

Delegatus

Lawyers Collective

Paul-André Mathieu

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At Delegatus since 2022



“Practicing law has led me to develop two qualities that are key to the successful resolution of any dispute and any commercial transaction: in law, as in life, one must have patience and show perseverance.”

I firmly believe that adding a good dose of rigor and creativity to these two qualities fosters the best chances of success in whatever one undertakes.”

Paul-André is a seasoned lawyer and trademark agent, with over 35 years of experience in franchising and nearly 40 years as a lawyer. During his career, he has developed solid expertise in professional and disciplinary law, in dispute management and resolution, in mergers and acquisitions, as well as in intellectual property.

Distinguished by his skills as a trademark agent, Paul-André is an expert in establishing franchise networks, and more particularly networks that offer professional services. If franchising is at the center of his practice, he nevertheless devotes a significant part of his time to the management and resolution of disputes in a wide range of commercial law, pleading before arbitration committees, disciplinary councils as well as before courts at all levels, including the Quebec Court of Appeal, the Federal Court of Appeal and the Supreme Court of Canada.

Paul-André is one of a small number of lawyers who regularly work in both insolvency and intellectual property matters, while also practicing transactional law, including the sale and merger of businesses, the drafting of contracts and business development.

With a creative and passionate mind, Paul-André is an accomplished jurist who stands out for his versatility and the thoughtful approach he adopts when faced with complex situations.

Areas of practice

- Commercial law and franchising
- Professional and disciplinary law

- Litigation and dispute resolution
- Mergers and acquisitions
- Intellectual property

Experience in private practice

Paul-André founded his own law firm in 1991 specializing in franchise law, Corporation d'avocats Mathieu Inc., and was self-employed for over 30 years before joining Delegatus in 2022. Prior to founding his own firm, Paul-André practiced alongside two pillars of franchise law, namely Jean H. Gagnon at Gagnon Lacoste and Desjardins Ducharme and Alex Konigsberg at Lapointe Rosenstein.

Important mandates

- Creation and development of the *Iris le groupe visuel inc.* across Canada from 1990, including the preparation of its sale to the New Look group in 2017.
- Representation of the Conseil québécois de la franchise before the Supreme Court of Canada, in the case of *Modern Concept d'entretien v Comité paritaire de l'entretien d'édifices publics de la région de Québec* 2019 CSC 28.
- Financing of several film productions during the 1990s, including a \$114 million financing with the National Bank of Canada.
- Acquisition by Brookfield (now Bridgemarq) of the real estate company Proprio Direct.

Education

- Master of Laws, University of Montreal | 1987
- LL. B., University of Montreal | 1983

Publications and conferences

Paul-André has published numerous articles on franchising and intellectual property, and has been called upon to give conferences, workshops and training programs on these subjects with the main organizations and institutions active in Quebec – *Barreau du Québec*, Canadian Institute, Insight, McGill University, Intellectual Property Institute of Canada.

- “Recent case law in franchise law” (French version only), co-edited with Olivia Meredith Bélanger Mathieu, Intellectual Property Notebooks, *Éditions Yvon Blais*, Volume 33, Number 2 | 2021
- “The Use of Trademarks and Trade Names in the Light of the Rules of Ethics Governing Professionals” (French version only), Recent Developments in Intellectual Property Law, Volume 421, Continuing Education Service of the *Barreau du Québec*, *Barreau du Québec* | 2016
- “The Implicit Conditions of the Franchise Contract: Beyond the Reality or the Letter of the Contract” (French version only), Recent Developments in Intellectual Property Law, Volume 357, Continuing Education Service of the *Barreau du Québec*, *Barreau du Québec* | 2012
- “The Legal Nature of the Franchise Agreement: A Look at 25 Years of Jurisprudence and Doctrine” (French version only), *Mélanges Pierre Ciotola*, Montreal, *Thémis* | 2012
- “Recent franchise case law” (French version only), Recent developments in intellectual property law, Continuing education service of the *Barreau du Québec*, *Barreau du Québec* | 2006
- “The Legal Nature of the Franchise Contract” (French version only), *Éditions Yvon Blais* | 1989

Professional affiliations and community involvement

- Member of the Trademark Agents and Patent Agents Skills Development Committee, College of Patent Agents and Trademark Agents (CABAMC) | Since 2022
 - President (2012 to 2016) and member of the board of directors of the *Association des diplômés en droit de l'Université de Montréal* | Since 2008
 - Member of the recommendation committee for the selection of a candidate for the position of Dean of the Faculty of Law of the University of Montreal | 2019
 - Founding member of the *Collège des experts du Conseil Québécois de la franchise* | 2015
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