



Janine MacNeil

Toronto

416.307.4124

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education and year of call

- Called to the Ontario bar - 2002
- Dalhousie University, LLB - 2000
- Mount Saint Vincent University, BBA - 1997

practice areas

competition and antitrust

CASL - spam and other electronic threats

marketing and advertising

privacy and data protection

compliance

entertainment and media

social media

privacy and data protection

unilateral conduct and distribution

practices

cartels

mergers

industries

retail

media, communications and entertainment

media

automotive

manufacturing, distribution and retail

profile

Janine MacNeil is a partner in the firm's Competition and Marketing Law Group. Janine's practice includes advising on advertising matters, promotional contests, games and sweepstakes, related privacy matters, compliance with consumer protection legislation, marketing and advertising-related agreements, and packaging and labelling requirements.

In addition, Janine has assisted clients in complying with the Competition Bureau's merger notification regime, in the creation of competition compliance programs, and responding to Competition Bureau cartel and other investigations.

Janine is Past Chair of the Marketing Practices Committee of the Canadian Bar Association's Competition Law Section.

directorships and professional associations

- Canadian Bar Association, Past Chair, Marketing Practices Committee, Competition Law Section
- American Bar Association, Antitrust Law Section
- Ontario Bar Association
- Advertising Standards Canada
- Canadian Marketing Association
- Promotion Marketing Association
- Certified Information Privacy Professional / Canada (CIPP/C)

representative matters

Janine MacNeil's representative work includes advising some of Canada's largest and most respected companies in the telecommunications, retail, automotive, manufacturing, insurance, mass media and entertainment sectors in the

following areas:

- Advertising copy review for all media; food, drug and cosmetic packaging and labeling review; drafting and negotiating co-promotion, talent, licensing and sponsorship agreements; identifying and advising on privacy issues relating to consumer promotions; and compliance in the design, review and execution of contests and promotions.
- Privacy law matters including security, compliance procedures and documentation, information audits, privacy policies, consent documentation, organizational procedures and practices, compliance procedures and regulatory matters.
- Information technology/e-commerce matters, including transaction and contracting; website development; online advertising and marketing issues; security of transaction and privacy issues; consumer protection issues; intellectual property rights; jurisdiction and multi-national law issues.
- Merger matters, including Kraft/Cadbury, West Fraser/Weldwood, Kraft/Nestle, Teck Cominico/Aur Resources, Teck Cominico/Inco, Teck Cominico/Fording, Davis + Henderson/Resolve, Poscor/Triple M, among others.
- Cartel investigations, including Liquid Crystal Display, Cathode Ray Tubes, and Copper Concentrates.

awards and rankings

- Recognized by *Chambers Canada (2020)* as a leading lawyer in the area of Advertising & Marketing Law
- Recognized by *Best Lawyers in Canada (2020)* as a leading lawyer in the area of Advertising & Marketing Law
- Recognized in the 2019 *Canadian Legal Expert Directory* as a Repeatedly Recommended lawyer in the area of Advertising & Marketing Law
- Recognized by *Chambers Canada 2019* as a leader in Advertising & Marketing
- Recognized by *Best Lawyers in Canada (2019)* as a leading lawyer in the area of Advertising and Marketing Law
- Recognized in *Best Lawyers in Canada (2018)* as a leading lawyer in the area of Advertising and Marketing Law
- Recognized in *Chambers Canada 2017* as a leading lawyer in the area of Advertising & Marketing - Canada

media mentions

- "[Greenwashing: Cleaning up by 'saving the world'](#)" by Rebecca Harris, *Marketing Magazine*, April 22, 2013
- "[The Hidden Costs of Canada's Anti-Spam Law](#)" by Rebecca

Harris, *Marketing Magazine*, February 25, 2013

publications

July 2018

A \$250,000 Reminder that "CASL" is Not Just an Anti-Spam Law
Business Law Bulletin

June 2017

CASL Private Right of Action Delayed; Enforcement by CRTC Continues
Litigation, Business Law and Technology Bulletin

February 2017

Back to Basics: Acting Chairman Maureen K. Ohlhausen presents near-term FTC reforms
Competition Law Bulletin Lexology

December 2016

Canada Finalizes Changes to Nutrition Labelling Requirements for Packaged Foods
Advertising and Marketing Bulletin

December 2016

Health Canada Consultations on the Prohibition of Partially Hydrogenated Oils in Foods and Front-of-Package Nutrition Labelling
Advertising & Marketing Law Bulletin

December 2016

The Canadian Food Inspection Agency's Food Labelling Modernization Initiative: Phase III Discussion Paper and Questionnaire Launches
Marketing and Advertising Bulletin

December 2016

What's the CFL made of? Not Pizza Pizza: Grey Cup Ticket promotion goes awry
Advertising & Marketing Law Bulletin

August 2016

Enforcement Advisory: Keeping Records of Consent under CASL
Business Law Bulletin

September 2015

Shining Light in Dark Places: GPEN Sweep Targets Children's Mobile Applications and Websites
Privacy Bulletin

August 2015

The Fundamentals of Canadian Competition Law, Third Edition
Jointly published with the Canadian Bar Association's Competition Law Section

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Editor, James Musgrove with Assistant Editor, Janine MacNeil
Authors of Chapter 1: Introduction and Overview: The Purpose of Canadian Competition Law, James Musgrove and Janine MacNeil

July 2015

Top 10 Tips for Introducing and Maintaining Effective Competition Law Compliance Programs
Competition Bulletin

June 2015

Commissioner of Competition Introduces Revised Compliance Programs Bulletin at McMillan Event
Competition Bulletin

March 2015

CRTC Imposes \$1.1 Million Penalty for Alleged CASL Violation
Privacy Bulletin

September 2014

Canadian Competition Law Compliance: The Bureau Shows Us the Money
Competition Bulletin

May 2014

Canada's Anti-Spam Law: Are You Ready?
McMillan at a glance

March 2014

Behavioural Remedies: Not Dead, Just Resting
Competition Bulletin

January 2014

Memorandum of Understanding on CASL between the Commissioner of Competition, the CRTC, and the Privacy Commissioner
Privacy Bulletin

presentations

October 2018

Advertising & Marketing Law: Social, Digital, Online Compliance - Legal Issues for 2018 and Beyond
OBA | Professional Development, Toronto

April 28, 2017

Advertising and Marketing Law: Made in Canada
Canadian Bar Association National Competition Law Section's Young Lawyers Symposium

April 25, 2017

Portfolio Management Association of Canada
Compliance Officers' Network, CASL Compliance Recap

February 23, 2017



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From Fine Print to Another Fine Mess: Developments in Advertising Law in Canada
Canadian Bar Association National Competition Law Section's Marketing Practices Committee

January 11, 2017

Corporate Counseling Committee Monthly Antitrust Update Program December 2016 Developments
ABA Section of Antitrust Law, Toronto, Ontario

June 3, 2015

Professional Responsibilities for In-house Counsel and Compliance Officers
Competition Law Compliance Programs: Meet the Commissioner and the Deputies, Toronto