



Carmela De Luca

B.Sc. (Hons. Biochem., Co-op), Ph.D. (Exp. Med.), J.D.

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Experience

Carmela De Luca is a partner with Bereskin & Parr LLP and a member of the firm's Executive Committee. Carmela is a lawyer and registered patent agent in Canada and the United States and practices in all areas of intellectual property, focusing on patent matters, including advising clients on strategic global aspects of obtaining and managing patent portfolios, as well as in the preparation and procurement of patents and industrial designs. She works closely with clients including start-ups, universities as well as multinationals in preparing and prosecuting patent applications relating to biotechnology, pharmaceuticals, biologics, diagnostics, green technologies and other areas in the life sciences. Carmela is also active in the analysis of patent issues such as validity, infringement and freedom to operate. In addition, Carmela has experience advising on regulatory compliance and on plant breeders' rights.

While obtaining her Ph.D. from McGill University, Carmela conducted research in the areas of inflammation, signal transduction and virology. Prior to earning a law degree from the University of Toronto, Carmela worked as a post-doctoral fellow at a research institute of an international biotechnology company where her research focused on cancer cell biology, knock-out technologies, genetic screens and genomics.

She regularly presents at conferences, has written and presented on various aspects of intellectual property law and co-authored a number of peer-reviewed scientific publications. She has been listed as a leading practitioner in the area of patent law and has received media coverage for her novel work in the biotechnology field.

Carmela is the founding and Emeritus Co-chair and steering committee member of the Greater Montréal Chapter of Women in Bio (WIB). She is also the current chair of the Young WIB (YWIB) committee organizing

Practice Groups

Artificial Intelligence (AI)
Cannabis
COVID-19
Industrial Designs
Life Sciences
Medical Devices
Patents
Plant Breeders' Rights
Privacy, Cybersecurity & Data Protection
Regulatory, Advertising & Marketing

Education

J.D., University of Toronto, 2005
Post-doctoral Fellow, Amgen Research Institute, University of Toronto, 2003
Ph.D. (Exp. Med.), McGill University, 1999
B.Sc. (Hons. Biochem. Co-op), University of Waterloo, 1994

Qualifications

Registered United States Patent Agent, 2008
Registered Canadian Patent Agent, 2007
Admitted to the Ontario Bar, 2006

Professional Memberships

Intellectual Property Institute of Canada (IPIC), Fellow
Law Society of Ontario (LSO)
Women in Bio (WIB)



STEM events for high school students. She is a faculty member of the Intellectual Property Institute of Canada's (IPIC) Patent Drafting Course in 2017, 2018 and 2019, and has been active with the organization for a number of years. She is involved with the Women in IP Networking Group (WING) of IPIC and previously chaired the IPIC Young Practitioner's Committee, and was also a Board member of the Canadian charity, Meal Exchange. Additionally, Carmela is a member of the Advisory Board of the Clinical Innovation Platform (CLIP) of the Research Institute of the McGill University Health Centre for the 2021-2023 term.

Recent Articles

- Patentable Subject Matter, Indefiniteness and the Obvious to Try Test – "Multi-Pack" Lessons from the Patent Appeal Board decision Re: Illinois Tool Works Inc.
- Excess patent claim fees and Canadian double patenting – unintended consequences?
- AI in Focus: the Human Microbiome
- Patenting Biologics and Other Therapeutics in the United States: Another Strike Against Claims with Functional Limitations
- Patent Application Extensions of Time in Canada

Accolades

- Bereskin & Parr Partners Listed in 2023 Best Lawyers in Canada
- Bereskin & Parr Recognized in IAM Patent 1000 2022
- 25 Bereskin & Parr Lawyers Listed in 2022 Best Lawyers in Canada
- Bereskin & Parr Recognized in IAM Patent 1000 2021
- 22 Bereskin & Parr Professionals Listed in the 2021 Canadian Legal Lexpert Directory