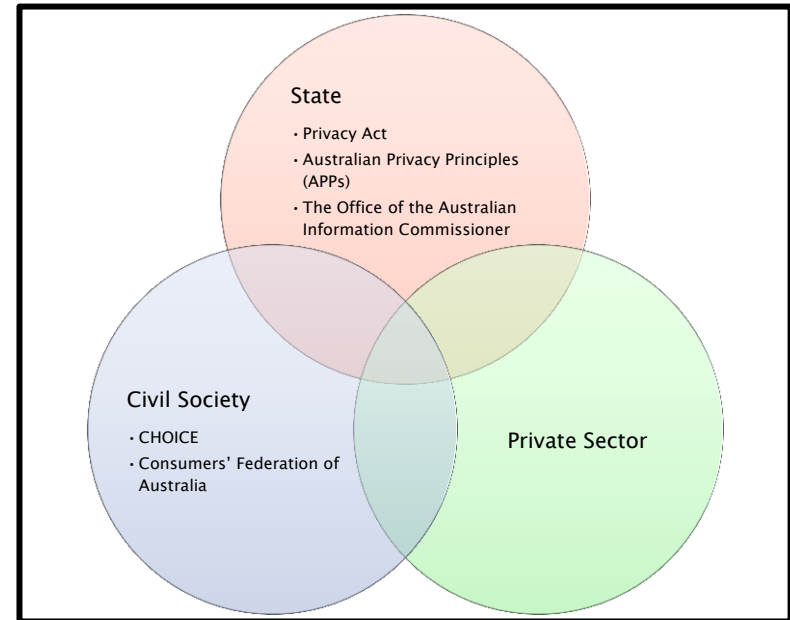
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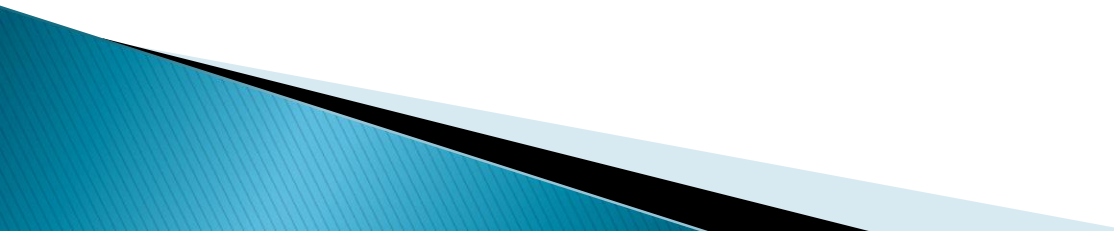
Australia



Passing Off

- »» Comparing the Canadian and United States Approaches re: use of consumer research in litigation

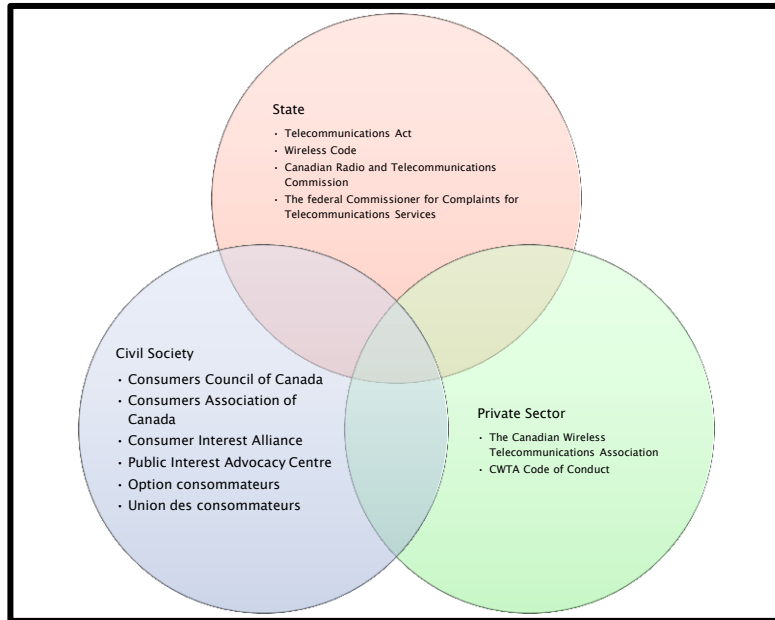
Passing Off

- ▶ Both Canada and the US have similar a Legal regime with both statutes and common law covering “passing off”
 - ▶ However, initial findings suggest there are some differences in the approach taken and the scope of coverage.
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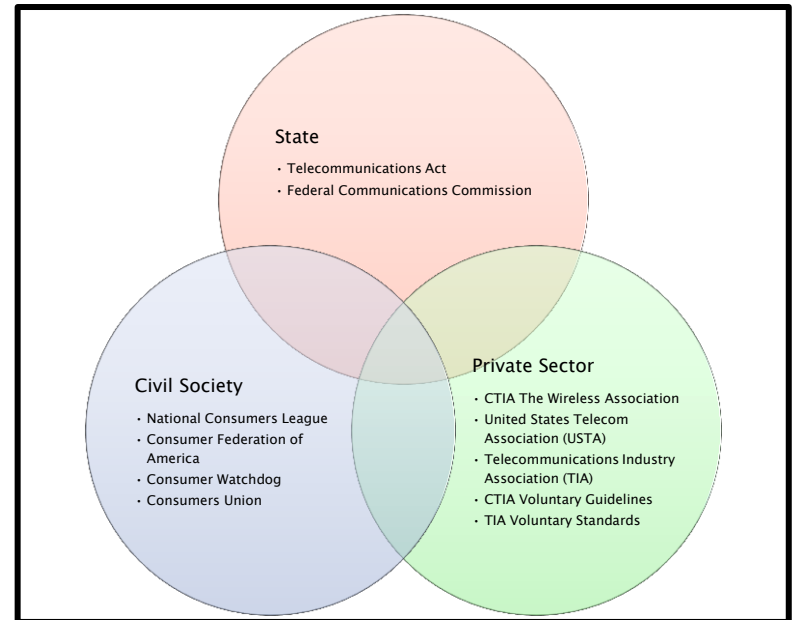
Mobile Communication Device Consumer Protection Regime

- »» Comparing the Canadian, Australian, United Kingdom and United States Approaches

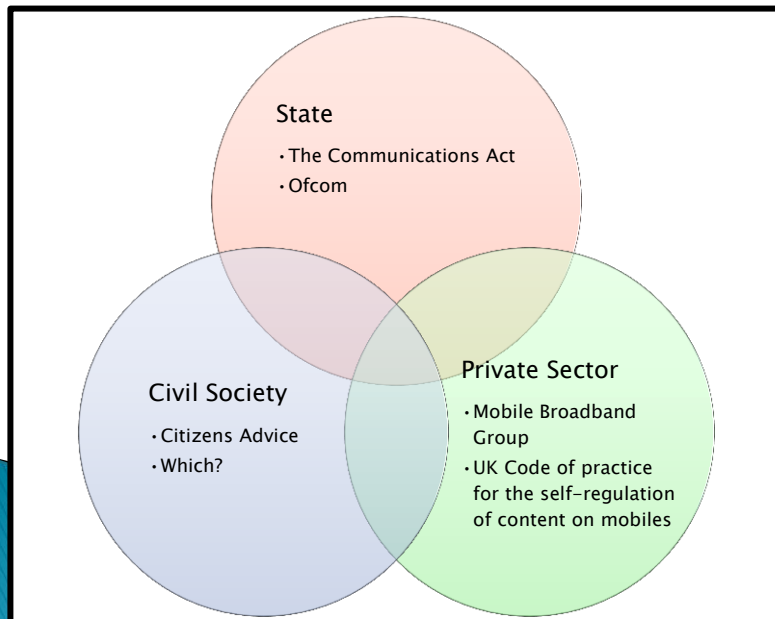
Canada



United States



United Kingdom



Australia

