

FACELAW

ONLINE LEGAL DIRECTORY

22 PAGES

NO. 1 | AUGUST 2020

CANADA / USA

ONLINE
LEGAL DIRECTORY
OF LAWYERS
PARALEGALS &
IMMIGRATION
CONSULTANTS



AUGUST 2020

FACELAW.NO.1

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Dr. Ashkan Anvari

Doctor Of Business
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Choosing a right lawyer, paralegal or an immigration consultant is one of the most important concerns for people facing a legal problem. Given the current social, economic and cultural climate, it seems it is inevitable not to be involved in some kind of legal, judicial or immigration matter. It is obvious that not everyone can master the substantive and formal laws. It is, therefore, prudent to entrust the defense of your rights to an experienced lawyer, paralegal or immigration consultant.

Under the facelaw platform

FACELAW'S PLATFORM enables you to have access to a directory of Lawyers, Paralegals and Immigration Consultants, striving to bring together the best professionals in the legal field. In today's fast-paced world, where almost everyone now has the internet in the palm of their hand, finding the relevant information and assistance you require has never been easier.

Finding an experienced lawyer, paralegal or immigration consultant ("Legal Professional") to assist you with your legal matters should be no different. Whether your legal matter is complicated or simple, Facelaw.ca is here to make the initial interaction between the client and Legal Professional just as simple.





Online Legal Directory

FACELAW

WE are a directory of Lawyers, Paralegals and Immigration Consultants, striving to bring together the best professionals in the legal field.

In today's fast paced world, where almost everyone now has the internet in the palm of their hand, finding the relevant information and assistance you require has never been easier.

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Whether your legal matter is complicated or simple, Facelaw.ca is here to make the initial interaction between the client and Legal Professional just as simple.

Facelaw.ca is a website which connects those looking for a Legal Professional to assist them with a legal matter (or those just wanting to get some preliminary legal advice) with an experienced Legal Professional in the appropriate field of law.

The Legal Professional will help guide you through the complex legal landscape and will provide the appropriate and professional legal advice.

Looking for a Legal Professional that speaks a certain language? Looking for a Legal Professional in a certain city or town? Looking for a Legal Professional who's practice focuses in a specific area of law? Not a problem! Facelaw.ca will connect you with the right Legal Professional to fit your legal needs quickly and effectively.

Facelaw.ca was created to eliminate the intimidating process of searching for a Legal Professional to provide legal services. Instead of having to call different offices and law firms searching for the right Legal Professional to retain, Facelaw.ca has compiled a searchable database of local Legal Professionals who are committed to serving their clients.

SO stop wasting time making useless calls and reviewing lawyer and law firm websites that provide no real guidance and try Facelaw.ca today!!!

ABOUT US





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We believe that clients should feel welcome and comfortable every time they walk into our office. Our law firm also works hard to make sure that clients are involved in all aspects of their case and takes the time to educate clients about their legal matter so that they are well informed about all aspects of their particular case.

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FACELAW MAGAZINE FACELAW MAGAZINE FACELAW MAGAZINE FACELAW MAGAZINE

FACELAW will also have an online legal magazine as another medium to connect with the public. It is without a doubt that hard cover books have a great deal of intellectual knowledge and value, therefore, it is important to emphasize that Facelaw's goal is not to diminish those books, but rather to provide legal information to the public with greater accessibility.

THE MAGAZINE will employ a list of licensed lawyers, paralegals and immigration consultants in a user-friendly directory for people to find the right professional for their legal needs. Following this, all publications produced by the professionals and relevant legal information that can be of use to the public will be easily accessible within the magazine. The magazine can be accessed through our website as a download both in written and audio form or the printed version the magazine can be delivered to your home and/or workplace.

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In today's technologically advanced world, social media has become the new phenomenon to connect the world on all levels. The world has technologically moved forward in a way that people no longer just rely on radio or TV to access their favorite program.

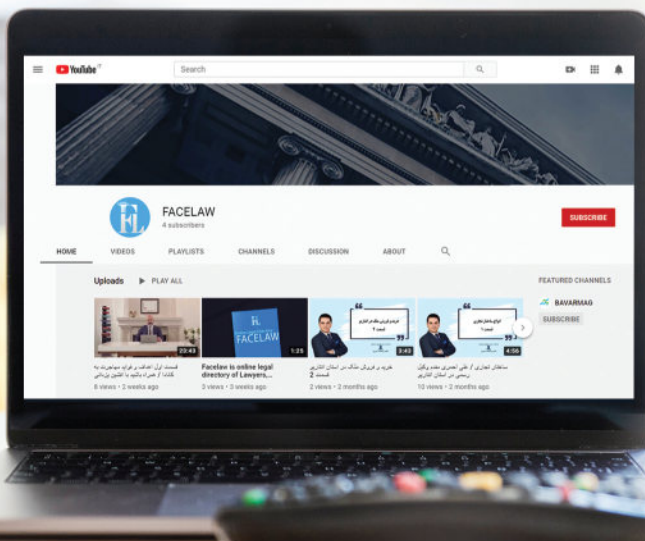
Now more than ever, smartphones, tablets, laptops, computers, and any device that connects to the internet have the ability to provide us with the latest information on a given topic within seconds. Likewise, social media platforms, such as internet, TV and radio, are now instrumental for businesses to advertise their services to the public. This process is not only much cheaper than conventional methods of advertising such as radio or TV, but also provides an opportunity for businesses to maintain direct relationship with their audience.

FACELAW INTERNET TV

Radio FACELAW



 FACELAW



In this regard, Facelaw has launched its online TV and radio, with the objective of providing reliable legal information, prepared by our members who are trained legal professionals. Information will be provided via video, audio and podcasts to the public on a timely basis.

If connecting with legal professionals in divergent fields and learning more about their services is of interest to you, you are encouraged to follow our social media, website, and YouTube channel to have access to our professional programs.

Facelaw is excited to introduce this new medium for legal professionals to educate and connect with their audiences.



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IMPORTANCE OF A REAL ESTATE LAWYER

Buying a home can be a stressful and exciting time. It is important to make sure that you are equipped with the adequate resources and people to help make the big day happen with ease. It is completely natural to feel confused and overwhelmed with the entire process, but having an experienced real estate lawyer involved in your transaction can help ensure the legality of the process and allow the overall process to flow more effectively and efficiently.

There are a number of steps to recognize before you decide on purchasing a new home. Taking the time to thoroughly evaluate and reflect on these steps will help you become more comfortable, acquainted and prepared for the purchase.



By:
Ali Ahmari Moghadam

1

You need to ensure that you are emotionally and financially prepared for the process of buying a new home. This means not only making sure that you have a steady income and enough savings to manage the financial costs involved with buying a new home, but also that you are prepared for the additional responsibilities that accompany home ownership. Some of the costs involved in a purchase which are often overlooked by first time buyers include but are not limited to moving costs, closing costs (legal fees, title search costs (an examination of registered ownership to the property as well as a review of the documents, plans, and other items appearing on registered title to the property) , title insurance (an insurance policy that protects you, the home owner, against challenges to the ownership of your home or from problems related to the title to your home. The policy provides coverage against losses due to title defects, even if the defects existed before you purchased your home) and land transfer tax, and realty taxes).

2

It is a good idea to carve out some spare time to go to open houses to get a feel for what features and amenities you want in your new home. Most importantly, this step in the process will provide you with a chance to see you what types of homes you can realistically afford within your budget and will help you manage your expectations for your first home. You should be mindful of the location of the property given that there can be a great deal of competition for one home on the market if the location is heavily in demand.

This step is all about determining what you are looking for in your new home but also determining what is available in the housing market within your price range and budget.



3

You need to now assemble a team of professionals to support and guide you through the process of buying a new home. This includes choosing your real estate agent, a mortgage lender or mortgage broker (if necessary), an experienced real estate lawyer, a home inspector and an insurance agent to adequately protect your new purchase. Considering the experience and educational background and values of each of these professionals is key to developing a strong and professional relationship throughout the process of purchasing your new home. You want to make sure that you select a professional, competent, experienced and knowledgeable (in their field and in the local market) team to help you with your transaction.

In doing so, make sure that when you meet with them you both have a foundational understanding of what is to be expected from each party and that they are fully aware of your desires and expectations, and are competent to help you obtain what you are looking for in terms of buying your new home. Speaking with friends and family members about their experiences with various professionals during their purchase transaction can provide you with valuable information about what to look for when selecting your team of professionals and may even lead to you obtaining some trusted referrals.



4

This is usually the most exciting step. This is where you get to plan what it is you are looking to purchase as your new home. From location, size of the home, property value, interior layout, kitchens, bedrooms to the size of the backyard or balcony you get to map out and imagine every inch of your new home.

In doing so, be mindful of the structural and mechanical aspects of the home with respect to the age of the home, the age of the furnace, the condition of the roof, windows and whether there have been any renovations performed in the home among other factors.

5

Now that you have a rough idea of what type of home you are looking for and the price range that you can afford, it is time to get pre-approved for a mortgage. Being realistic with respect to what you can actually afford during this time is crucial so that you are not setting yourself or your future plans in any financial jeopardy. In doing so, it is important to consider your credit score, annual income, outstanding debts, future employment, and other relevant financial obligations among other factors.

With respect to organization, make sure to have your proof of income, relevant tax returns and all other relevant financial documents available when you submit your mortgage application for approval. Your mortgage lender and/or mortgage broker will provide you with the necessary guidance during this step of the process and should be providing you with all the necessary information to allow you to make an informed decision about what type of financing is best suited for your needs and circumstances.

Items such as the term of mortgage, amortization term, interest rate, type of mortgage (open or closed), amount of monthly payments, and any associated lender/broker fees should be examined and compared to find the right mortgage to fit your needs.

6

The next step is the hiring of your real estate agent and visiting specific homes that interest you and that fall within your price range. Once your real estate agent finds that special home that meets all of your needs and requirements, it is time to submit a formal offer. Your agent will help you navigate this important step of the process and should ensure that the offer you put forward is competitive with any other potential competing offers. Depending on the nature of your purchase, you should ensure that your real estate agent protects your interests by stipulating that the agreement remain conditional for a period of time in order for you to obtain further information about the property prior to making the Agreement of Purchase and Sale firm and binding on all parties.



Common conditions in favour of the purchaser which are usually contained in the Agreement of Purchase and Sale include but are not limited to conditions relating to obtaining mortgage financing, performance of a satisfactory home inspection, solicitors review of the Agreement of Purchase and Sale, and if purchasing a condominium property on receipt and review of the status certificate. A status certificate is a document that provides basic and essential information concerning the financial status of a unit and of the condominium corporation. Its main focus is to inform a prospective owner of the fees associated with ownership, any large increase that is going to come into effect, any special assessment that is being contemplated by the board, and any arrears or liens that a particular suite might have. Simply stated, a status certificate is a disclosure document that provides potential purchases with relevant, accurate and important information related to the unit and the condominium corporation.

Your real estate agent will manage this process for you and will keep you informed as important dates, such as conditional dates approach.

7

After you have satisfied or waived the relevant conditions contained in the Agreement of Purchase and Sale and your deal has gone "firm", meaning that it is now firm and binding on all parties and can no longer be revoked or terminated by either of the parties unilaterally, this is typically the time when your real estate lawyer will become involved in your transaction. An experienced real estate lawyer will be involved in reviewing your Agreement of Purchase and Sale if it is still in the conditional stage, will review the status certificate depending on the type of home you wish to purchase, will conduct a title search of the property, submit title requisitions (a letter outlining issue with the property revealed by a title search and requesting that said issues be resolved prior to closing) to the seller's lawyer and will also check for any outstanding taxes and/or liens on the subject property.

Your lawyer should keep you informed of the process and advise you of any issues that have been discovered and provide advice on the best way to resolve said issues.

The involvement of the lawyer will go beyond the actions stipulated above. Their role will also include drafting and reviewing closing documents with you to ensure that your interests are protected and that you are fully aware of the terms and conditions outlined in the Agreement of Purchase and Sale. The lawyer will also arrange for title insurance as a source of protection for you and exchange the relevant legal documents with respect to the purchase with the seller's lawyer on the closing date. Should you be securing financing to complete your purchase, your lawyer will also receive instructions from your lender, prepare the necessary mortgage documents, and will receive the mortgage funds from the lender directly on the closing date. Having a lawyer involved makes the process flow with less confusion and worry given the expertise of the lawyer. In turn, this gives you more time to focus on designing your new home and packing your things to embark on your new journey. Once the transaction has been completed, the lawyer will then be able to provide you with the keys to your new home.



ONLINE SEMINARS



Facelaw has the technological ability to conduct various seminars for the community in order to increase awareness in the legal field. As well, Facelaw produces private seminars for businesses to educate them in the different areas of law. This has the power to inspire businesses to tackle new projects and to advance their level of knowledge within the law. For these seminars, the speakers will be the direct members of Facelaw who are licensed professionals like that of lawyers, paralegals and immigration consultants.

Depending on the nature of discussion, the seminar may be led by one or more professional.

These seminars will take place in North America. Some will be provided for free and others will require the purchase of a ticket. Facelaw will have all the details including prices, dates, and topics of discussion among other details available on our website for your ease of reference.



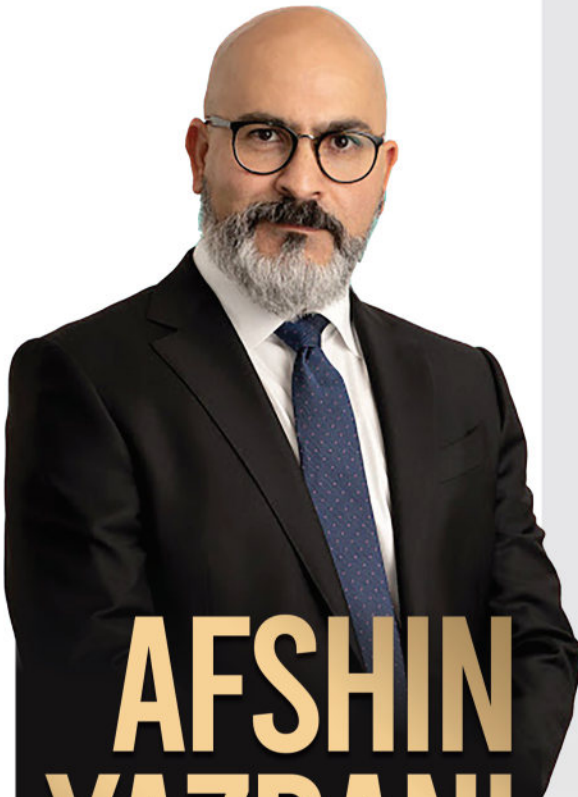
Facelaw provides the opportunity for the public to read about the member's legal experience, their desired field of law and their current contact information.

This unique feature will allow people to learn more about the background and professional work of the members who have joined Facelaw.

Within the seminars, you will have a direct connection with the speakers by having the ability to ask questions during the seminars. The speakers will also provide their contact information so that you can contact them for further legal information and clarification. In doing so, Facelaw will provide a special discount to those who attend the seminars. Please visit our website for further details regarding the discounts. The highlights of each seminar will be displayed on Facelaw's website so that the public can determine if the topics, location, professionals among other details are of interest to them.

Facelaw values education and community and maintains these values at the core of all of its efforts.

As a result, Facelaw will have business-networking events in which all Facelaw members who are experienced professionals in the legal field will have the opportunity to meet and learn from one another. This will allow them to advance their current expertise and to better serve the public as their legal knowledge will be up to date and expanded.



AFSHIN YAZDANI

YLG – Yazdani Law Group is a leading Toronto law firm practicing primarily in the area of immigration, business and Property law for Canada.

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He is the founder of Yazdani & Associates Immigration Firm as well as YLG – Yazdani Law Group. He studied a professional Master's degree in Canadian Common Law at York University, graduated from Osgoode Hall Law School in 2016.

He obtained his Certificate of Qualification from the National Committee on Accreditation (NCA).

Helping our clients cross borders for over 15 years. We are a full-service Canadian immigration and business law firm. Mr. Yazdani began his career as a lawyer & a law professor in Iran in 2004. He became a legal advisor and a law professor in Dubai in 2008.

He previously studied an Immigration Consultant Program at Lasalle College in Montreal as well as Civil Law and International Law. He became a member of "ICCRC (Immigration Consultants of Canada Regulatory Council)" in 2016. He was called to the Ontario Bar in 2019 and has been practicing Canada immigration law since establishing his immigration firm in Toronto. Mr. Yazdani is the only lawyer in Canada with an immigration consultant diploma and three law degrees. His high-profile and celebrated cases have attracted international attention, and he is frequently consulted as an immigration expert by televisions, journalists, government and non-governmental organizations (NGOs) on matters pertaining to immigration law and policy. He recently was a television host in a biweekly show known as "Canadian Immigration from Law's Point of View".

He is the author of several articles on matters pertaining to Public International Law, Dubai Property, Arbitration Law, and Canada Immigration Law.



Does Canada Start-Up Visa Program require a patent?

Under the Start-Up Visa program, the Program targets immigrant entrepreneurs with the skills and potential to build businesses in Canada that (1) are innovative, (2) can create jobs for Canadians, (3) can compete on a global scale.

Canada's Start-Up Visa Program (SUV) links immigrant entrepreneurs with experienced private sector organizations that have expertise in working with start-ups.

So, there must be an immigrant entrepreneur with a potential business in which the business must be innovative. Besides, the entrepreneurs must meet some conditions such as passing standard health and security criteria, ability to communicate in either English or French, have completed one year of study at a post-secondary institution, and have enough money to live on while establishing the start-up business in Canada.

Therefore, the answer is the SUV program not necessarily need a patent, because technically speaking a patent is granted only for (1) the physical embodiment, for example, the description of a possible product out of an idea or for (2) a process that produces something tangible or that can be sold.

A scientific principle, an abstract theorem, an idea, some methods of doing business or a computer program cannot be patented.

Considering the most innovative businesses that are trying to establish in Canada under the SUV program are some computer program, it is essential to understand that although computer code by itself is not something physical and therefore not patentable by law, a computer program may offer a new and inventive solution to a technological problem by modifying how the computer works. Under these circumstances, a computer-implemented invention may be patentable.



By:
Afshin
Yazdani



Why Patents is essential in Canada

Based on the guideline published by the Canadian Intellectual Property Office, Canada is a technologically sophisticated nation and depends on the patent system for scientific advancement and economic strength. The basic concept is that patents protect investments and allow inventors to profit financially from their creativity.



1) A guide to patents, read online: https://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr03652.html

2) Ibid

What is the difference between patents and other forms of IP?

Patents cover new and useful inventions which can be either product, composition, machine, process or any new and useful improvement to an existing invention .

A patent is a national concept, and it would be protected wherever it was filed. In Canada, the Government gives the inventor the right to stop others from making, using or selling the invention from the day the patent is granted to a maximum of 20 years after the day on which was filed the patent application. The applications are open to public inspection 18 months from the earlier of the filing date in Canada, or the filing date in another country if you request it and satisfy certain conditions (this date is known as the "convention priority date"—see applying for a patent outside Canada).

But there are differences between patents and trademarks, copyrights, industrial designs and integrated circuit topographies, which are other types of Intellectual Property or IP:

- Trademarks may be one or a combination of words, sounds or designs used to distinguish the goods or services of one person or organization from those of others.
- Copyright provides protection for literary, artistic, dramatic or musical works (including computer programs) and another subject-matter is known as performer's performances, sound recordings and communication signals.
- Industrial designs are the visual features of shape, configuration, pattern or ornament, or any combination of these features applied to a finished article.
- Integrated circuit topographies are the three-dimensional configurations of electronic circuits embodied in integrated circuit products or layout designs.

Then there is another concept known as "the trade secret," which is to protect the creation by merely keeping its information secret and selling the creation.



What can be patented?

A patent is granted only for (1) the physical embodiment, for example, the description of a possible product out of an idea or for (2) a process that produces something tangible or that can be sold; therefore a scientific principle, an abstract theorem, an idea, some methods of doing business or a computer program cannot be patented.

Generally speaking, there are three essential criteria for patentability:

- **Novelty:** it must be the first of its kind in the world.
- **Utility:** it must work and have a useful function
- **Inventiveness:** it must be (1) a new development or (2) an improvement of an existing technology that would not have been obvious to someone working in your area of specialty.

The invention can be the product itself, or composition used for a product, or the machine for making that product, or a method or process to make a product or an improvement on any of these in which 90 % of patents are for improvements to existing patented inventions.

If the invention is an improvement, then there must be an agreement between the patentees to avoid the infringement of the original patent and grant a licence to each other.

How to File a Patent?

It is better to consult the Canada government (CIPO) lists of registered Canadian patent and trademark agents who are qualified and entitled to act on the inventor's behalf with the Canadian Intellectual Property Office. Registered patent agents are specialists who must pass a rigorous examination in patent law and practice before being allowed to represent inventors before CIPO.

Filing involved a very complicated job: Preparing and prosecuting. Prosecution includes corresponding with CIPO, taking actions set out in the Patent Act and Rules within strict timelines, making any necessary changes to the application and fixing the legal scope of the patent protection.

All this requires a broad knowledge of patent law and Patent Office practice—knowledge you can expect from a registered patent agent. A trained patent agent will make sure your application is correctly drafted, so your invention is adequately protected. Hiring such an agent is not mandatory, but we highly recommend it. A patent agent must be appointed by law if the inventor has transferred some or all of his rights to the invention.

CIPO provides a list of registered patent:

https://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr04549.html

The inventor must pay fees at various times during the patent application process, and after a patent is granted. An application fee, an examination fee, a final fee, and a maintenance fee must be made. <https://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/wr00142.html>

A patent application consists of the following steps:

Preparing an abstract, a specification and, in most cases, drawings: The abstract is a brief summary of the contents of the specification, and The specification is made up of (a) a clear and complete description of the invention and its usefulness; and (b) claims that define the boundaries of the protection that the inventor's patent will give the inventor. The drawings must clearly show all parts of the invention. The role of the drawings is to clarify the principles of how a device is constructed rather than to provide all of the particular details of dimensions or relative proportions.

Preparing a statement to assist the patent agent: that covering the important points such as the field of the invention, a broad description of the invention, the objectives of the invention (that is, its main practical advantages over existing practices or products), the preferred practice and the most appropriate use of the invention, with details of at least one practical application, the features of the invention that are new and distinct from what has come before, whether these features are patented or not, the scope of the invention for example, the materials, compositions, conditions, etc. used to obtain good results, the invention's limitations for example, if good results can be obtained throughout the given range of the invention, or if there are exceptions, the results of laboratory or commercial tests showing the patent's preferred practice and the conditions under which poor or dangerous results could be expected, a lists of relevant patents or technical articles the inventor has already found in any literature search, including full details such as: name of the inventor, number of the patent, country and date of issue or name of the periodical and its date with a list of the similarities and differences of practices or products that are relevant to the invention, any disclosure the inventor has made, the inventor's name, address and citizenship, and finally all countries in which the inventor would like to file for a patent.

Filing a patent application: it means preparing a formal application and asking the Commissioner of Patents to grant the inventor a patent. A complete patent application includes the information required to obtain a filing date as well as the following: Formal petition for grant of a patent, Abstract of the invention, Claim or claims to the invention, Any drawings mentioned in the description, A biological sequence listing, if applicable, in electronic format, Appointment of a patent agent, when required, The application fee, A signed small entity declaration, if applicable, A statement of entitlement, and the names and addresses of the inventors.

Filing a request for the examination: the inventor must formally request an examination and pay the examination fee. This request must be made within four years of the Canadian filing date. Examiner does search for prior publications and studies the application, then the examiner either approves or objects to the application. Then the applicant must respond to the examiner's objections and requirements, then the examiner reconsiders and either approve or calls for further amendments.



B L O G & ARTICLE FACELAW



In this section of Facelaw you can access useful legal information, and articles you may wish to read that have been published by our members, comprised of lawyers, paralegals and immigration consultants.

The intent of Facelaw is to provide a platform to educate the public and to provide a medium for legal needs to be properly addressed pursuant to the laws of Ontario.

The blog is sectioned into different legal topics in which information is provided from different professionals. Facelaw strives to provide you with a whole-some perspective so that you can be guided by different professionals in order to make the best possible decisions involving your legal matters. In doing so, if you have questions you can directly contact the professionals with their information provided on Facelaw. The professionals can help answer your legal questions and guide you in the right direction with respect to your legal matter.

Facelaw has provided an easy access search function that with a simple key-word search you can locate useful information on the legal topic you require. We are grateful that we have connected with these professionals to compile valuable resources to share with the public to ensure that you are provided proper guidance and information for all your legal needs.

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