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APPEALS NOTED

(August 2025)

FEDERAL COURT OF APPEAL

Bayer Inc. v. Amgen Canada Inc., T-2728-23, 2025 FC 107, has been affirmed on appeal (A-64-25, 2025 FCA 142), reasons for judgment handed down August 8, 2025.

Englobe Environment Inc. v. Canada (Food Inspection Agency), T-758-22, 2023 FC 1676, [\[2022\] 4 F.C.R. D-7](#), has been affirmed on appeal (*sub nom. Biogenie Canada Inc. c. Canada (Food Inspection Agency)*), A-17-24, 2025 FCA 150). The decision, handed down August 25, 2025, will be published as a digest in the *Federal Courts Reports*.

Millennium Funding, Inc. v. Bell Canada, T-1062-21, 2023 FC 764, [\[2023\] 2 F.C.R. D-11](#), has been reversed in part on appeal (A-152-23, 2025 FCA 153), reasons for judgment handed down August 29, 2025.

Whaling v. Canada, T-455-16, 2024 FC 712, has been reversed on appeal (A-199-24, 2025 FCA 140). The decision, handed down August 1, 2025, will be published as a digest in the *Federal Courts Reports*.

SUPREME COURT OF CANADA

Applications for leave to appeal

Double Diamond Distribution Ltd. v. Crocs Canada, A-249-22 (lead file), A-102-23, 2024 FCA 204, Locke J.A., judgment dated November 29, 2024, leave to appeal to S.C.C. refused August 21, 2025.

Edmonton Regional Airports Authority v. Thibodeau, A-112-22, 2024 FCA 196, Boivin J.A., judgment dated November 25, 2024, leave to appeal to S.C.C. refused August 28, 2025.

St. John's International Airport Authority v. Thibodeau, A-114-22, 2024 FCA 197, Boivin J.A., judgment dated November 25, 2024, leave to appeal to S.C.C. granted August 28, 2025.