



Daniel G.C. Glover

Partner

Toronto

dglover@mccarthy.ca

t. +1 416-601-8069

Bar Admission

Ontario 2006

Law School

University of Toronto

Practices

Appellate Litigation
IP Litigation
Intellectual Property
Cybersecurity, Privacy & Data
Management
Competition Litigation

Industries

Franchise & Distribution
Communications
Technology
Automotive

Daniel Glover is a partner in our Intellectual Property Group and a member of our Privacy, Technology, Consumer Products & Retail Group, Franchise & Distribution, and Appellate Groups.

Daniel has significant experience in all aspects of information and media law, including copyright and trade-mark protection, privacy, anti-spam and marketing compliance, the law of confidential information, and Internet law. He has advised numerous clients in the technology, consumer products, retail, financial services, and health services fields on privacy and anti-spam compliance issues, including with respect to compliance with CASL and the Unsolicited Telecommunications Rules, in reaction to data breaches, and with domestic and international obligations attaching to the storage of information in the cloud.

In his litigation practice, Daniel delivered oral submissions on behalf of the International Federation of the Phonographic Industry (IFPI), Music Canada, the Canadian Publishers' Council and other creative industry stakeholders in the landmark decision of *Equustek Solutions Inc. v. Google Inc.*, 2017 SCC 73, a case that has drawn global attention, as it created a new form of equitable relief allowing courts to order search engines to remove links to infringing content worldwide and across all of their platforms. This case has been reported in *Fortune*, *Wired*, *The New York Times*, and the *Hollywood Reporter*, among other publications.

Daniel has also represented clients in numerous other complex intellectual property and privacy matters before the Supreme Court of Canada, the Federal Court of Appeal, the Federal Court, the British Columbia Court of Appeal, the Ontario Court of Appeal, the Ontario Superior Court of Justice, the Copyright Board of Canada, the Canadian Radio-television and Telecommunications Commission, and the Trade-marks Opposition Board.

Beyond his successful representation in the *Equustek* case, Daniel was counsel in successful appeals at the Supreme Court of Canada in two leading copyright cases in 2012, appeared at the Supreme Court again in 2013 and 2015 in important appeals on the test for copyright infringement and the application of copyright law to new technologies. These cases were instrumental in McCarthy Tétrault LLP being named Managing IP's Canada Copyright Firm of the Year for 2018. Lexpert has named five of his cases in its annual "Top 10 cases" rankings (for 2012, 2014, 2015 and 2017), and another was named a *Managing IP* Milestone Case of the Year for 2016. Daniel also led the drafting of an amicus brief on international copyright law standards at the Supreme Court of the United States in 2014.

A selection of cases in which Daniel was counsel includes:

Daniel G.C. Glover

Partner

Toronto

dglover@mccarthy.ca

t. +1 416-601-8069

- *American Broadcasting Companies, Inc., et al. v. Aereo, Inc., fka Bamboom Labs, Inc.*, 134 S. Ct. 2498 (Supreme Court of the United States, 2014)
- *Equustek Solutions Inc. v. Google Inc.*, 2017 SCC 73 (Supreme Court of Canada)
- *Canadian Broadcasting Corp. v. SODRAC 2003 Inc.*, 2015 SCC 57 (Supreme Court of Canada)
- *Cinar Corporation v. Robinson*, 2013 SCC 73 (Supreme Court of Canada)
- *Reference re Broadcasting Regulatory Policy CRTC 2010?167 and Broadcasting Order CRTC 2010?168*, 2012 SCC 68 (Supreme Court of Canada)
- *ESA v. SOCAN*, 2012 SCC 34 (Supreme Court of Canada)
- *Alberta v. Canadian Copyright Licensing Agency*, 2012 SCC 37 (Supreme Court of Canada)
- *3510395 Canada Inc. (Known as CompuFinder) v. Attorney General of Canada*, Court File No. A-383-17 (constitutional challenge to CASL, Federal Court of Appeal)
- *National Football League et al. v. Attorney-General of Canada*, 2017 FCA 249 (leave to appeal granted)
- *Sirius Canada Inc. v. CMRRA/SODRAC Inc.* 2010 FCA 348 (Federal Court of Appeal)
- *Maple Leaf Foods Inc. v. Consorzio del Prosciutto di Parma*, 2010 FCA 247 (Federal Court of Appeal)
- *Canadian Wireless Telecommunications Assn. v. Society of Composers, Authors and Music Publishers of Canada*, 2008 FCA 6 (Federal Court of Appeal)
- *Columbia Pictures Industries v. Wang*, 2007 SKCA 133 (Sask. C.A.)
- *CEG License Inc. v. Joey Tomato's (Canada) Inc.*, 2012 FC 1541 (Federal Court)
- *Matol Biotech Laboratories Ltd. v. Jurak Holdings Ltd.*, 2008 FC 1082 (Federal Court)
- *Robertson v. Proquest Learning and Information LLC*, 2010 CanLII 31314 (Ontario Superior Court of Justice)
- *Omega SA v. Iwatsu Electric Co.* (2011), 95 C.P.R. (4th) 78 (T.M.O.B.)

Daniel G.C. Glover

Partner

Toronto

dglover@mccarthy.ca

t. +1 416-601-8069

- *Certiwood Technical Centre v Cedar Shake & Shingle Bureau*, 2012 TMOB 207

Daniel's client base includes well-known media companies and industry organizations (in the film, television, music, gaming, and publishing sectors), major retailers and consumer products manufacturers, telecommunication providers and content hosts, sports leagues, automakers, banks, insurers and financial services companies, health services providers, and software, electronics and technology manufacturers.

Daniel was named as an IP Star (Trademark and Copyright) in 2018, with firm clients singling out his "very knowledgeable" and "creative and business-oriented approach". The WTR 1000 has recognized Daniel in the enforcement and litigation category from 2014 to the present, with one firm client stating that he "is just brilliant. He is very very sharp and is exceptionally conscientious, smart, courteous and very funny too".

Daniel is an adjunct professor in intellectual property law at the Osgoode Hall Law School at York University and a co-author of the texts *Intellectual Property Law in Canada: Cases and Commentary* (Carswell), *Global Privacy and Security Law Reference* (Aspen Publishers), and the *User's Guide to Canadian Copyright Tariffs* (McCarthy Tétrault). He was called upon to testify as an expert on the operations of the Copyright Board before the Senate Committee on Banking, Trade and Commerce, with his testimony singled out in the Committee's subsequent report.

Daniel is past chair of the Copyright Policy Committee of the Intellectual Property Institute of Canada (IPIC), sat on the Canadian Working Committee for the Association Internationale Pour la Protection de la Propriété Intellectuelle (AIPPI), and is a member of the International Trademark Association (INTA) and the Association Littéraire & Artistique Internationale (ALAI). He has presented on intellectual property issues at numerous conferences, including for Insight, the Ontario Bar Association, the Law Society of Upper Canada, and the 40th annual conference of the Canadian Conference on International Law on intellectual property and the Internet.

Daniel clerked at the Court of Appeal for Ontario. He received his JD (Honours) from the University of Toronto, where he concentrated on intellectual property and won the Gowlings Prize in Law and Information Technology, the Honourable Jerry S. Grafstein, QC Prize in Communications Law, the A. Alan Borovoy Prize in Civil Liberties, the Patricia Julia Myhal Scholarship in Legal Writing, and the Lang Michener Prize in Property.

Prior to entering law school, Daniel was an editor and writer for the *National Post* and an editor for the *Frommer's* and *Let's Go* travel guide

Daniel G.C. Glover

Partner

Toronto

dglover@mccarthy.ca

t. +1 416-601-8069

series.

Daniel received his MA from the University of Toronto in 1996 and his AB (magna cum laude) from Harvard University in 1994, where he was elected to Phi Beta Kappa and won numerous awards, including the Thomas T. Hoopes Prize, the LeBaron Russell Briggs Traveling Fellowship and the John Harvard Scholarship. He was called to the Ontario bar in 2006 and is a registered trade-mark agent.

Just brilliant. He is very very sharp and is exceptionally conscientious, smart, courteous and very funny too

— CLIENT STATEMENT ABOUT DAN IN THE WORLD TRADEMARK REVIEW 1000

Awards & Rankings

Chambers Global

Leading Lawyer: Intellectual Property - Canada

Chambers Canada

Leading Lawyer: Intellectual Property

World Trademark Review

Canada's Leading Trademark Professionals: Enforcement & Litigations

Managing Intellectual Property Magazine: IP Stars

Copyright Star

Daniel G.C. Glover

Partner

Toronto

dglover@mccarthy.ca

t. +1 416-601-8069

Recent Experience

- **NFL and Bell Canada successful in the Supreme Court of Canada in overturning the CRTC decision regarding substitution of U.S. ads during the SuperBowl**
December 19, 2019
- **The Supreme Court of Canada upholds summary judgment and dismisses a copyright class action for Teranet**
September 26, 2019
- **SNC-Lavalin completes sale of 10.01% stake in 407 International Inc. for C\$3.25B**
August 07, 2019
- **Nestlé closes perpetual global license deal with Starbucks**
August 28, 2018

Recent Insights

- **Amendments to Ontario's health information legislation bring new obligations and penalties**
June 22, 2020
- **Latest Edition of Doing Business in Canada: Available Now**
April 20, 2020
- **Working from Home: Cybersecurity Checklist**
April 06, 2020
- **COVID-19 – Managing Privacy and Cyber Issues**
March 17, 2020

Events

- **7th Annual Technology Law Innovation Summit**
April 12, 2018