



Charles S. Morgan

Partner

Montréal

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t. +1 514-397-4230

Bar Admission

Québec 1998

Law School

McGill University

Practices

Mergers & Acquisitions
Intellectual Property
Procurement
Cyber/Data

Industries

Outsourcing
Fintech
Communications
Clean Technology

A nationally recognized leader in cybersecurity, data protection and technology law, Charles brings deep understanding of disruptive technologies, providing practical advice to help clients fully exploit the promise of innovative solutions while managing risk.

Charles is the national co-leader of McCarthy Tétrault's Cyber/Data Group and former leader of our Technology Law group. He is the former President of the International Technology Lawyers Association (iTechLaw).

Charles' practice takes a 360-degree approach to data, helping clients extract the tremendous value inherent in data, while at the same time managing the associated risks. He is a recognized thought-leader on the responsible deployment of artificial intelligence. Charles regularly serves as "breach coach" for our clients in matters of enterprise-wide risk, including on three of the largest cyber incidents in Canadian history. Charles' practice is focused on advising many of our firm's largest clients on their most complex commercial transactions involving IT outsourcing, systems integration, cloud, financial technologies, data security, artificial intelligence, privacy, licensing, e-commerce and telecommunications.

As former President of iTechLaw, Charles developed a worldwide network of trusted correspondent counsel that allow him to provide seamless client service around the globe, alerting clients to new developments and helping them to manage risks worldwide. He was named Montréal's Technology "Lawyer of the Year" in the 2023 edition of Best Lawyers in Canada and is ranked a "Global Elite Thought Leader" regarding Data Privacy and Protection, Data Security and Information Technology in WWL Thought Leaders Global Elite 2022.

Some of his recent experience includes:

Cybersecurity, Privacy and Data Governance

- Advising a leading financial institution in relation to the use of voice biometrics for fraud prevention
- Advising over 60 companies implement their Quebec Bill 64 privacy compliance program
- Advising Canada's largest financial services cooperative in the wake of the largest data breach in Canadian history in the financial services sector; advising on all aspects of privacy regulatory compliance in relation to the joint investigation by the federal and Quebec privacy commissioners, as well as its privacy and cybersecurity remediation plan.
- Advising a leading Canadian health services provider in the context of the largest data breach in Canadian history (regardless of sector),

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advising on all aspects of breach response including interactions with affected health authorities, privacy commissioners and other affected third parties.

- Acted as breach coach in response to ransomware and data extortion incidents in a variety of industries, including automotive, retail, public sector, “assisted living” residences for seniors.
- Assisting a retail innovation foundry with the implementation of privacy by design principles in relation to a consumer behavioural analysis project involving anonymous video analytics (AVA).
- Advising a leading pharmaceutical company on developing and implementing a responsible AI governance policy.
- Assisting a leading public sector utility in developing and implementing a data anonymization policy as part of a strategic data lake project.
- Assisting a multinational railway company in relation to data governance, IT security for critical infrastructure, risk disclosures regarding positive train control (PTC), drone and satellite regulation.
- Advising a leading Canadian insurance company on big data, artificial intelligence and recent developments on insurtech regulation.
- Advising rapid growth fintech startups regarding constraints on the use of personal information, including the management of risks related to screen-scraping and the use of API.
- Assisting a multinational retailer in implementing a novel program to facilitate direct communication between sales representatives and customers via social media.
- Assisting over 30 companies with their CASL (anti-spam law) compliance efforts, including constitutional and substantive defence of CompuFinder, the first Canadian company to receive a notice of violation under CASL.
- Assisting over a dozen Canadian companies in assessing the applicability of GDPR to their business operations and implementing compliance programs.
- Advising clients on implementation of cybersecurity response readiness policies and procedures.

Technology Transactions

- Assisting a fintech negotiate a BPO outsourcing agreement in relation to mortgage origination services with a leading financial institution
- Assisting a syndicate of underwriters in the \$805 million IPO on the TSX, the largest technology IPO in TSX history, and secondary offering of Nuvei Corporation.
- Assisting a syndicate of underwriters in the \$100M IPO of Dialogue Health Technologies on the TSX.
- Advising Bombardier Aerospace and Bombardier Transportation in a \$700 million global outsourcing project, involving implementation in 47 countries worldwide.

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- Advising a global engineering company in an outsourcing project implemented in over 20 countries worldwide.
- Advising National Bank of Canada in relation to their \$150 million debt issuance (with JP Morgan) with a parallel simulation of issuance using blockchain technology.
- Advising a participant in the \$250 million SCALE.AI supercluster initiative to bring artificial intelligence enhanced solutions to help solve complex supply chain management challenges.
- Advising a leading financial institution in relation to procuring AI-powered cloud solutions from market leading global service providers, helping to mitigate the associated privacy and IT security risks.
- Advising a leading Canadian financial institution in negotiating a joint venture related to a digital wallet and mobile payment solution.
- Advising telecommunications regulation authorities in over 10 countries worldwide on issues such as market liberalization for mobile telephony, universal service and net neutrality.
- Advising a leading national retailer in relation to the development of a new AI-enhanced, integrated e-commerce platform, warehousing (automated pick and pack) and logistics platform to serve third-party retailers.
- Representing a financial institution during the negotiation of a fibre network build and telecommunications services outsourcing agreement.
- Assisting a leading digital and print media company negotiate an IT outsourcing agreement.
- Assisting Salesforce with their \$326 million acquisition of Radian6, a social media monitoring company.
- Negotiating an offshore call centre outsourcing agreement with a leading Québec-based broadcasting and telecommunications company on behalf of an Egypt-based service provider.
- Assisting Desjardins in relation to their acquisition of the State Farm Canada insurance business.

Charles is a regular conference speaker regarding novel and innovative marketplace trends, tying recent developments in the law and his direct experience navigating these issues to provide practical insights to clients and conference participants.

He has co-authored several books, including Information Technology Law — E-mail (LexisNexis Canada, 2008), Halsbury's Laws of Canada — Communications (LexisNexis Canada, reissue 2019), Responsible AI: A Global Policy Framework (ITechLaw, 2019), Technology Governance in a Time of Crisis (Human Technology Foundation, 2020), Responsible AI: A Global Policy Framework (2021 Update), The EU AIA: A Greenpaper Policy Analysis (2022) and Artificial Intelligence, Law Over Borders Comparative Guide 2022. Charles was also a member of the advisory group for and a contributor to the DIACC/HTF whitepaper "Policy Design Principles to Maximize People-Centered Benefits of Digital Identity".

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Charles is a member of the Quebec Autorité des marchés financiers's Technological Innovation Advisory Committee. He is a board member of the Human Technology Foundation. He is also the President of board of directors of the contemporary dance company RUBBERBAND. Charles received his BCL/LLB in 1997 from McGill University and was admitted to the Québec Bar in 1998.

Awards & Rankings

Chambers Global

Leading Lawyer: Technology - Canada

Chambers Canada

Leading Lawyer: Information Technology; Privacy & Data Protection

The Legal 500 - Canada

Leading Lawyer: Technology

The Canadian Legal Lexpert Directory

Leading Lawyer: Computer & IT law; Telecommunications; Data Protection & Privacy; and Technology Transactions

Lexpert Special Edition - Technology

Leading Lawyer

Lexpert Special Edition: Health Sciences

Leading Lawyer

Who's Who Legal: Thought Leaders Global Elite

Data

Who's Who Legal Canada

Leading Lawyer: Telecommunication, Media and Technology

Best Lawyers in Canada

Leading Lawyer: Information Technology Law, Privacy and Data Security Law, Technology Law

Best Lawyers in Canada - 2014, 2018, 2020 and 2023

"Lawyer of the Year" in the area of Information Technology Law (Montréal)

Recent Experience

- CDPQ acquires a 50% interest in the A25 Concession from Transurban for C\$355M
February 28, 2023

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- **nesto forms strategic partnership with IG Wealth Management**

December 13, 2022

- **ICPEI Holdings Inc. enters definitive agreement for going-private transaction**

December 09, 2022

- **Enercare acquires all issued and outstanding units of HydroSolution**

September 12, 2022

Recent Insights

- **Key Operational Considerations Ahead of Major Law 25 Entry Into Force Phase**

May 30, 2023

- **Responsible Artificial Intelligence Governance for Business Starts Now: McCarthy Tétrault's Charles Morgan speaks to Canadian Lawyer**

May 30, 2023

- **Technology-Related Risk Management Considerations for Boards**

May 29, 2023

- **A Canadian Perspective on China's New Standard Contract for Cross-Border Transfers of Personal Information**

May 16, 2023

Events

- **Artificial Intelligence Law Summit**

May 11, 2023

- **Cross-Border: A Guide to Doing Business in Canada – Key Topics and Developments**

June 28, 2022

- **Retail Resilience**

June 21, 2021

- **Deep Learning: AI Regulation Comes Into Focus (Two-Part Series)**

May 19, 2021