



Keith D. Rose

Counsel

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Bar Admission

Ontario 2013

Law School

University of Ottawa

Practices

Cyber/Data
Intellectual Property
Outsourcing

Industries

Technology
Communications

Keith Rose draws on a practical background in the IT and telecommunications businesses, with more than a decade of prior experience as a software developer and project manager, as well as a deep interest in the interfaces between law and technology in the real world, to identify and resolve legal problems. Keith advises clients on a range of technology and communications law issues including privacy and anti-spam compliance, intellectual property, e-commerce, and regulatory issues and acts for clients on a variety of transactions including licensing, procurement, and outsourcing.

RECENT TRANSACTIONS & ADVICE

Keith has recently acted for or advised:

- A financial services client in competitive procurement of long term strategic outsourcing services;
- A public sector client in procurements of a big data analytics platform and an enterprise web solution;
- A transportation sector client in establishing service agreements for design and operation of passenger WiFi services;
- Public sector clients on commercial and data protection issues arising from outsourcing and similar service arrangements, including developing strategies to meet business goals while complying with both public and private sector privacy legislation;
- A leading satellite service provider in regulatory policy consultations about licensing of non-geostationary satellite constellations and allocation of spectrum for 5G wireless services;
- Multiple automotive sector clients on IP and regulatory issues, including in-car communications systems and vehicle telematics;
- Utility sector organizations on regulatory issues relating to private virtual networks and access to public safety broadband spectrum;
- A Canadian university, in proceedings before the CRTC reviewing the reseller registration obligation;
- The Canadian branch of a multinational consumer products conglomerate on commercial, privacy and anti-spam compliance issues arising from outsourcing of consumer engagement services and novel social media marketing programs;
- A university in drafting and negotiating collaboration agreements for the administration of a government research grant;
- A retail chain in developing an anti-spam compliance policy;

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- A Fintech service provider in connection with various service and data license agreements;
- An online accounting services provider in a number of commercial agreements including a reseller agreement for value-added resellers, a data sharing and referral agreement with a business partner, and a domain name service agreement with a service provider;
- A global IT service provider in its RFP responses and contract negotiations in connection with competitive procurements of IT outsourcing services;
- A major Canadian financial institution in negotiating a colocation agreement for IT infrastructure;
- A major Canadian financial institution, in resolving a licensing dispute with a software vendor;
- A variety of clients, including a Canadian engineering services firm and major Canadian financial institutions, in cloud service procurement transactions;
- A wide variety of clients, including small businesses, large retail chains, device manufacturers and distributors, and online service providers, in relation to various privacy, e-commerce, and anti-spam compliance matters;
- Various user organizations, including a transportation company and an industry association, in relation to the interpretation and application of Canadian copyright tariffs;
- Right-holder organizations, in relation to the interpretation and implementation of international IP treaties;
- Various content and service providers on telecommunication and broadcasting regulatory matters; and
- Various device manufacturers in obtaining Canadian regulatory approval for wireless devices.

Keith received his B.Sc. (with Hons.) from the McGill University in 1993 and his M.Sc. from Queen's University in 1997, both in Physics. Prior to entering law school, he worked in the field of software and systems development, specializing in ground control systems for communications satellites. He received his JD, with an option in Law and Technology, from the University of Ottawa Law School in 2012. While at law school, Keith was awarded the University Silver Medal as well as numerous individual course prizes including the McCarthy Tétrault LLP Technology Law Award and the Beament Green prize in Advocacy.

Keith was called to the Ontario Bar in 2013. He is a member of the Law

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Society of Upper Canada, the International Association of Privacy Professionals, CAN-TECH, the Toronto Computer Lawyers Group, the Canadian Bar Association, and the Ontario Bar Association.

RECENT PAPERS & PUBLICATIONS

- “Artificial Intelligence, Machine Learning and Legal Tech”, 6th Annual Technology Law Innovation Summit
- “Canadian Trade-Mark Law Adapts to Online Software Licence Sales”, (2015-16), 17.2 Internet and E-Commerce Law in Canada 9, with Julia L. Johnson, David Tait, Partner, and Daniel G.C. Glover
- *User’s Guide to Canadian Copyright Tariffs*, 2d ed (Toronto: McCarthy Tétrault LLP, 2016), co-authored with Peter S. Grant, Grant Buchanan, and Daniel G.C. Glover
- “Online Trust Alliance Issues Revised Draft ‘Trust Framework’ for the Internet of Things”, (January 2016), 13.2 Canadian Privacy Law Review 14
- *User’s Guide to Canadian Copyright Tariffs*, 1st ed (Toronto: McCarthy Tétrault LLP, 2015), co-authored with Peter S. Grant, Grant Buchanan, and Daniel G.C. Glover
- “Copyright and Industrial Design Developments – 2013”, co-written with Glen Bloom, Barry Sookman, John Cotter, Barry Fong, Martin Brandsma and Vanessa Cotric, presented at Law Society of Upper Canada: 18th Annual Intellectual Property Law: The Year in Review, January 16, 2014
- “Protection from the Protectors: Does the Competition Act Provide an Answer to the Misuse of Technological Protection Measures?” (2013) 11:1 Canadian Journal of Law and Technology 117

Awards & Rankings

The Legal 500 - Canada

Rising Star: Telecoms

University of Ottawa Law School - 2012

University Silver Medal

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McCarthy Tétrault LLP - 2012

Technology Law Award

Recent Experience

- **Loral announces definitive agreement with PSP Investments and Telesat to combine Loral and Telesat into a new public company**
November 24, 2020
- **Fusion acquires the Cloud and Business Services unit of Birch Communications for US\$600M**
May 04, 2018

Recent Insights

- **Schrems II: The Saga Continues**
July 16, 2020
- **OPC Reframes and Restarts Consultation on Transfers for Processing**
June 13, 2019
- **Privacy Commissioner Proposes a Consent Requirement for Transborder Data Flows**
April 11, 2019
- **5 Things You Should Know About Data Protection Impact Assessments under the GDPR**
July 19, 2018