



Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

Bar Admission

Ontario 1982

Law School

Osgoode Hall Law School

Practices

Appellate Litigation
IP Litigation
Intellectual Property
Outsourcing
Procurement
Cybersecurity, Privacy & Data
Management

Industries

Technology

Barry Sookman is a senior partner with [McCarthy Tétrault](#) in the Toronto office. He is the former Co-Chair of the firm's Technology Law Group and was the head of the firm's Internet and Electronic Commerce Group. Prior to that, he was head of its Intellectual Property Group for six years. He is one of Canada's foremost authorities in the area of information technology, Internet, intellectual property (including copyright), and privacy/anti-spam law.

Barry Sookman is the author of [several books](#) including the leading eight-volume treatise, *Sookman: Computer, Internet and E-Commerce Law* (Carswell, 1999-2019); *Copyright: Cases and Commentary on the Canadian and International Law*, co-authored with Steven Mason and Prof. Carys Craig (2nd. Ed. Carswell, 2013), *Intellectual Property Law in Canada: Cases and Commentary*, co-authored with Steven Mason and Dan Glover (2nd. Ed. Carswell 2013); *Computer, Internet and E-Commerce Terms: Judicial, Legislative and Technical Definitions* (Carswell, 2001-2015); and *Sookman: Computer Law: Acquiring and Protecting Information Technology* (Carswell, 1989-1999). He is a contributing author to the following books: Gordon Henderson's *Copyright Law in Canada* (Carswell, 1994); Barbara McIsaac's *The Law of Privacy in Canada* (Carswell, 2000-2003), which was published by McCarthy Tétrault authors; George Takach's *The Software Business* (McGraw Hill 1999); and Marco Giovanoli's *International Monetary Law: Issues for the New Millennium* (Oxford 2000).

Barry is also the author of [numerous articles](#) dealing with information technology and intellectual property. As well, he is an adjunct Professor who teaches intellectual property at Osgoode Hall Law School.

Barry is very experienced in providing advice in connection with [complex information technology/intellectual property transactions](#) including outsourcing and other strategic procurement relationships, cloud computing, SAAS, joint venture transactions, and licensing. He has been involved as lead lawyer in Canada's biggest and most complicated domestic and international outsourcing and cloud computing deals. He regularly acts on transactions which must meet regulatory requirements including the OSFI-B10 Outsourcing Guideline. He also provides advice in connection with protecting and exploiting intellectual property and new media products.

Barry is also very experienced in information technology and intellectual property issues that arise in military procurement contexts. This includes experience with the Standard Acquisition Clauses and Conditions (SACC), providing strategic advice in connection with defense procurements, responding to RFPs, supply chain challenges, and complex licensing terms for software and other high technology items.

He also has extensive experience assisting clients in conducting

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

business over the Internet including drafting web site terms and conditions and meeting regulatory requirements such as for writings and signatures.

Barry Sookman also has a myriad of experience dealing with privacy and data protection issues including compliance with PIPEDA, and cross-border data flows. He is also one of Canada's leading lawyers on Canada's anti-spam law CASL. This includes giving advice in connection with CRTC investigations and in connection with CASL's private right of action.

Mr. Sookman is very experienced in intellectual property and information technology litigation and arbitration proceedings. He has extensive expertise in copyright matters including in anti-piracy, copyright enforcement, and infringement proceedings including infringements related to computer and entertainment software, software, music, books, databases, audiovisual and other works, technological protection measures, Internet disputes, license disputes, Crown copyright, rights clearances, and international copyright issues including copyright treaty compliance. He regularly advises clients on copyright issues and has testified numerous times before Parliamentary and Senate Committees on copyright and intellectual property trade related issues.

In addition to providing strategic advice in connection with high-profile IP matters, he has been involved as counsel in numerous leading IP cases and has appeared in the Supreme Court of Canada nine times. His cases include the following:

- *Keatley Surveying Ltd. v. Teranet Inc.* 2019 SCC 43 (Supreme Court of Canada)
- *Google Inc. v. Equustek Solutions Inc.*, 2017 SCC 34 (Supreme Court of Canada)
- *Canadian Broadcasting Corp. v. SODRAC 2003 Inc.*, 2015 SCC 57 (Supreme Court of Canada)
- *Cinar Corporation v. Robinson*, [2013] 3 SCR 1168 (Supreme Court of Canada)
- *Entertainment Software Association v. Society of Composers, Authors and Music Publishers of Canada*, 2012 SCC 34 (Supreme Court of Canada)
- *Alberta (Education) v. Canadian Copyright Licensing Agency (Access Copyright)*, 2012 SCC 37 (Supreme Court of Canada)
- *SOCAN v. Canadian Assn. of Internet Providers* [2004] SCC 13 (Supreme Court of Canada)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

- *CCH Canadian Ltd. v. Law Society of Upper Canada* [2004] SCC 13 (Supreme Court of Canada)
- *Re:Sound v. Canadian Association of Broadcasters*, 2017 FCA 138
- *Robertson v. The Thomson Corporation* [2006] 25 C.R. 363 (Supreme Court of Canada)
- *3510395 Canada Inc. (Compufinder) v The Attorney General of Canada (Federal Court of Appeal Docket A-382-17/A383-17)* (under reserve)
- *Entertainment Software Association (ESA) et al v SOCAN* (Federal Court of Appeal Docket A-267-17) (under reserve)
- *Re: Sound v. Canadian Association of Broadcasters*, 2017 FCA 138
- *Planification-Organisation-Publications Systèmes (POPS) Ltée v. 9054-8181 Québec Inc.*, 2014 FCA 185
- *Equustek Solutions Inc. v. Google Inc.*, 2015 BCCA 265
- *Alberta (Education) v. Access Copyright*, 2010 FCA 198
- *Canadian Wireless Telecommunications Association v. SOCAN* [2008] FCA 6
- *Apple Canada Inc. v. Canadian Private Copying Collective* 2008 FCA 9
- *Apple Canada Inc. v. Canadian Private Copying Collective*, 2007 FCA 338
- *Delrina Corp. v. Triolet Systems Inc.* [2002] 17 C.P.R. 289 (Ont. C.A.)
- *Delrina Corp. v. Triolet Systems Inc.*, 2002 CanLII 45083 (ON CA)
- *Nintendo of America Inc. v. Camerica Corp.* [1991], 34 C.P.R. (3d) 193 (Fed. T.D.), affirmed [1991] 31 C.P.R. (3d) 352 (Fed. C.A.)
- *Weitzman v. Hendin (C.A.)*, 1989 CanLII 4185 (ON CA)
- *Consumers Glass Co. Ltd. v. Foundation Co. of Canada Ltd.*, 1985 CanLII 159 (ON CA)
- *Evertz Technologies Limited v. Lawo AG*, 2019 ONSC 2756
- *Keatley Surveying v Teranet*, 2016 ONSC 1717
- *Keatley Surveying Ltd. v. Teranet Inc.*, 2013 ONSC 1361
- *Robertson v. ProQuest Information and Learning LLC*, 2011 ONSC 86
- *Tariff 22 Proceeding (Making Available Right)* (Copyright Board) (September 22, 2017)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

- *Tariff 22 Proceeding (the Internet Copyright Tariff)* [1999] 1 C.P.R. (4th) 417 (Copyright Board)
- *Gemologists International Inc. v. Gem Scan International Inc.* [1986], 7 C.P.R. 225 (Ont. H.C.)
- *394363 Ontario Ltd. v. Fuda*, 1983 CanLII 1627
- *York Condominium Corp. No. 335 v. Cadillac Fairview Corp. Ltd.; Village Masonry Contractors Ltd. et al., Third Parties*, 1983 CanLII 1734 (ON SC)
- *Sega Enterprises Ltd. v. Codemasters Limited* (unreported UK proceeding) Chambers Global (2015-2016)

He has had extensive involvement in government relations activities and has appeared on numerous occasions before Parliamentary committees including in relation to amendments to the Copyright Act, Canada's anti-spam law (CASL), and the Trans-Pacific Partnership (TPP). Recent submissions to or appearances before government and agencies include:

- INDU Committee Copyright Reform (December 2018)
- Personal submissions to CRTC in support of FairPlay site blocking proposal (March 2018)
- INDU Committee: appeared before Committee on CASL (October 2017)
- Digital Privacy Act Security Breach Regulations: my representations to ISED (October 2017)
- Roundtable with Minister Freeland on IP provisions for USMCA negotiations (October 2017)
- House of Commons Standing Committee on International Trade (May 2016)
- Senate Committee on TPP (April 2016)

Barry Sookman also has a substantial following in social media. He is a leading Canadian blogger on copyright, Internet, and information technology issues at his blog barrysookman.com which has been recognized in the 2012 and 2013 Clawbies. He also has a large following on Twitter @bsookman and LinkedIn @bsookman

Barry has consistently been ranked by authoritative Canadian and international guides as the top or among Canada's top information technology, intellectual property, and privacy lawyers. For example:

*Chambers Canada and Chambers Global (2005-2020)
Information Technology*

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

: Consistently ranked as a “Star Individual” (higher than Band 1). “He wears the IT crown”. “Barry Sookman’s clients consider him to be in a class of his own in Canada – no one else has his depth and breadth of knowledge and technological expertise.” “Peers especially highlight his commercial IT and IP work, particularly in relation to copyright litigation and procurement transactions.” Clients describe him as “lucid in his approach and capable of absolutely brilliant advice.” “Barry Sookman is reputed for his top-rated copyright practice. He leads the firm’s technology law group and is recognized as a leading practitioner in this area.” “He is very talented”. He “is a leading light in Canada for IT and comes highly recommended for his knowledge of computer, internet and e-commerce law.” “He has an IQ of 190 zillion; he is remarkable. He is incredibly thorough, is very perceptive and quick.” He “is recognised for his knowledge of both IT and IP law, and is also well regarded for copyright work.” “He is one of only a few lawyers with that type of expertise.” “Barry Sookman is a name that stands out in Canada for IT. He is widely acclaimed for his knowledge of computer, internet and e-commerce law. One interviewee enthused: “He is terrific, awesome – a great speaker and educator.”” “Sources describe Barry Sookman as “the pre-eminent lawyer in the sector,” and say: “He puts law in the context of business and keeps on top of the legislation.” He is a renowned authority on IT, internet and copyright matters.” “Barry Sookman is outlined as being “in a class of his own.” One of the pioneers of Canadian IT law, he offers unparalleled depth in outsourcing work and litigious matters, and utilises his IP expertise to assist clients with a range of multidisciplinary work.” “Star individual Barry Sookman is widely respected as “one of the leading lawyers in Canada” for technology law, offering unparalleled multidisciplinary proficiency in IP concerns. He wins the widespread respect of his peers for his extensive expertise in outsourcing and for his prowess as a litigator: “He is a total force in this area - he is outstanding.” One client enthused: “He is the best in Canada and has to be one of the best lawyers internationally I have ever dealt with.”” “Barry Sookman is regarded as a “phenomenal lawyer” with unparalleled proficiency in technology law and IP concerns. Viewed as an “expert in his field,” he is acclaimed for his ability to navigate a complex area of law and to “convey it in a way that is understandable.” He is also revered for his thought leadership.” “Barry Sookman is regarded as an eminent lawyer in the field, with unparalleled expertise in technology and IP matters. Peers view him as “an educator to the sector” and “one of the leading lights in Canada.” “Barry Sookman operates a market-leading practice which focuses on technology law and e-commerce issues, including the associated IP concerns. Market commentators say: “He’s a really good IT lawyer.” He has significant experience advising clients on major

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

outsourcing and licensing agreements. "Barry Sookman remains a premier figure in the field and is lauded as "one of the foremost scholars in the country." He comes highly recommended by both clients and peers, with interviewees admiring his "soft client relationships skills" and "unparalleled ability to strategise." He regularly advises on the most complex and cutting-edge IT and IP transactions in the market."

Chambers Canada and Chambers Global (2015-2020)

Intellectual Property (ranked highest in Band 1): "Barry Sookman is universally regarded as one of Canada's foremost authorities on information technology and intellectual property issues. One client enthused: "He is excellent – he has the knowledge, the passion and the experience of how to navigate a matter to a successful conclusion." "Barry Sookman is a renowned copyright expert, who recently acted for Music Canada as an intervener in an infringement case before the Supreme Court of Canada. Sources refer to him as "top-notch," and say he "has his finger on the pulse of new market developments." "Barry Sookman is a recognised leader in the area of copyright, where he holds a wealth of experience." "Barry Sookman is a recognised leader in the area of copyright, where he holds a wealth of experience. His work highlights include representing Teranet in copyright class action litigation against map surveyors in Ontario." "Barry Sookman has a "great reputation" in the market as a talented lawyer who "wrote the book on IP and technology law." He is particularly applauded for his work in copyright infringement matters." "Technology specialist Barry Sookman is recognised throughout the market for his copyright practice. He is described as "a remarkably intelligent, sophisticated practitioner." He is often retained as counsel on significant copyright mandates pertaining to websites." "Barry Sookman is a popular choice for technology sector clients, as he offers "unparalleled copyright expertise" and deep knowledge of IP issues relating to the industry. Considered to be one of the country's foremost experts on e-commerce issues, market commentators explain: "His ability to handle many different sides to things and his well-rounded practice sets him apart.""

Chambers Canada and Chambers Global (2015-2020) Canada,

Privacy & Data Protection "Barry Sookman of McCarthy Tétrault LLP is a major player in the e-commerce and IT space, and is widely viewed as a "thought leader" on CASL issues. One client enthused: "He provides wise counsel and has a great sense of the broader picture. He gives us great confidence in dealing with the regulators." "Barry Sookman of McCarthy Tétrault LLP is a major player in the e-commerce and IT space, and is widely

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

viewed as a “thought leader” on CASL issues. One client enthused: “He provides wise counsel and has a great sense of the broader picture. He gives us great confidence in dealing with the regulators.” “Barry Sookman of McCarthy Tétrault LLP is a prolific technology lawyer who is “at the forefront of sophisticated thought about CASL.” “Barry Sookman is recognised by the market as a “*very prominent technology lawyer*.” He has substantial expertise assisting with CASL compliance and advising clients in connection with CRTC investigations.” “Barry Sookman has a strong reputation in the technology sector. He is especially well versed in data protection matters and compliance with regulations such as CASL.” “The “pre-eminent” Barry Sookman has expertise in privacy issues concerning the use of artificial intelligence, in addition to advising financial institutions on data breach management.”

Canadian Legal Lexpert Directory (2003-2019): Listed in Computer and IT Law (Highest ranking -Most Frequently Recommended Lawyer), Technology Transactions (Highest ranking -Most Frequently Recommended), and Intellectual Property Law (Highest ranking -Most Frequently Recommended) categories.

The Legal 500 Canada (2017) Listed in Technology, Media, Telecoms (Leading Lawyers) “Toronto-based Barry Sookman is widely regarded as a market leader and advised the International Federation of Film Producers Associations and the International Federation of the Phonographic Industry, as interveners, in a landmark case ordering a search engine to delist websites from search indexes globally.”

Benchmark Canada 2017: Listed as a Litigation Star in the area of Intellectual Property

Best Lawyers (2008-2018) Ranked as the best Technology Lawyer of the Year, 2010, 2011, 2015 and 2018. Ranked by *Best Lawyers* in Information Technology, Technology, Intellectual Property, and Privacy and Data Security Law.

Who’s Who Legal: Canada (2011-2015) Canada: Technology Media & Telecommunications: “Most Highly Regarded” Individual. “Peers describe him as a “seasoned lawyer” who is in a “class of his own”. “He is “the doyen on internet work” and is a “legend”. “Barry Sookman is described by peers a ‘world class’ and ‘an inspiration for other lawyers operating in this space’.” “Barry Sookman is in “a class of his own” according to our sources. Based in Toronto, his practice encompasses information technology and intellectual property matters including outsourcing, joint ventures, and licensing”.

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

“Barry Sookman is a “major player” in the field and one of Canada’s “pre-eminent” practitioners advising upon information technology, internet, copyright and privacy law matters. He is described as practising at the forefront of the discipline and “has a close eye on industry developments.””

Euromoney Legal Media Group’s Managing IP (2013) award for Canada’s Outstanding IP Practitioner.

Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada published by Lexpert and American Lawyer (2003-2017): Top-ranked lawyer in Computer & IT Law, Technology Transactions and Intellectual Property.

IAM: The World’s Leading patent and Technology Licensing Lawyers (2011-2017): “Barry Sookman garners plaudits for his commercial awareness and ‘enterprising approach’ to licence agreements”; among “the absolute elite of licensing experts’. He maintains a thriving practice encompassing IP and IT transactions for an international clientele.” “Barry Sookman has a wealth of experience in tech. he excels in transactions.” Barry Sookman “brings experience and quality to the table and is a pleasure to learn from.” “Barry Sookman is quick to spot monetisation opportunities.”

Who’s Who Legal Information Technology, Telecoms & Media (2016) Ranked in Information Technology

Guide to the World’s Leading Technology, Media & Telecommunications Lawyers (2008): Ranked as the number one lawyer in Canada and among the world’s top three lawyers in the technology, media and telecommunication category. *Lexpert Magazine (2006):* Top-ranked lawyer on list of “Canada’s 100 Most Creative Lawyers.”

Who’s Who Legal: The International of Who’s Who of Business Lawyers (2008-2013): Described as the “highly capable Co-Chair of the Technology Group and former head of the Internet & e-Commerce Group.”

Guide to the Leading US/Cross-border Corporate Lawyers in Canada (2010) published by Lexpert. Leading Lawyer in Technology Transactions.

Legal Media Group Best of the Best, Guide to the World’s Leading Lawyers (2009): Listed as one of the top Information technology experts in the world.

Legal Media Group Best of the Best, Guide to the World’s Leading Lawyers

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

(2005): Ranked as the top lawyer in Canada and listed among the Top 10 lawyers in the world in the fields of technology, media and telecommunications.

PLC Which Lawyer? (2008): Ranked as a “Highly Recommended Individual” in the outsourcing category and as one of two leading individuals in the telecom and IT category.

Barry's books have been cited, referred to or quoted from approvingly in numerous cases such as:

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

- *Nintendo of America Inc. v. King*, 2017 FC 246
- *Andrews v. McHale*, 2016 FC 624
- *Biocad Medical Inc.. c. Panthera Dental inc.*, 2016 QCCS 3096
- *Seggie c. Roofdog Games Inc.*, 2015 QCCS 6462
- *R. v. Avanes et al.*, 2015 ONCJ 606 (CanLII) (electronic evidence)
- *R. v. C.M.*, 2012 ABPC 139 (electronic evidence)
- *Century 21 Canada Limited Partnership v. Rogers Communications Inc.*, 2011 BCSC 1196 (electronic contracting)
- *Toronto-Dominion Bank v e-Funds Limited*, 2008 CanLII 88205 (CA TMOB) (evidence)
- *Conexsys Systems Inc. c. Aime Star Marketing Inc.*, 2003 CanLII 33339 (QC CS)
- *Delrina Corp. v. Triolet Systems Inc.*, 2002 CanLII 11389 (ON CA)
- *Mensys Business Solution Centre Ltd. c. Drummond RCM*, 2002 CanLII 41481 (QC CS) (remedies)
- *Angoss International Ltd. v. The Queen*, 1999 CanLII 250 (TCC) (tax)
- *Corporation de l'École des hautes études commerciales de Montréal c. 3178277 Canada inc.*, 1998 CanLII 12140 (QC CS)
- *Northwest Marine Technology, Inc. v. Crosby*, 1996 CanLII 1474 (BC SC)
- *Prism Hospital Software Inc. v. Hospital Medical Records Institute*, 1994 CanLII 1308 (BC SC) (remedies)
- *Delrina Corp. v. Triolet Systems Inc.*, (1993), 47 C.P.R. (3d) 1, 9 B.L.R. (2d) 140 (Ont. Gen. Div.)
- *North American Systemshops Ltd. v. King*, 1989 CanLII 3181 (AB QB) (electronic contracting)

Barry's expertise in intellectual property, technology and related subject matter was recognized by Justice Morden of the Ontario Court of Appeal in *Delrina Corp. v. Triolet Systems Inc.*, 2002 CanLII 45083 (ON CA) where he awarded costs to his client at a higher scale given Mr Sookman's "special expertise stating "It is demonstrated to our satisfaction that Mr. Sookman possesses the special expertise referred to in the tariff, an expertise which is relevant to this case. His practice area lies in intellectual property, technology law, and related subjects, and he is the author of three substantial texts in this field. We have no doubt that this experience was particularly relevant to the preparation

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

and presentation of this appeal.”

Barry has appeared on the cover of Lexpert magazine three times:

June 2006 “Patent Trolls and Jury Trials, RIM’s Cautionary Tale”

October 2003 “Getting IT: First-Mover Advantage in Information Technology”

September 2000 “The Rise of the e-Commerce Lawyer”

Barry has also appeared on the cover of CBA National magazine’s September 2013 “Is your law firm exposed to cyber-espionage?”

Barry is a member of the Copyright Committee of the Patent Trademark Institute of Canada (PTIC). Mr. Sookman is a past chairman of the Canadian Bar Association’s Computer and Computer-Related Technology section. He is a member of the Association Littéraire et Artistique Internationale, the Computer Law Association and ITAC’s Legal Affairs Committee. Mr. Sookman is a former director of the Canadian IT Law Association. He is also a member and former member of the executive of the Toronto Computer Lawyers’ Group, and a member of the Licensing Executive Society and the Copyright Society of the USA. He is also a member of the advisory boards of the global think tanks MacDonald Laurier Institute (MLI) and Centre for International Governance Innovation (CIGI). He is a graduate of Osgoode Hall Law School (1980) and was called to the Ontario bar in 1982.

Barry holds a BA from Concordia University (Interdisciplinary Studies in Science and Human Affairs) and a Master’s in Environmental Studies (MES) degree from York University (1980).

** Profile photo, Copyright 2012, The Law Society of Upper Canada. reproduced with permission of The Law Society of Upper Canada.*

Schedule to Barry Sookman’s CV

Legal Writings and Lectures

Books and Articles:

Sookman: Computer, Internet and E-Commerce Law (seven volume treatise) (Carswell 1999-2019)

Sookman: Computer Law: Acquiring and Protecting Information Technology (three volume treatise)(Carswell 1989-1999)

Sookman: Computer, Internet and E-Commerce Terms: Judicial, Legislative and Technical Definitions

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

(Carswell 2001-20168)

Copyright Cases and Commentary on the Canadian and International Law (2nd. Ed. Carswell, 2013) (co-authored with Steven Mason and Prof. Carys Craig)

Intellectual Property: Cases and Commentary on the Canadian Law (2nd. Ed. Carswell, 2013) (co-authored with Steven Mason and Dan Glover)

Barry Sookman "U.S. Court Thumbs Its Nose at Supreme Court of Canada: Google v. Equustek, 30 IPJ 375 (Summer 2018)

Barry Sookman "Browsewraps, Fair Dealing and Blacklock's Reporter v. Canada: A Critical Commentary", *Journal of the Copyright Society of the U.S.A.*, Vol 64, Nos 2. Spring 2017 259; also published in 29 I.P.J. 477

Barry Sookman, : The Google Book Project: Is it Fair Use? 61 J. Copyright Soc'y 485, Spring, 2014.

"COPYRIGHT CORNER: UNDERSTANDING FLAVA WORKS V. MYVIDSTER: DOES INLINE LINKING INFRINGE COPYRIGHT?" 59 J. Copyright Soc'y 723 (2012)

Copyright Reform for Canada: What Should We Do?, Woodrow Wilson International Center for Scholars, Issue 11, September, 2009

Barry Sookman, Copyright Reform for Canada: Consultation Submission (2009) 2 Osgoode Hall Rev. L. Pol'y 73; also published at 22 IPJ 1.

Why Canada Should Not Adopt Fair use: A joint Submission to the Copyright Consultations, (with Dan Glover) (2009) 2 Osgoode Hall Rev. L. Pol'y 55, also published at 22 IPJ 29

Case Comment: Society of Composers, Authors and Music Publishers of Canada v. Canadian Association of Internet Service Providers Canadian Journal of Law and Technology Vol 3 p149.

Case comment on the *CCH v. Law Society Case* (in the *Computer Technology Law Reporter*)

Barry Sookman "The SAC Proposal for the Monetization of the File Sharing of Music in Canada: Does it Comply with Canada's International Treaty Obligations Related to Copyright? 21-2 I.P.J. 159 – 189; also (2008) 1 Osgoode Hall Rev. L. Pol'y. 101

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

Barry Sookman "Facebook Fair for Copyright of Canada: Replies to Prof. Geist (2008) 1 Osgoode Hall Rev. L. Pol'y. 198

Barry Sookman "The Challenges to Privacy Posed by Technology" in Barbara McIsaac's *The Law of Privacy in Canada* (Carswell, 2000 – 2001)

Barry Sookman and Bradley Crawford "Electronic Money: A North American Perspective" in *International Monetary Law: Issues for the New Millennium* (Oxford University, 2000)

Barry Sookman "Legal Framework for E-Commerce Transactions" [2000] C.T.L.R. 85

Barry Sookman "Protection of Databases" in *Copyright in Cyberspace* (Otto Cramwinckel, 1997)

Barry Sookman "Copyright and Technology" in Henderson's *Copyright Law of Canada* (Carswell, 1994)

Barry Sookman "Protecting Intellectual Property Rights in Computer Products and Related Technology" in George S. Takach's *The Software Business in Canada* (McGraw-Hill Ryerson Limited 1997)

Barry Sookman "Knowledge-Based Businesses: The Business of the Future" in *Business Law & Litigation: Trend Spotting for the 21st Century* (for the 1999 Isaac Pitblado Lectures)

Barry Sookman "E-Commerce, Internet and the Law: A Survey of the Legal Issues" Vol. 48, UNB L.J. 119 (1999)

Barry Sookman "Copyright and the Information Super Highway: Some Issues to Think About" 11 I.P.J. 123 (1997) (Part 1) and 11 I.P.J. 265 (1997) (Part 2)

Barry Sookman et al "International Trade in Computer-Related Technology: The Impact of GATT and NAFTA" in *Computer Law & Practice*, Vol. 10, No. 3, (1994)

Barry Sookman "Developments in Information Technology Law" [1997] 5 C.T.L.R. 209

Barry Sookman "The North American Free Trade Agreement and Computers: A Summary," Vol. 1, No. 5 *Focus Americas* (August, 1995)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

Barry Sookman "International Differences and Copyright Protection for Software," [1995] 5 C.T.L.R. 137

Barry Sookman "Canadian Computer Litigation: Where Are We and Where Are We Going?" Vol. 10, No. 11, *Software Protection* (April 1992)

Barry Sookman "Computer-Assisted Creation of Works Protected by Copyright" 5 I.P.J. 165 (1990)

Barry Sookman "Création Assistée par Ordinateur d'Oeuvres Protégées par Le Droit D'auteur, Vol. 2, No. 2, *Les Cahiers du Propriété Intellectuelle* (Jan. 1990)

Barry Sookman "Liability of Geographic Information System Providers" *International Computer Law Advisor*, (February 1990)

Barry Sookman "ALAI National Report on Computer-Assisted and Computer-Generated Works" in *L'informatique et Le Droit D'auteur*, (Les Editions Yvon Blais Inc., 1989)

Media Articles and Op-Eds

Copyright Board harmonization good policy, Hill Times, June 2018

Why the CRTC should endorse FairPlay's piracy site-blocking plan, February 2018

Pirate streaming and the value gap, support fo Canada's Content Creators is imperative January 2018

Fix the value gap – a reply to Michael Geist, Hill Times, January 9, 2017

Intellectual property and the TPP, Bloomberg TV interview, February 5, 2016

Why Canada has nothing to fear over TPP and Intellectual Property Financial Post January 6, 2016

Patents aren't defensive tools – they're critical strategic weapons, Globe and Mail May 20, 2015 (with Judith Mackay)

Canada's anti-spam legislation worries small business owners, The Current, CBC Radio

Delete this anti-spam law Financial Post February 28, 2013

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

More Fickle than Fair: Why Canada Should Not Adopt A Fair Use Regime (with Dan Glover) The Lawyers Weekly,

What Happens When Copyright Goes Digital, August 6, 2009 (with Stephen Stohn), National Post

April 18, 2000 Television Interview with CBC – Copyright and the Internet

Recent submissions to government agencies

INDU Committee: appeared before Committee on CASL (October 2017)

Digital Privacy Act Security Breach Regulations: my representations to ISED (October 2017)

Roundtable with Minister Freeland on IP provisions for USMCA negotiations (October 2017)

Personal submissions to CRTC in support of FairPlay site blocking proposal (March 2018)

Blog Posts and Daily Digest

Barry Sookman publishes a leading blog on Computer, Internet and Intellectual Property Law @ barrysookman.com. The blog includes a daily and weekly digest of developments in computer, internet, and electronic commerce and IP law. Readers subscribe by e-mail, RSS feeds, and read the digest by following him on twitter (bsookman) or on LinkedIn. The following are some of his blog posts:

2019 April 18 - [Internet and Technology: New Regulatory Paradigms](#)

2019 April 2 - [The Unintended Equustek Effect: a reply to Michael Geist](#)

2018 December 29 - [Democracy under threat: Parliament must act](#)

2018 December 11 - [Norms for copyright reform: my submission to the INDU Committee](#)

2018 November 7 - [CRTC's troubling guidelines on CASL accessorial liability](#)

2018 October 2 - [CRTC punts FairPlay site blocking proposal to Parliament](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2018 September 14 - [ISPs fees for complying with Norwich orders: Rogers v Voltage](#)

2018 August 31 - [Online immunities for Internet platforms under NAFTA](#)

2018 June 25 - [Google's loss in online defamation case Trkulja v Google good reason to resist CDA in NAFTA](#)

2018 June 11 - [Copyright Board harmonization good policy](#)

2018 April 24 - [Canadian government response to copyright and digital policy issues](#)

2018 April 17 - [Google attempted end run around Canadian courts fails, rules BC Judge in Equustek case](#)

2018 March 29 - [Fact checking Michael Geist's criticisms of the FairPlay site blocking proposal](#)

2018 February 21, 2018 - [Kodi box add-on distributor loses copyright appeal: Bell v Adam Lackman dba TVADDONS.AG](#)

2018 February 18 - [US court thumbs its nose at Supreme Court of Canada: Google v Equustek](#)

2018 February 12 - [Why the CRTC should endorse FairPlay's website-blocking plan: a reply to Michael Geist](#)

2018 January 27 - [OPC position on online reputation: search engines must de-index privacy violating personal information](#)

2018 January 19 - [Support for creators: pirate streaming and the value gap, my op-ed in the Globe](#)

2018 January 4 - [Globe and Mail editorial attacks on Canadian creators and broadcasters: what's up with the Globe?](#)

2017 December 31 - [Website blocking effective without over blocking: EUFA v British Telecommunications](#)

2017 December 8 - [Website blocking proposal good policy](#)

2017 October 10 – [Is Google a publisher according to Google? The Google v Equustek and Duffy cases](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2017 October 6 – [CASL: my appearance before the INDU Committee](#)

2017 October 1 – [Digital Privacy Act Security Breach Regulations: my representations](#)

2017 August 25 – [Copyright Board making available right decision released](#)

2017 June 28 – [Google v Equustek: worldwide de-indexing order against Google upheld by Supreme Court](#)

2017 June 13, 2017 – [The year in review: developments in computer, internet and e-commerce law \(2016-2017\)](#)

2017 June 12 – [Equustek decision to be released soon by Supreme Court of Canada](#)

2017 June 7 – [CASL Private Right of Action delayed and Government to review CASL](#)

2017 June 5 – [CASL, the University Sector, and the Private Right of Action](#)

2017 May 10 – [Norwich orders: who pays under the notice and notice regime? Voltage v Doe](#)

2017 April 28 – [Customer assumes risk of loss from hacker wire transfer fraud says Ontario court](#)

2017 April 22 – [Equustek v Google: my Fordham talk](#)

2017 April 22 – [Legality of Kodi boxes: my interview with Fairchild TV](#)

2017 April 8 – [Information location tool and fair dealing copyright defenses rejected: Trader v CarGurus](#)

2017 March 21 – [Alleged set-top box pirates lose Canadian Federal Court appeal](#)

2017 March 13 – [Website operator jailed for distributing copyright infringing copies of musical works: R v Evans](#)

2017 February 20 – [SAP wins major lawsuit based on indirect use and named user license terms: SAP v Diageo](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2017 February 17 – [Microsoft Azure IP Advantage: cloud computing without patent risk?](#)

2017 February 1- [PIPEDA's global extra-territorial jurisdiction: A.T. v. Globe24h.com](#)

2017 January 9 – [Fix the Value Gap – a Reply to Michael Geist](#)

2017 January 2- [Browsewraps, fair dealing and Blacklock's Reporter v Canada: a critical commentary](#)

2016 December 8 – [Limitations of Liability in IT Contracts: Atos v Sapient](#)

2016 December 6 – [Google v Equustek at the Supreme Court](#)

2016 December 1 – [Senate Report on Copyright Board: a Rationale for Urgent Review](#)

2016 November 18 – [PIPEDA Privacy law Given Business Friendly Interpretation by Supreme Court: RBC v Trang](#)

2016 November 6 – [Copyright Board Studied by Senate Banking Committee](#)

2016 August 29 – [CASL's Private Right of Action](#)

2016 July 15 – [Microsoft Wins Big in Warrant Fight to Protect Privacy of User Data](#)

2016 July 12 – [Blocking Orders Against ISPs to Combat Trade-Mark Infringement Legal Says Court of Appeal in Cartier](#)

2016 June 29 – [Why Crackdown on Pirate Set-Top Boxes is Good for Innovation: a Reply to Michael Geist](#)

2016 June 14 – [The Year in Review: Developments in Computer, Internet and E-Commerce Law \(2015-2016\)](#)

2016 May 29 – [Reimagining the Copyright Board – My ALAI Presentation](#)

2016 May 24 – [Privacy Injunctions in the Age of the Internet and Social Media: PJS v News Group Newspapers](#)

2016 May 5 – [My Appearance Before the Trade Committee on the TPP](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2016 April 27 – [New Zealand Term Extension Estimate Clearly Inaccurate Says Study](#)

2016 April 21 – [My Senate Committee Appearance on the TPP](#)

2016 April 20 – [Clarifying What the TPP IP Provisions Mean in Canada for the Innovative Life Sciences Sector](#)

2016 April 17 – [Grasping at Straws: The Trouble With “The Trouble with the TPP”, a Further Reply to Michael Geist](#)

2016 March 22 – [John Kasich Trumped by CASL, Canada’s Anti-SPAM Law?](#)

2016 March 3 – [CD Howe Rejects IP Criticisms of TPP and CETA](#)

2016 February 7 – [Does the TPP Protect Canadian Cultural Policy?](#)

2016 February 5 – [Intellectual Property and the TPP: My Bloomberg TV Interview](#)

2016 January 26 – [Copyright and Technology: My ALAI Canada Talk](#)

2016 January 22 – [CBC v SODRAC: My Talk on Technological Neutrality and Copyright](#)

2016 January 10 – [Use of Metatags on Website May Infringe Trade-Mark: Red Label v 411 Travel Bugs](#)

2016 January 7 – [Why Canada Has Nothing to Fear Over TPP and Intellectual Property – My Op-ed in the FP](#)

2015 December 31 – [TPP and Trade Secrets: A wonderful Idea](#)

2015 December 17 – [Why the TPP is a Good Deal for Canadian Innovators](#)

2015 December 15 – [TPP, Copyright, E-Commerce and Digital Policy: A Reply to Michael Geist](#)

2015 December 10 – [CASL: The Looming Disaster](#)

2015 December 9 – [CASL is a Bad Law](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2015 November 27 – [Technological Neutrality, Technological Neutrality, Technological Neutrality: CBC v SODRAQ](#)

2015 November 21 – [CASL Gets Rogers Media](#)

2015 November 5 – [Google Liable for Defamation Through Search and Autocomplete Features: Duffy v Google](#)

2015 October 20 – [By-Passing Paywall and Circumventing TPM Sinks Fair Dealing Defense: Blacklock's Reporter v CVA](#)

2015 October 15 – [Long Arm of EU Privacy Law: CJEU Judgment in Weltimmo v Hatóság](#)

2015 October 12 – [Schrems, What the CJEU Decided and Why it is a Problem for Canadian and Other Non-EU Businesses \(Updated\)](#)

2015 October 6 – [Schrems Brings Down EU-US Safe Harbour](#)

2015 September 2 – [Robert Thomson's Keynote Address on the Distributionists](#)

2015 August 25 – [Keyword Advertising Not Passing Off: Vancouver Community College v Vancouver Career College](#)

2015 June 18 – [Digital Privacy Act \(Bill S-4\) Now Law](#)

2015 June 10 – [The Year in Review: Developments in Computer, Internet and E-Commerce Law \(2014-2015\)](#)

2015 May 25 – [Privacy by Design Certification Framework Launched by Ryerson and Deloitte](#)

2015 May 7 – [Budget Bill With Copyright Amendments Tabled in House of Commons](#)

2015 April 30 – [Economic Effects of Term Extension for Sound Recordings](#)

2015 April 23 – [Term Extension and Respect for Artists: A Reply to Michael Geist](#)

2015 April 21 – [Canada to Extend Copyright Term for Artists and Record Producers](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2015 April 21 – [Canada to Accede to Marrakesh Treaty and Extend Copyright Term in Sound Recordings](#)

2015 March 30 – [Safari Workaround Claimants to Get Their Day in UK Court Against Google: Google Inc v Vidal-Hall](#)

2015 March 1 – [Message Board Operators Liable for Defamatory Posts says Court: Baglow v. Smith](#)

2015 February 19 – [C.D. Howe: Copyright Board Undercompensating Artists and Depriving Rights Holders of Royalties](#)

2015 February 16 – [Cyber Threats, Information Sharing and The Digital Privacy Act](#)

2015 February 8 – [Jurisdiction Simpliciter in Copyright Cases: Geophysical Service v Arcis Seismic Solutions](#)

2015 February 2 – [Internet Justice: Mosley v Google](#)

2015 January 25 – [LSUC: The Year in Review in Copyright \(2014\)](#)

2015 January 24 – [User's Guide to Canadian Copyright Tariffs](#)

2015 January 14 – [CASL: The Unofficial FAQ, Regulatory Impact Statement, and Compliance Guidelines](#)

2015 January 2 – [Copyright Law 2014: The Year in Review](#)

2014 December 11 – [Cell Phone Searches Legal Says SCOC: R v Fearon](#)

2014 December 8 – [The Pirate Bay Blocked in France](#)

2014 December 1 – [The "Right to be Forgotten" Guideline From the Article 29 Working Party](#)

2014 November 25 – [Proving Copyright Infringement: John Kaldor Fabricmaker v Lee Ann Fashions](#)

2014 November 24 – [CASL: Getting Consents for Upgrades to Computer Programs on Pre-Installed and Resold Devices](#)

2014 November 18 – [CASL: When is a Computer Program Installed or Caused to be Installed According to the CRTC](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2014 November 17 – [CASL Spamaflopp Not Constitutional](#)

2014 November 16 – [Good Faith and Honesty Contractual Obligations Says Supreme Court: Bhasin v Hrynew](#)

2014 November 12 – [CASL Computer Program Guidance From the CRTC](#)

2014 November 10 – [Digital Privacy Act: Important Work Still to be Done by the INDU Committee](#)

2014 October 9 – [Canadian IT Law Association – 18th Annual Conference](#)

2014 September 18 – [CASL's Inscrutable Computer Program Provisions to be Tackled by CRTC](#)

2014 September 4 – [Technological Neutrality and Copyright: Supreme Court Grants Leave to Clarify Scope in CBC v SODRAC](#)

2014 August 25 – [Online Vendors Owe Purchasers a Duty of Care Says an Ontario Court: Hazjizadeh v Canada](#)

2014 August 13 – [Michael Geist's Attack on Artists Over Tariff 8](#)

2014 July 23 – [Google Ordered by BC Court to Block Websites: Equustek Solutions Inc. v Jack \(Updated\)](#)

2014 July 21 – [YouTube, Facebook, Netflix liable to Pay for Music in Canada Rules Copyright Board](#)

2014 July 14 – [Michael Geist's Defense of Canada's Indefensible Anti-SPAM Law CASL](#)

2014 July 8 – [CASL: Myths About Canada's Anti-SPAM Law](#)

2014 July 7 – [Canada's Anti-SPAM Law Perspectives](#)

2014 July 5 – [CASL Enforcement Against Charities Clarified by CRTC](#)

2014 July 4 – [CASL Spamaflopp](#)

2014 June 26 – [Aereo: SCOTUS Rules Its Service Infringing](#)

2014 June 21 – [CASL's Effect on Small Business](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2014 June 17 – [Notice and Notice Regime Under C-11 Coming Into Force](#)

2014 June 13 – [Internet Users' Privacy and Anonymity protected by Supreme Court: R v Spencer](#)

2014 June 8 – [CASL Clarified by CRTC at Information Sessions](#)

2014 June 5 – [Developments in Computer, Internet and E-commerce Law \(2013-2014\)](#)

2014 June 2 – [Canada's Most Influential Lawyers?](#)

2014 May 29 – [Reimagining the Copyright Board – My ALAI Presentation](#)

2014 May 24 – [Privacy Injunctions in the Age of the Internet and Social Media: PJS v News Group Newspapers](#)

2014 May 5 – [My Appearance Before the Trade Committee on the TPP](#)

2014 April 27 – [Orphan Works: the Canadian Solution](#)

2014 April 13 – [Law an Innovation: Is Intellectual Property a Path to Progress](#)

2014 April 8 – [Canada to Amend PIPEDA With the Digital Privacy Act](#)

2014 April 7 – [CASL Don't Forget About the Computer Program "Malware" and "Spyware" Provisions](#)

2014 March 30 – [Blocking Orders Against IPs Legal in the EU: UPC Telekabel Wien](#)

2014 March 3 – [Aereo Infringes Says International Associations and Copyright Scholars to SCOTUS](#)

2014 March 1 – [Canada's Anti-SPAM Law CASL Applies to You Even if You Aren't in Canada](#)

2014 February 13 – [When Hyperlinks Infringe Copyright: Svensson v Retriever Sverige](#)

2014 February 11 – [IP and the Digital Economy in the Federal Budget](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2014 February 10 – [McCarthy Tétrault Releases CASL Compliance Toolkit](#)

2014 January 17 – [Copyright Law 2013: The Year in Review](#)

2014 January 8 – [Excluding Damages for Wrongful Contract Terminations: AB v CD](#)

2014 January 5 – [The Google Book Project: Is It Fair Use?](#)

2013 December 24 – [Robinson v Cinar in the Supreme Court](#)

2013 December 18 – [CRTC FAQ on CASL](#)

2013 December 16 – [The Industry Canada CASL Regulations and RIAS: A Lost Opportunity](#)

2013 December 14 – [Legislative and Judicial Approaches to Internet Regulation: CASL as a Case Study](#)

2013 December 4 – [CASL Industry Canada Regulations: Summary and Comments](#)

2013 December 4 – [Industry Canada CASL Regulations Published](#)

2013 November 26 - [Intellectual Property Education: Are Canadian Law Schools Doing Enough to Support Innovation?](#)

2013 November 18 – [Streaming Websites Blocked in UK: Paramount v Sky](#)

2013 November 15 – [Alberta PIPA Violates Charter Says Supreme Court in IPC v United Food and Commercial Workers](#)

2013 November 13 – [CASL Marches Towards Starting Gate](#)

2013 November 7 – [CASL – AN FAQ](#)

2013 November 5 – [Combating Counterfeit Products Act Before Standing Committee](#)

2013 October 28 – [OSFI Sets Sights on Cyber Security Threats with Release of Guidance](#)

2013 October 27 – [IT.CAN Conference Highlights](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2013 October 17 – [isoHunt Shut Down](#)

2013 October 15 – [Is Unauthorized Online Copying Theft and Does it Hurt Creators?](#)

2013 October 10 – [Dr Ficsor on the Marrakesh Treaty](#)

2013 October 10 – [UGC Under Canadian Copyright Law: Does the Exception Conform to International Law?](#)

2013 October 6 – [Cyber Security and Lawyers](#)

2013 October 1 – [Using Social Networking in Business Development](#)

2013 September 30 – [Canada's Anti-SPAM Law and Universities](#)

2013 September 18 – [Internet and Copyright: Significant Developments](#)

2013 September 16 – [Michael Geist on CASL: Flaws Not Festivus Grievances](#)

2013 September 10 – [U.S. Federal Circuit Bar Association IP Conference Coming to Toronto](#)

2013 September 9 – [NSA Spying, Cyber Security and Liability under Canada's Anti-SPAM Spyware Law CASL](#)

2013 September 5 – [Copyright: Cases and Commentary on the Canadian and International Law](#)

2013 September 3 – [Private Copying Levy on Death Row](#)

2013 August 15 – [Supreme Court Take Another Copyright Case: Canadian Artists' Representation v National Gallery of Canada](#)

2013 July 18 – [Aereo Heading to the US Supreme Court](#)

2013 July 17 – [Merck Awarded Blockbuster Damages for Apotex's Patent Infringement](#)

2013 June 27 – [Developments in Computer, Internet and E-Commerce Law \(2012-2013\)](#)

2013 June 19 – [Representations, Warranties and Indemnities in IT Transactions](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2013 June 18 – [Implications of Canada's Anti-SPAM Legislation \(CASL\) for IT Business](#)

2013 June 17 – [Retirement of Mario Bouchard from Copyright Board](#)

2013 June 12 – [Internet Pharmacies Selling Drugs to Americans Illegal: Ontario College of Pharmacists v Global Pharmacy Canada](#)

2013 June 7 – [Challenges of Cloud Computing](#)

2013 June 3 – [C-56 Combating Counterfeit Products Act gets Second Reading in House](#)

2013 May 28 – [Making Social Networks Remediate Defamation Enabled by Their Platforms: McKeogh v Facebook](#)

2013 May 27 – [Liability of Ex-Employees for Breach of Confidence: Vestergaard Frandsen v Bestnet Europe](#)

2013 May 21 – [Are Smartphones Computer Systems Under the Criminal Code? R v Cockell](#)

2013 May 14 – [Privacy Commissioners Speak About Getting Accountability Right at CLHIA Conference](#)

2013 May 10 – [Problems with Copyright Assignments: Righthaven, Tremblay and POPS](#)

2013 May 6 – [Fair Use for Australia? A Report From the Kernaohan Centre](#)

2013 April 29 – [Courts Busy With Copyright: Meltwater UKSC, Viacom v YouTube, UMG v Escape, Cariou v Prince](#)

2013 April 26 – [World Intellectual Property Day](#)

2013 April 16 – [CRTC Reports on CASL Consultation](#)

2013 April 8 – [Access Copyright Moves to Collect Royalties](#)

2013 April 8 – [Cablevision: How It and Its Doctrines Have Fared Around the World](#)

2013 April 8 – [Capital Records v ReDigi: Resale of Digital Music Copyright Infringement](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2013 April 5 – [Crown Bound by Copyright Act: Manitoba v Access Copyright](#)

2013 April 2 – [Aereo Legal for Now in New York](#)

2013 March 28 – [Wiretap Intercept Rules Apply to Mobile Text Messages says Supreme Court: R v TELUS](#)

2013 March 25 – [A Big Week i Copyright, Kirstaeng, isoHunt and Associated Press v Meltwater](#)

2013 March 20 – [Managing Intellectual Property North America Awards](#)

2013 March 17 – [UMB v Veoh: US Appeal Court Sides with Veoh in Appeal](#)

2013 March 13 – [Criminal Copyright Convictions of The Pirate Bay Operators “Necessity in Democratic Society” says Human Rights Court](#)

2013 March 13 – [How to Avoid Misleading Disclosures in Online Advertising](#)

2013 March 8 – [Internet Retransmission of Broadcasts a Communication to the Public, Rules the CJEU](#)

2013 March 4 – [The Combating Counterfeit Products Act](#)

2013 March 1 – [Canada's Anti-Spam Law \(CASL\), Too Much of a Good Thing](#)

2013 February 21 – [Charities, Non-Profits and CASL](#)

2013 February 20 – [Google Liability for Defamation on Blogger.com: Tamiz v Google](#)

2013 February 19 – [CASL: the Submissions to Industry Canada on the Draft Regulations](#)

2013 February 18 – [Has the CRTC Compromised its Judicial Independence on CASL?](#)

2013 February 13 – [Supreme Court Hears Oral Argument in Cinar/Robinson Copyright Cases \(Updated\)](#)

2013 February 6 – [Google Wins Sponsored Links Case in Australia](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2013 February 5 – [Evaluating the Industry Canada CASL Regulations: My Submission to the Consultation](#)

2013 February 1 – [Evaluating the Industry Canada CASL Regulations: Countering Cyber-Security Threats](#)

2013 January 30 – [Evaluating the Industry Canada CASL Regulations: Defining Commercial Electronic Message](#)

2013 January 25 – [Evaluating the Industry Canada CASL Regulations: Jurisdictional Overreach](#)

2013 January 22 – [Evaluating the IC CASL Regulations: the B2B Exception and Non-Business Entities](#)

2013 January 21 – [Evaluating the Industry Canada CASL Regulations: the B2B Exception \(Part I-SMEs\)](#)

2013 January 18 – [Evaluating the Industry Canada CASL Regulations: Family Relationships and Personal Relationships](#)

2013 January 16 – [Evaluating the Industry Canada CASL Regulations: How to Assess Them](#)

2013 January 15 – [CRTC Guidance on Interpreting its CASL Regulations and Guidelines at the IT.CAN/TCLG Meeting](#)

2013 January 14 – [Evaluating the Industry Canada CASL Regulations: Why They are Needed](#)

2013 January 12 – [Intellectual Property Law in Canada: Cases and Commentary](#)

2013 January 11 – [Copyright Law 2012: The Year in Review in Canada and Around the World](#)

2013 January 4 – [Industry Canada CASL Draft Regulations Now Available](#)

2013 January 3 – [Most Popular Intellectual Property and Technology Law Blogs](#)

2012 December 31 – [Canadian Law Blog Awards Announced](#)

2012 December 28 – [Strangest Copyright Cases of 2012](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

- 2012 December 21 – [Copyright Board Refuses CAB Request to Rescind CSI Tariff](#)
- 2012 December 20 – [Industry Canada CASL Regulations Coming](#)
- 2012 December 17 – [Crown Copyright and Translations, Keatley Surveying v Teranet](#)
- 2012 December 14 – [Homeaway.com Decision Threatens to Re-write Trade-mark Law in Canada \(But Is it for the Better?\)](#)
- 2012 December 14 – [Supreme Court Nixes Value for Signal Regime](#)
- 2012 December 12 – [Justice Rothstein on the Copyright Pentology](#)
- 2012 December 11 – [CRTC Clarifies Questions About CASL](#)
- 2012 December 7 – [Copyright Board to Construe the Making Available Right](#)
- 2012 December 4 – [Flexible Exceptions to Copyright Have Negative Economic Costs, Says Study](#)
- 2012 November 28 – [Search Engines Liability for Defamation – Trkulja v Google](#)
- 2012 November 14 – [SOCAN Sued for \\$15 Million Refund of Ringtones Payments](#)
- 2012 November 9 – [Making European Copyright Fit for Purpose in the Age of the Internet](#)
- 2012 November 8 – [Viagra Patent Declared Invalid by Supreme Court of Canada](#)
- 2012 November 7 – [Change and the Copyright Modernization Act](#)
- 2012 November 3 – [Technology Challenges Law](#)
- 2012 October 30 – [Copyright Modernization Act Soon to be Law in Canada](#)
- 2012 October 27 – [IPC v UFCW Charter/Privacy Case Going to Supreme Court \(Updated\)](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2012 October 21 – [Charter Protects Employees' Privacy in Data Stored on Employer Computers Rules Supreme Court in R v Cole](#)

2012 October 16 – [CRTC Issues CASL \(Canada's Anti-Spam Law\) Guidelines, Background and Commentary](#)

2012 October 10 – [The French Hadopi Law, its History, Operation and Effectiveness](#)

2012 October 8 – [Copyright Board Values Music Used in Online Music Services](#)

2012 October 3 – [Upcoming IP/IT Events You Won't Want to Miss](#)

2012 September 28 – [Privacy Protects Anonymity in Cyberbullying Case Says Supreme Court](#)

2012 September 26 – [When a Tweet Crosses the Line](#)

2012 September 24 – [Even More on Access Copyright and the Supreme Court: Eviscerated or Not?](#)

2012 September 24 – [Canada a Country in Copyright Transition Says US Congressional Anti-Piracy Caucus](#)

2012 September 20 – [Are "Browse Wrap" Agreement Enforceable After the Century 21 v Rogers Communications Case?](#)

2012 September 12 – [Did the Supreme Court Eviscerate Access Copyright's Business Model? A Reply to Michael Geist](#)

2012 August 28 – [IVI Copyright Injunction in the Public Interest Says US Appeals Court](#)

2012 August 24 – [Was the \\$675,000 Damage Award Against Joel Tenenbaum for File Sharing Excessive?](#)

2012 August 23 – [Fair Use for Australia?](#)

2012 August 20 – [The Andersen P2P File Sharing Study on the Purchase of Music CSs in Canada](#)

2012 August 13 – [Google's Plans to Prioritize Legitimate Online Content](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2012 August 8 – [Understanding Flava Works v myVidster: Does Inline Linking Infringe Copyright?](#)

2012 July 31 – [Did the Supreme Court Supplant the Market for Access Copyright Licenses?](#)

2012 July 23 – [Supreme Court Decisions to Affect Future Copyright Board Cases](#)

2012 July 12 – [The Supreme Court Rules on Copyright in a Pentology of Cases](#)

2012 July 9 – [Supreme Court of Canada to Release Reasons in Five Copyright Cases](#)

2012 June 29 – [Copyright Bill C-11 Passes Senate and Given Royal Assent \(Updated\)](#)

2012 June 22 – [My Remarks to the Senate Committee Studying Bill C-11](#)

2012 June 21 – [Developments in Computer, Internet and E-Commerce Law \(2011-2012\)](#)

2012 June 3 – [So You Want to Protect Computer Programs by Copyright, the Oracle v Google and SAS v WPL Cases \(Updated\)](#)

2012 May 23 – [Contracting For a Cloud Computing Deal?](#)

2012 May 22 – [New CASL Regulations Coming But Will They Fall Short?](#)

2012 April 27 – [CASL in Force in 2013](#)

2012 April 26 – [Optus Loses "TV Now" Copyright Appeal Down Under](#)

2012 April 25 – [Social Media, Intellectual Property and the Workplace, is There a Gap in the Law?](#)

2012 April 20 – [iiNet Not Responsible for Customers' Infringing Acts Says Australia High Court](#)

2012 April 20 – [Holocaust Remembrance and Copyright](#)

2012 April 17 – [Value for Signal Case in Supreme Court Today](#)

2012 April 1 – [Robert Levine and Brett Danaher at CMW](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2012 March 29 – [Reflections on the New CRTC CASL Regulations](#)

2012 March 14 – [CRTC Finalizes CASL Regulations](#)

2012 March 13 – [Bill C-11 Ready for Third Reading](#)

2012 March 12 – [Michael Geist: A Question of Values](#)

2102 March 3 – [No Freedom to Hack Access into the Internet, Says US Judge](#)

2012 March 1 – [B-10 Outsourcing Guideline Applies to Cloud Computing Says OSFI](#)

2012 February 27 – [Why is the EU Asking the ECJ to Review ACTA and Does it Matter?](#)

2012 February 22 – [Keeping The Pirate Bays at Bay: Using Blocking Orders to Curtail Infringements](#)

2012 February 19 – [Bill C-11 off to Legislative Committee \(Updated\)](#)

2012 February 15 – [Is Google News Legal? \(Updated\)](#)

2012 February 9 – [ISPs Not Broadcast Undertakings Says Supreme Court](#)

2012 February 8 – [Bill C-11 to be Law by April](#)

2012 February 8 – [Reining in the Rhetoric on Copyright Reform](#)

2012 February 2 – [P2P File Sharing Hurts Music Sales in Canada, Study Finds](#)

2012 February 1 – [Chief Justice Asks: Will Accuracy and Fairness be Casualties of the Social Media Era?](#)

2012 January 29 – [Redefining Copyright in the Digital Era](#)

2012 January 26 – [EU Commission Proposes Comprehensive Reform of Data Protection Rules](#)

2012 January 18 – [Ontario Recognizes Privacy Tort of Intrusion Upon Seclusion](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2012 January 18 – [Do Linking Sites Infringe Copyright?](#)

2012 January 16 – [Supreme Court to Hear Whether ISPs are Broadcasting Undertakings](#)

2012 January 13 – [Copyright Law 2011 – The Year in Review in Canada and Around the World](#)

2012 January 9 – [Cyberlockers, Social Media Sites and Copyright Liability](#)

2012 January 9 – [Law Society Gives Lawyers Social Media Guidance](#)

2012 January 3 – [Will it be Illegal to Recommend a Dentist Under Canada's New Anti-Spam Law \(CASL\)?](#)

2012 January 2 – [France Animation v Robinson – a Case Comment](#)

2011 December 31 – [Canadian Patent Office Allows Amazon.com's "one-click" Patent](#)

2011 December 23 – [Canada is Market for TPM Trafficking and BitTorrent Indexing Sites says USTR Report](#)

2011 December 14 – [DNS Blocking and Filtering in the EU](#)

2011 December 9 – [Webcasts of the Supreme Court Copyright Cases Now Available](#)

2011 December 9 – [UK: "Not Practical" to Adopt US Fair Use](#)

2011 November 25 – [Copyright Coming to the Supreme Court of Canada](#)

2011 November 5 – [Jurisdiction in the Internet Age](#)

2011 October 28 – [IT.CAN Annual IP Update](#)

2011 October 28 – [Legislative Committee for C-11](#)

2011 October 21 – [Supreme Court Denies Leave in Satellite Radio Copyright Case](#)

2011 October 20 – [Hyperlinking and ISP Liability Clarified by Supreme Court in Crookes Case](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2011 October 19 – [Copyright Bill C-11 Gets Second Reading in the House of Commons](#)

2011 October 17 – [Canada's New Anti-Spam Law: Too Much of a Good Thing?](#)

2011 October 11 – [Belgium ISPs Ordered to Block The Pirate Bay](#)

2011 October 4 – [ASCAP Case Highlights Differences in Canadian and US Copyright Law](#)

2011 October 3 – [Some Observations on Bill C-11: The Copyright Modernization Act](#)

2011 September 30 – [Canada Signs ACTA](#)

2011 September 29 – [Supreme Court to Hear "Value for Signal" Appeal](#)

2011 September 27 – [Copyright and Privacy Bills to be Introduced in House of Commons](#)

2011 September 27 – [Signing Ceremony for the Anti-Counterfeiting Trade Agreement \(ACTA\) this Weekend](#)

2011 September 20 – [Electronic Commerce Protection Regulations – Much Work Remains](#)

2011 September 15 – [UK Culture Secretary Calls for Boldness in Dealing With Online Piracy](#)

2011 September 10 – [What's Next for Copyright Reform in Canada? \(Updated\)](#)

2011 September 8 – [Website Terms, Copyright Used to Shut Down Real Estate Data Scraping in Century 21 v Rogers](#)

2011 September 7 – [Fixing CASL: Comments on the Draft CRTC and Industry Canada Regulations](#)

2011 September 7 – [Indirect Theories of Copyright Liability](#)

2011 September 6 – [Technological Change and Copyright](#)

2011 August 24 – [Are Music Storage Lockers Legal in the US?](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2011 August 24 – [University Course Packs Going Digital](#)

2011 August 10 – [UK Moving Ahead with Graduated Response After Hargreaves Review of IP](#)

2011 August 4 – [UK to Get Even Tougher with IP Crime](#)

2011 August 3 – [UK Proposals to Modernize UK Copyright Act Released](#)

2011 August 2 – [Government of Canada Launches Anti-Spam Information Website](#)

2011 August 1 – [UK Copyright Caselaw Update: The Lucasfilm, BT, ITV and Meltwater Cases](#)

2011 July 18 – [Draft FISA \(Anti-SPAM\) Regulations Published by CRTC and Industry Canada \(Updated\)](#)

2011 June 24 – [C-32 Copyright Bill Described in WTO Reports](#)

2011 June 20 – [Who Bears the Risk of Loss When a Corporate Bank Account is Hacked?](#)

2011 June 16 – [Is an Internet Posting of a Work a World-Wide Publication for Copyright Purposes?](#)

2011 June 15 – [Developments in Computer, Internet and E-Commerce Law \(2010-2011\)](#)

2011 June 13 – [UN Report on Internet Disconnection Flawed and Contrary to Jurisprudence](#)

2011 June 3 – [Throne Speech Promises Swift Passage of Copyright Amendments](#)

2011 May 30 – [G8 Declaration: Internet and IP Critical to Innovation](#)

2011 May 26 – [A Masterpiece for Brand Owners – The Supreme Court of Canada Makes it Easier to Enforce Your Trade-Mark](#)

2011 May 25 – [Rethinking CASL](#) (with Lorne Salzman)

2011 May 15 – [Supreme Court Rules on Whether Access Laws Apply to Records of PMO But Not Which Records are Personal Information](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2011 May 7 – [The OPC on Online Tracking, Profiling and Targeting and Cloud Computer](#)

2011 May 4 – [Significant Privacy law Decision: Leon's Furniture v Alberta \(IPC\)](#)

2011 May 2 – [Canada Back on the USTR 2011 Special 301 Watch List](#)

2011 April 25 – [C-32 and the BlackBerry PlayBook: A Reply to Michael Geist](#)

2011 April 14 – [YouTube Adopts "Copyright School" to Stop Copyright Infringement](#)

2011 April 14 – [New Zealand Passes Law to Reduce Online File Sharing](#)

2011 April 13 – [Charlie Crist Official Apology to David Byrne for Copyright Infringement](#)

2011 April 12 – [Who Profits from Piracy?](#)

2011 April 11 – [Liberal Digital Canada Plan and Copyright](#)

2011 April 8 – [Conservative Party Platform on Copyright](#)

2011 April 6 – [Amazon Files Brief to Federal Court of Appeal in the One-Click Patent Case](#)

2011 April 4 – [Rethinking Notice and Notice After C-32 \(Now C-11\)](#)

2011 March 25 – [C-60, C-61, C-32?](#)

2011 March 22 – [US Court: Google Book Settlement Not "Fair, Adequate and Reasonable"](#)

2011 March 21 – [What Art Copyrights and Sandwiches Have in Common](#)

2011 March 18 – [Margaret Atwood at the Parliamentary Committee on Bill C-32](#)

2011 March 9 – [Are Canada's Copyright Laws Friendly or Unfriendly Towards Wealth Destroyers According to Prof. Geist?](#)

2011 March 8 – [iiNet Court Backs Reasonableness of Graduated Response to Stop Illegal File Sharing](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2011 February 28 – [Canada : Online Piracy and Problem Hurting Artists, Creators and the Economy](#)

2011 February 22 – [Clearing Up the Copyright Confusion \(Part II\)](#)

2011 February 19 – [Is Copyright Part of the FTA or NAFTA?](#)

2011 February 18 – [C-32 Enablement Remedy Targets Secondary Copyright Infringement](#)

2011 February 11 – [Naming Canada's Anti-Spam/Anti-Spyware Law](#)

2011 February 6 – [Name Canada's Anti-Spam/Anti-Spyware Law](#)

2011 February 3 – [New Permit for Exports and Technology Transfers to EU Plus Five Countries](#)

2011 February 2 – [IIC Estimates Global Economic and Social Impacts of Counterfeiting and Piracy](#)

2011 January 31 – [Google's Search Service Exonerated from Copyright Liability by a French Court](#)

2011 January 26 – [Impacts of Bill C-28 \(The New Anti-SPAM and Anti-Spyware Legislation\)](#)

2011 January 26 – [En Réponse à «Pour démêler la confusion à l'égard du droit d'auteur» \(Clearing Up the Copyright Confusion\), du Professeur Michael Geist](#)

2011 January 18 – [Robertson 2 Copyright Class Action Settles](#)

2011 January 13 – [Copyright Law 2010 – The Year in Review in Canada and Around the World](#)

2011 January 9 – [A Response to Professor Michael Geist's Clearing Up the Copyright Confusion](#)

2011 January 9 – [EU Highlights Role of ISPs, Damages and Trade Agreements in Reducing IP Infringements](#)

2011 January 6 – [Canada Passes Anti-Spam and Anti-Spyware Law](#)

2011 January 2 – [Signs Your Ex Wants to Get Back With You](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2010 December 23 – [Copyright Board Grants Interim Relief to Access Copyright](#)

2010 December 20 – [Teachings From the Blizzard WoW Case](#)

2010 December 16 – [Federal Court of Appeal Decides the Satellite Radio JRs](#)

2010 December 16 – [Liberals Announce Proposals to Amend Bill C-32](#)

2010 December 16 – [Bill C-28 \(SPAM Bill\) Gets Royal Assent](#)

2010 December 15 – [Is There Copyright in a Directory Produced by a Computer? The Telstra Case](#)

2010 December 14 – [An FAQ on TPMs, Copyright and Bill C-32](#)

2010 December 8 – [Key Issues on the Legal Protection for TPMs Under Bill C-32](#)

2010 December 1 – [My C-32 Opening Remarks](#)

2010 November 27 – [The Pirate Bay Operators Lose Criminal Appeal and Sent to Prison](#)

2010 November 24 – [Separating Copyright Fiction From Facts About C-32's TPM Provisions](#)

2010 November 18 – [Legislative Committee for C-32 Selected](#)

2010 November 17 – [Bill C-32's Fair Dealing and Other New Copyright Exceptions](#)

2010 November 15 – [Amazon.com Going to the Federal Court of Appeal](#)

2010 November 9 – [Some Observations About the Debates on Bill C-32 in the House of Commons](#)

2010 October 30 – [Bill C-32 – Impacts on the IT Community](#)

2010 October 25 – [Turning Up the Rhetoric on C-32's TPM Provisions](#)

2010 October 21 – [Export Controls Alert: Canada Issues New Guidance on Encryption Controls](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2010 October 15 – [With “One Click”, Business Methods Are Patentable in Canada](#)

2010 October 11 – [EMI Records v UPC – the Case for Legislative Solutions to Illegal File Sharing](#)

2010 October 11 – [The Anti-Counterfeiting Trade Agreement \(ACTA\) - a Summary of the Final Terms](#)

2010 October 1 – [STM to to Ministers Moore and Clement: C-32 Will Seriously Prejudice Rightsholders](#)

2010 September 30 – [Are the TPM Provisions in C-32 More Restrictive Than Those in the DMCA?](#)

2010 September 27 – [Separating Facts from Hype About C-32](#)

2010 September 20 – [copyrightgetitright](#)

2010 September 17 – [RCMP Report Details Canada’s Serious Counterfeiting and Piracy Problems](#)

2010 September 16 – [OECD Report: IPR Reforms Deliver Positive Economic Results](#)

2010 September 15 – [Geist: Tough IP Laws Suppress Political Dissent](#)

2010 September 3 – [Federal Court of Appeal Dismisses Tariff 22 JRs](#)

2010 August 23 – [ACTA progress Announced with Plans to Release Final Draft in September](#)

2010 August 14 – [Toronto Star Says Proposed Exception for Education in C-32 Needs Rethinking](#)

2010 August 13 – [SOCAN Seeks Leave to Supreme Court on Whether an Online Preview is a Fair Dealing](#)

2010 August 13 – [“Musicians Have Rights, Too”, Maia Davies](#)

2010 August 5 – [Property and Progress Made Possible by Respecting Copyrights](#)

2010 July 29 – [MGE v GE – What Did the 5th Circuit Decide About the Scope of the DMCA TPM Provisions and Was it Right?](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2010 July 27 – [Copyright Office Exempts Six Classes of Works from DMCA's Access Control Anti-Circumvention Prohibitions](#)

2010 July 27 – [Educational Tariff Certified by Copyright Board Upheld by Federal Court of Appeal](#)

2010 July 24 – [Copyright Doesn't Protect Dolls with a "Bratty Look"](#)

2010 July 23 – [Study Shows 97% of Torrents Relate to Infringing Copyright Content](#)

2010 July 21 – [Canadian Government Undertaking Industry Consultations on Cryptography Export Permit Process](#)

2010 July 20 – [ACTA and TPMs](#)

2010 July 18 – [When do Broadcasters Reproduce Works ? The Copyright Board Clarifies the Law in the Commercial Radio Tariff Case](#)

2010 July 4 – [ACTA Will Not Create New IPRs or Interfere with Fundamental Liberties Statement Says](#)

2010 July 2 – [Are Business Methods Patentable Under Bilski in the US?](#)

2010 June 23 – [Minister Moore's Speech on C-32](#)

June 2010 18 – [Export Controls Alert: Canada's Response to Liberalization of Controls on Ancillary Encryption](#)

2010 June 17 – [Legends and Reality About the 1996 WIPO Treaties in the Light of Certain Comments on Bill C-32](#)

2010 June 3 – [Some Thoughts on Bill-C-32: An Act to Modernize Canada's Copyright Laws](#)

2010 May 27 – [Future of Music Coalition Panel: DC Policy Day 2010 – Focus on ACTA](#)

2010 May 26 – [Developments in Computer, Internet and E-Commerce Law \(2009 – 2010\)](#)

2010 May 25 – [Government Introduces Bills to Fight SPAM and Spyware and to Amend PIPEDA](#)

2010 May 21 – [IsoHunt Permanently Enjoined by US Court](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2010 May 19 – [Copyright and the Great Socialist Degradation](#)

2010 May 17 – [Are Internet Previews of Music a Fair Dealing Under Copyright?](#)

2010 May 14 – [John Degen “Weapons Down, Please”](#)

2010 May 13 – [What do LimeWire, Napster, Kazaa, and IsoHunt all Have in Common?](#)

2010 May 11 – [“A Robust Copyright Regime Would – Permit Market Forces to Operate Properly”](#)

2010 May 10 – [Geist: “STFU” Until You See the Bill”](#)

2010 May 6 – [Canada’s New Copyright Bill: What Will it Look Like?](#)

2010 April 30 – [Canada Again Named to USTR’s Priority Watch List for Weak IP Laws](#)

2010 April 30 – [Canada Called out for Weak Copyright Laws by IFPI and at the Heritage Committee](#)

2010 April 26 – [Graduated Response: A Least Cost Solution to Reducing Online Copyright Infringement](#)

2010 April 21 – [The Owens Analysis of the Canadian Copyright Consultations: What are the Implications?](#)

2010 April 19 – [Is Graduated Response Necessary to Protect Human Rights From Online Copyright Infringement?](#)

2010 April 15 – [Levy Debate Sparks Impassioned Pleas in Parliament for Copyright Reform](#)

2010 April 14 – [Calling Out Misreporting About ACTA](#)

2010 April 13 – [More Hype Than Facts About ACTA From its Critics](#)

2010 April 6 – [Develop a Prudent Intellectual Property Policy by Reading Shakespeare’s Hamlet, says Judge](#)

2010 April 2 – [Injunction to Issue Against IsoHunt in a Busy Month for the Courts](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2010 March 22 – [Does Canada Already Have Fair Use?](#)

2010 March 18 – [Should Canada Adopt “Fair Use” as Proposed by NDP MP Charlie Angus?](#)

2010 March 15 – [God of War and the Idea Expression Dichotomy in Copyright Law](#)

2010 March 11 – [Murdoch Urges Reforms to Stem Online Copyright Free Riding](#)

2010 March 10 – [Canadian Government Launches Consultations on Encryption Controls](#)

2010 March 9 – [A Framework for Voluntary Graduated Response in Online Copyright Enforcement](#)

2010 March 8 – [What Did the Supreme Court of Canada Say About Notice and Notice in the SOCAN Tariff 22 Case?](#)

2010 March 4 – [The Speech From the Throne: a Digital Strategy and IP Reform](#)

2010 February 25 – [Misinterpreting the IPR 2010 Report](#)

2010 February 19 – [Canada Again in the Penalty Box Over Poor IP Laws and Enforcement According to 2010 IIPA 301 Report](#)

2010 February 17 – [Reflections on the Liberal Roundtable on the Digital Economy](#)

2010 February 16 – [Supreme Court Kills Fundamental Breach in Enforcement of Liability Disclaimers in Tercon](#)

2010 February 12 – [Digital Copying and Libraries: Copyright and Licensing Considerations](#)

2010 February 11 – [How Can Copyright Reform Best Balance the Rights of Creators, Intermediaries and Users?](#)

2010 February 9 – [Stealing is Not a Form of Flattery, Nor is it Sincere...](#)

2010 February 8 – [My New Intellectual Property Law Case Book](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2010 February 8 – [The Fallout from iiNet: Markets and Laws Failing in Face of Net Piracy](#)

2010 February 5 – [Debating Graduated Response at the Center for Democracy and Technology](#)

2010 February 5 – [Where is Canada's Plan for the Digital Age?](#)

2010 February 2 – [A Reply to ACTA Critics](#)

2010 February 1 – [The Costs and Benefits of Graduated Response in Copyright Enforcement](#)

2010 January 26 – [Clinton's Remarks on Internet Freedom](#)

2010 January 25 – [Challenges for Digital Britain: Broadband Access, Copyright and Business Models](#)

2010 January 20 – [Graduated Response and Copyright: An Idea That is Right for the Times](#)

2010 January 19 – [The Italian Pirate Bay Case: What did the Court Order and Why?](#)

2010 January 18 – [The Epidemic of Online Book Piracy](#)

2010 January 15 – [Canadian and International Copyright - The Year in Review \(2009\) Presentation for LSUC](#)

2010 January 12 – [Eight Things worth Proroguing on TV: Pirating TV Shows from BitTorrent](#)

2010 January 11 – [Editions du Seuil v Google: What Reasons did the French Court Give for Holding Google Liable for Copyright Infringement?](#)

2010 January 7 – [Critiquing Copyright Canards](#)

2010 January 4 – [Is Minister Clement Following the UK to Bring us a Much Needed "Digital Canada" Strategy?](#)

2010 January 1 – [ITIF Report: Strategies for Reducing Digital Piracy](#)

2009 December 28 – [Toying with Funny Math to Downplay Canada's role as a Piracy Haven](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2009 December 25 – [Fung and Isohunt found liable for Inducing Worldwide Copyright Infringement](#)

2009 December 23 – [Dr. Ficsor is Right: Prof. Geist is Wrong About the WIPO Internet Treaties](#)

2009 December 17 – [Open Source Movement Gets Big Boost From Copyright Laws and DMCA in Jacobson v Katzer](#)

2009 December 16 – [UK Court Finds Online Gaming System Non-Patentable Subject Matter](#)

2009 December 15 – [Canada's Embarrassing Place in the BitTorrent Rankings, Torrentz.com and IsoHunt World Leaders](#)

2009 December 14 – [Non-Commercial P2P File Sharing is Not Fair Use Says Court in Sony BMG v Tenenbaum Case](#)

2009 December 13 – [UK Launches Consultations on Copyright Exceptions](#)

2009 December 8 – [Michael Geist Inflates Pending Lists Claim to Vilify Record Labels](#)

2009 December 5 – [Supreme Court Convicts Alberta Man for Internet Child Luring](#)

2009 December 4 – [Rejection of Amazon's One-Click Patent Attacked in Appeal Brief](#)

2009 November 28 – [Getting the Straight Goods on ACTA, Check Your Sources](#)

2009 November 27 – [Mininova Gona, Who's Left and Where are They Located?](#)

2009 November 24 – [OECD Counterfeiting Report Misinterpreted to Support Myth of Canada as a Low Piracy Country](#)

2009 November 22 – [Graduated Response Mapped out in UK Digital Economy Bill](#)

2009 November 22 – [More Fickle Than Fair: Why Canada Should Not Adopt a Fair Use Regime](#) (with Dan Glover)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2009 November 20 – [Support for ACTA Urged by Over 20 Leading Organizations](#)

2009 November 20 – [MPAA ACTA Letter to Chairman Leahy](#)

2009 November 20 – [Sacking Employees for Misuse of Computers and Internet Access – Pilquin v. Devon Canada Corporation](#)

2009 November 19 – [Magnitude of Counterfeiting and Piracy of Tangible Products](#)

2009 November 18 – [Fear Mongering and Misinformation Used to Slag ACTA](#)

2009 November 16 – [OHRLP Publishes Leading Submissions to the Copyright Consultations](#)

2009 November 15 – [Google Amends Settlement with Authors and Publishers in U.S. Litigation](#)

2009 November 13 – [Gilham v R – UK CA Conviction for Selling Mod Chips](#)

2009 November 12 – [© The Way Ahead: A Copyright Strategy for the Digital Age](#)

2009 November 11 – [Lord Mandelson Speech Transcript on P2P Copyright and Creative Industries](#)

2009 November 10 – [100,000 Voters Who Don't Exist](#)

2009 November 9 – [Rhetoric Exaggerates ACTA Leaked Negotiations Text](#)

2009 October 27 – [Industry Committee Amends Anti-Spam Bill \(ECPA\)](#)

2009 September 13 – [Copyright Reform in Canada-Woodrow Wilson International Centre for Scholars](#)

2009 September 15 – [Why Canada Should Not Adopt Fair Use: A Joint Submission to the Copyright Consultation](#) (with Dan Glover)

2009 September 25 – [Copyright Reform for Canada: What Should We Do? My Submission to the Copyright Consultation](#)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

2009 August 6 – [What Happens When Copyright Goes Digital](#)

2009 July 28 – [Microsoft Wins Substantial Damages Award for Unauthorized Distribution of its Software,](#)

2009 July 28 – [The Pirate Bay – Operators Fined for Aiding and Abetting Copyright Infringement](#)

2009 May 28 – [Anti-Spam Bill Webinar, Anti-Spam Bill Raises Concerns, and Head to Head on Copyright \(Video\)](#)

2009 May 19 – [Developments in Computer, Internet and E-Commerce Law](#)

2009 May 12 – [Anti-Spam Bill Raises Concerns](#)

2009 May 7 – [Head to Head on Copyright \(Video\)](#)

2009 April 30 – [A Time for Change: Toward a New Era for Intellectual Property Rights in Canada](#)

2009 February 23 – [Bill C-61 A presentation for ITAC](#)

2009 January 15 – [Law Society of Canada: Copyright Year in Review \(2008\)](#)

2008 November 7 – [The SAC Proposal for the Monetization of the File Sharing of Music in Canada: Does it Comply with Canada's International Treaty Obligations Related to Copyright?](#)

2008 July 16 – [Proposed Canadian Copyright Reform – Bill C-61](#)

2008 February 3 – [Facebook fair for copyright of Canada: replies to professor Geist](#)

2007 June 26 – [Toronto Computers Lawyers Group Year in Review \(2006-2007\)](#)

2006 June – [Toronto Computers Lawyers Group Year in Review \(2005-2006\)](#)

Continuing Legal Education and Other Speeches

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

McCarthy Tétrault 8th Annual Technology Law Innovation Summit.(April 2019) (Internet and Technology: New Regulatory Paradigms)

CAN-Tech: Intellectual Property Update (Moderator) (October 2018)

ALAI: International Injunctions for Copyright Infringement (September 2018)

ACC (Vancouver): The year in Review in Computer/Internet and e-commerce law (June 2018)

Toronto Computers Lawyers Group: The Year in Review in Computer/Internet and e-commerce law (June 2018)

Copyright Society USA (CSUSA): Participate in debate on online remedies for digital environments (June 2018)

Fordham Conference: Equustek and blocking orders (April 2018)

PrimeTime Annual Conference: website blocking and the FairPlay proposal (February 2018)

Incopro: the Equustek case (December 2017)

Data Marketing Conference: CASL Town Hall (November 2017)

Ontario Economic Summit: Intellectual property and Innovation (November 2017)

Canadian Copyright Institute: Interviewing Justice Rothstein, Five Years After the Copyright Modernization Act (November 2017)September 15, 2016 – McT: Protect Your Brand – Practical Tips & Topical IP Issues

June 28, 2016 – McT: TPP – How Will This Impact Your Business?

June 14, 2016 – Toronto Computer Lawyers' Group Year in Review

May 25, 2016 – ALAI Canada, Reimagining Copyright Board – Lessons from Other Jurisdictions

March 15, 2016 – Fordham TPP: The Trouble with TPP: Canadians Get Their Chance to Speak out

January 26, 2016 – ALAI Copyright & Technology: Challenges to Authors and Copyright Holders

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

January 21, 2016 – LSUC 20th Annual IP Law: Year in Review

January 19, 2016 – CIGI Roundtable on Positioning Canada to be a Leader in the Global IP System

December 10, 2015 – 21st Annual Regulatory Compliance for Financial Institutions: Cyber Threats, Privacy, Security and Evolving Data Breach Obligations

December 8, 2015 – Hill Times: TPP Forum

November 12, 2015 – CIGI Conference on TPP and Intellectual Property, Panelist

October 5, 2015 – Association of Canadian General Counsel: Cloud Computing: Security and Privacy Challenges and Legal Risks

October 2, 2015 - AIPF 2015 Annual Meeting: Developments on Copyright Law in Canada

June 25, 2015 – McCarthy webinar: PIPEDA Digital Privacy

June 10, 2015 – Toronto Computer Lawyers' Group: Year in Review

June 8, 2015 – ALAI Cinar v Robinson

May 13, 2015 – McCarthy 4th Annual Technology Law Summit

May 8, 2015 – Canadian Music Week Global Forum

May 4, 2015 – IT.Can Spring Program Fundamentals of technology Contracting

May, 2015 – McCarthy Technology Law Summit – Cloud computing

April 30, 2015 – Lexpert Conference - CASL Overview and The Anti-Spam Provisions

April 30, 2015 – ASPER INTLAW CONFERENCE - April 30th, 2015 Cybersecurity Challenges and Responses

April 24, 2015 – LSUC 12 minute civil litigator

April 14, 2015 – McT Technology & Innovation Summit: TPP Overview

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

April 7, 2015 – OBA CASL

April 1, 2015 – McCarthy Webinar: Data Breach

April, 2015 – McCarthy Program CASL: The Good, The Bad, and the Ugly

January 22, 2015 – LSUC 2015 Year in Review

January 15, 2015 – SIIA CASL

June 17 & 18, 2014 – IT.CAN Spring Forum

June 5, 2014 – Toronto Computer Lawyers' Group: Year in Review

May 9, 2014 – Canadian Music Week Global Forum

April 28-29, 2014 – National Technology Client Summit

April 24, 2014 – Fordham: 22nd Annual Conference on Intellectual Property Law and Policy: Orphan Works

April 17, 2014 – Electronic Retailing Association: CASL webinar presentation on CASL

April 15, 2014 – Canadian Centre for Ethics & Corporate Policy: Complying with Canada's New Anti-Spam Legislation (CASL)

April 12, 2014 – CIGI Institute for New Economic Thinking: Law and Innovation: Is Intellectual Property a Path to Progress

April 7, 2014 – OBA: Countdown to Canada's Anti-Spam Legislation: Make Sure You Are Ready

March 7, 2014 – ALAI Canada: Cinar v Robinson

March 4, 2014 – A Primer for the Legal Committee of the Global Automakers of Canada: CASL, the Final Regulations, the RIAs and the FAQs

February 18, 2014 – CASL webinar presentation for the Canadian Bar Association – British Columbia

February 7, 2014 – CASL presentation for Concordia University

January 16, 2014 – Year in Review: Copyright (2013) for Law Society of

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

Upper Canada (LSUC)

January 15, 2014 – CASL presentation for Software & Information Industry Association (SIIA)

November 13, 2013 – Canadian Institute: Regulatory Compliance for Financial Institutions Best practices for complying with the OSFI B-10 outsourcing regulations

November 7, 2013 – Quebec Bar Association Conference on Anti-Spam Law

October 25, 2013 – IT.CAN Complex IT Service Agreements (Panel)

October 10, 2013 – IP Osgoode, User Generated Content under Canadian Copyright Law: Is the UGC exception in conformity with international treaty standards?

October 8, 2013 – Canadian Publishers' Council: Canada's Anti-spam Law (CASL): A Primer for members of the Canadian Publishers' Council

October 5, 2013 – Association of Canadian General Counsel: Cloud Computing: Security and Privacy Challenges and Legal Risks

September 30, 2013 – Ontario Bar Association TECHxpo 2013, Ethical and Efficient Ways to Use Social Networking in Business Development

September 27, 2013 – Canadian Association of University Solicitors (CAUS) 2013 Conference Canada's Anti-spam Law (CASL)

September 17, 2013 – US Federal Circuit: Trade and Intellectual Property Issues in Global Recovery Economies: Best Practices, Significant Recent Developments: Internet and Copyright

June 27, 2013 – Toronto Computer Lawyers' Group: The Year in Review: Developments in Computer, Internet, and E-Commerce Law (2012-2013)

June 18, 2013 – IT.CAN Spring Program: Representations, Warranties and Indemnities – A Primer (with Helen Aston IBM)

June 6, 2013 – The Six?Minute Business Lawyer 2013, The Law Society of Upper Canada, Current Issues in Negotiating IT Contracts – Challenges of Cloud Computing

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

May 24, 2013 – McCarthy Technology Law Summit

May 9, 2013 – CLHIA 2013 Compliance and Consumer Complaints Annual Conference: Putting all the pieces together: Canada's Anti-spam Law (CASL)

April 5, 2013 – Fordham: 21st Annual Conference on Intellectual Property Law and Policy: Performance Rights in Copyright: Public, Private or "Digital"? Cablevision: How It and Its Doctrines Have Fared Around the World

February 26, 2013 – Justice Canada: Intellectual Property and Information Technology Law Training Day Keynote Address: Legislative and Judicial Approaches to Internet Regulation: Case Study, Canada's Anti-SPAM Law (CASL)

February 2, 2013 – Canadian Vehicle Manufacturers' Association (CVMA) CASL and its impacts on vehicle manufacturers

January 18, 2013 – York University: presentation on CASL and its impacts on universities

January 10, 2013 – Law Society: 17th Annual Intellectual Property Law, The Year in Review – Copyright

November 3, 2012 – Ryerson, RUIT Conference: Link to Technology Dynamically: Copyright a Year in Review

October 4, 2012 – C.D. Howe Institute: Streaming the Supreme Court on Downloaded Music Royalties: Who Wins, Who Loses, Who Pays?

October 2, 2012 – University of Toronto Law School: ESA v SOCAN

September 20, 2012 – McCarthy Tétrault Law Summit: What Every Business Needs to Know About Technology Law

September 20, 2012 – Law Society of Upper Canada, The Twelve-Minute Civil Litigator 2012: Impact of the Internet on Contract Law and the Principles of Offer and Acceptance (Century 21 Canada v Rogers Communications)

June 28, 2012 – Portfolio Management Association of Canada: Update of CASL

June 21, 2012 – TCLG: Year in Review: Developments in Computer, Internet and E-Commerce Law (2011-2012)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

June 19, 2012 – IT.CAN 2012 IT Law Spring Forum: IP Indemnities – A Primer

June 14, 2012 – LEXPERT: Anti-Spam Presentation

April 25, 2012 – Law Society of Upper Canada: Old Rules for New Issues with New Media: Is There a Gap in IP Law? Employment Law and the New Workplace in the Social Media Age

April 17, 2012 – Law Society of Upper Canada: Commemoration of Holocaust Remembrance Day 2012: Working Through Copyright Issues

February 2, 2012 – Association of International Automobile Manufacturers of Canada: CASL

January 12, 2012 – Law Society of Upper Canada: 16th Annual IP Law, The Year in Review

October 27, 2011 – IT.CAN 15th Annual Conference: “IP Update – Copyright”

October 21, 2011 – Osgoode York University: Copyright Conference: “Can Canada Learn Anything from Europe?”

October 14, 2011 – Canadian Tire conference on CASL

September 22, 2011 – Canada's Anti-spam Law: Spam & Spyware: Risks in E-Commerce

September 6, 2011 – Osgoode: Intellectual Property Law & Technology Program: Technology Focus: Internet and IT

September 2011 – LEXPERT: Canada's New Anti-Spam Legislation: A Very Wide Objective, A Very Wide Swath

August 5, 2011 – ABA: Forum on the Entertainment and Sports Industries: CyberRogues and Web Pirates! New Frontier of Counterfeits and Squatters in Film, Fashion & Music

June 15, 2011 – Toronto Computer Lawyers Group: Year in Review: Developments in Computer, Internet and E-Commerce Law (2010 – 2011)

February 3, 2011 – University of Toronto: Understanding Bill C-32, Copyright Modernization Act – Fair Dealing and Related New Exceptions

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

January 26, 2011 – IT.CAN Quarterly Roundtable Series: Impacts of the New Anti-Spam and Anti-Spyware Legislation (Bill C-28)

January 13, 2011 – Law Society of Upper Canada: 15th Annual Intellectual Property Law: The Year in Review, Copyright Update

December 8, 2010 – Insight: Rights and Copyright Bringing Canada into the 21st Century – Bill-32: Legal Protection for TPMs

November 24, 2010 – Toronto Intellectual Property Group (TIPG): Here We Go Again: Copyright Reform and Bill C-32

November 17, 2010 – Osgoode Professional Development CLE program, Understanding Bill C-32

November 11, 2010 – ITAC: Implications of Bill C-32 on software and networking

November 2, 2010 – McCarthy/Edelman Digital Social Media Summit

October 29, 2010 – IT.CAN 14th Annual Canadian IT Law Association Conference: Recent Developments in IT Law

June 22, 2010 - Ministry of Government Services IT and e-Commerce law, the Year in Review

May 26, 2010 – Toronto Computer Lawyers' Group: A Year in Review Developments in Computer, Internet and E-Commerce Law (2009-2010)

February 17, 2010 – Liberal Party Roundtable on the Digital Economy: Copyright, Intellectual Property Protection and the Future of Broadcasting in the Internet Age (Ottawa)

January 14, 2010, 14th Annual Law Society Intellectual Property Law – The Year In Review (Copyright 2009)

October 22-23, 2009 – IT.CAN, 13th Annual Canadian IT Law Association Conference, Conference Co-Chair, and Current Trends in Limits of Liability and Indemnification (Moderator)

October 14, 2009 – Woodrow Wilson Center: Internet Piracy: Copyright Law in Canada and the United States

September 30, 2009 - Conference Board: Intellectual Property Rights Roundtable in Ottawa

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

September 25, 2009 – Woodrow Wilson International Center for Scholars: Copyright Law in Canada and the United States: The Digital Challenge

August 10, 2009 – Halifax Roundtable on Copyright Consultation for Minister of Canadian Heritage and Official Languages

May 29, 2009 – McCarthy Tétrault LLP Anti-Spam Bill Raises Concern (Webinar with Lorne Salzman and Charles Morgan)

and E-Commerce Law

May 19, 2009 – TCLG & E-Commerce Section of OBA: Year in Review, Developments in Computer, Internet

April 30, 2009 – May 1, 2009 – IT.CAN LSUC Annual Spring Training Program

February 23, 2009 – ITAC, Copyright Reform in Canada Bill C-61 – An Overview

January 15, 2009 – LSUC 13th Annual IP Law: Year in Review, Update on Copyrights presentation with Glen Bloom

October 27, 2008 – IT.Can, 12th Annual Canadian IT Law Association Conference, Moderator

October 22, 2008 – Insight Conference: Entertainment Industries Summit: Emerging and Ongoing Canadian Copyright Issues

May 28, 2008 – Conference Board: Intellectual Property Rights Conference: A Catalyst for Innovation

May 14, 2008 – Insight Conference: (Program Chair) Copyright in Canada

April 3, 2008 – Open Innovation/Collaboration: Technology in Bloom, New Developments in Technology Law (OBA)

March 30, 2008 – Insight Conference: (Moderator) Global Licence for the Monetization of the File-Sharing of Music on the Internet

March 21, 2007, Booknet Canada: Technology Forum 2007: Digitization and the Future of Canadian Publishing: The Fight over Copyright

February 28, 2007, Dalhousie Law and Technology Institute: User

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

Rights and Copyright: Right, Metaphor, Red Herring?

January 18, 2008 – Law Society of Upper Canada, 12th Annual IP Law: Year in Review Conference: Are IP Rights Out of Control?

November 20, 2007 – York University, Recent Computer and Internet Law Developments in IP

October 23, 2007, Canadian Institute: (Moderator) Entertainment Industries Summit

September 19, 2007, Ministry of Government Services Commercial Law Group: Risk Issues in Outsourcing

June 27, 2007, Toronto Computer Lawyers' Group, "The Year in Review: Computer, Internet and E-Commerce Law"

June 15, 2007, Osgoode Hall Law Professional Program, "Copyright Remedies"

May 23, 2007, Computer Law Association (Host) "Computer Intelligence"

May 14, 2007, 7th Annual IT.Can IT Law Spring Program, "Security and Privacy Issues in Outsourcing Transactions"

March 22, 2007, Canadian Institute: (Moderator) Copyright Reform: Protecting Creators' Rights in the Digital Age

October 26, 2006 – Insight: Entertainment Industry Summit, Toronto, "Copyright Reform: Bringing Canada Up to Global Standards" (Moderator of Panel)

October 5-7, 2006 – Future of Music: 6th Annual Summit, "Format Wars: Digital Rights Management and Interoperability"

September May 29-30, 2006 – IT.Can: 6th Annual Spring Training, "IT Law Considerations for Online Transactions"

June 23, 2006 – CIO Canada: Outsourcing Summit 2006, "Termination or Remediation ? Resolving a Bad Deal"

May 25-26, 2006 – Osgoode: IP Licence Agreements, "Representations and Warranties in Licence Agreements"

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

April 23-25, 2006 – International Publishers' Association: 6th Annual Copyright Symposium, "Tensions in Copyright"

April 21, 2006 – Fordham University: 14th Annual IP Conference, "IP Law and Policy, Canada and Copyright: Rogue State or Role Model?"

April 6, 2006 – Licensing Executive Society: "RIM ATS NTP: "What Happened?"

March 27, 2006 – OBA: Technology in Bloom 2006, "Recent Copyright Developments"

March 24, 2006 – ALAI Canada: "Influence on Canadian Copyright Law"

March 3, 2006 – Rotman School of Business: "Protection for Technological Measures in Canada — What Should Canada Do?"

October 28, 2005 – IT.Can Annual Meeting, "International IT Law Update" (moderator), and debate (with David Basskin) and Professor Kerr and Professor Geist on legal protection for technological protection measures

October 25, 2005 – "Bill C-60 and Copyright Reform in Canada – The Issues, Players, and Moving Forward," Osgoode Forum

October 3, 2005 – "Canadian Copyright Reform – An Overview for the Canadian Publishers' Counsel,"

September 16, 2005 – "Recent Issues in Copyright," Association of Corporate Counsel, Mount Tremblay

September 16, 2005 – Insight Conference on Copyright Reform (Chair)

September 15, 2005 – "Technological Protection Measures: Do the Anti-Tampering Provisions Go Too Far, or Not Far Enough?" Insight: Copyright Reform in Canada

June 16, 2005 – "To Outsource or Not: Yes, No, Maybe ?– How Will I Know?" CIO Outsourcing Summit

June 1, 2005 – "The Year in Review," Toronto Computer Lawyers' Group

May 12, 2005 – IT.Can Spring Training Program (Chair)

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

April 8, 2005 – “Is Copyright Keeping Up With Changes in Technology?” CBAO Conference on Technology In Bloom

April 8, 2005 – “Distribution Challenges in the Digital Universe,” Law Society of Upper Canada

February 24, 2005 – “Software and Technology Agreements,” Insight Conference

February 15, 2005 – “Sound Bytes, Sound Rights: Canada at the Crossroads of Copyright Law: The Music Industry after *BMG v. John Doe*,” University of Toronto Conference

February 15, 2005 – “Implications of the Patriot Act on Outsourcing in Canada,” (Chair) IT Canada Roundtable

January 25, 2005 – “Information Outsourcing” CLA Conference (Host)

October 6, 2004 – “Significant Issues in Internet Law,” CASCON 2004

September 20, 2004 – “The implications of the Tariff 22 Decision,” IT.Can

September 19, 2004 – “Internet Liability: The Tariff 22 Case,” CBAO

June 4, 2004 – “Copyright in the Internet Age,” CAB, CCTA Copyright Symposium

June 2, 2004 – “Critical Issues in Outsourcing,” CIO Outsourcing Summit

May 31, 2004 – “Computer and Internet Law: A Year in Review,” Toronto Computer Lawyers’ Group

May 26, 2004 – “Protecting Intellectual Property Rights in IT Products” (Moderator of panel), IT.Can Spring Training Programme

May 26, 2004 – “Originality in Copyright Law” (Moderator of panel) ALAI Conference

May 11, 2004 – “Law and Politics of Open Source,” University of Toronto

April 6, 2004 – “The implications of the *CCH v. Law Society* Case for Canadian Publishers,” Canadian Copyright Institute AGM

March 30, 2004 – “Internet Jurisdiction,” Netlaw

February 25, 2004 – “New and Changing Business Models for

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

Distribution of Music and Other Content," MIT/Schulich Enterprise Forum

February 7, 2004 – "IP issues in Public Procurements," the IP Procurement Conference

October 24, 2003 – IT.Can "Developing Interoperable and Competing Products Under Copyright and Trade Secret Law"

October 14, 2003 – Dalhousie University, Law and Technology Eminent Speaker speech "Influence of American Copyright on Canadian Copyright Law"

October 2, 2003 – IT.Can Moderated Talk on Electronic and Internet Evidence

May 28, 2003 – Toronto Computer Lawyers' Group "IT-Internet Law – The Year in Review"

May 13, 2003 – IT.Can "Internet Law Update"

May 14, 2002 Toronto Computer Lawyers' Group – "Annual Computer/Internet Year in Review"

May 5, 2003 – CIO Summit panellist on Legal Issues in Outsourcing

March 4, 2003 – 45th Circuit "Enforceability of On-line Contracts"

January 21, 2003 – ALAI Canada "Influence of American Copyright Law in Canada"

May 29, 2002 Insight –Jurisdiction and the Internet

April 22, 2002 CCCA Conference – Protecting Intellectual Property Rights in the Canadian and International Market Place

April 6, 2002 IT.Can Conference on Managing and Minimizing Foreign Jurisdictional Risks on E-Commerce

March 21, 2002 NetLaw Conference – E-Commerce

January 24, 2002 Chair IT.Can Roundtable on Privacy

December 5, 2001 Canadian Institute – Structuring IP Licence Agreements

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

November 7, 2001 CBAO – Privacy - What is Personal Information?

June 20, 2001 Canadian Institute – E-commerce Issues

June 2001 Osgoode Hall Law School – Commercial Legal Drafting in E-Commerce

March 26, 2001 Canadian Bar Association – Internet and E-Commerce

March 8, 2001 Net Law Conference – chaired conference and gave speech on E-Commerce Legislation

February 12, 2001 Canadian Institute – Due Diligence in Internet and E-Commerce Transactions

January 15, 2001 – Law Society Conference on Protecting Intellectual Property in Information Technology Assets (chaired conference)

December 6, 2000 Canadian Institute – Structuring IP Licence Agreements

November 15, 2000 Canadian Institute – Privacy Protection in Canada

November 10, 2000 University of Waterloo – Incorporating Privacy into Security Domain

October 31, 2000 Insight – Legal Framework for E-Commerce Transactions

October 26/27, 2000 Fried Frank in New York – Critical Issues for General Counsel: Emerging Issues in Technology Law

October 19/20, 2000 IT.Can – From Bricks to Clicks: E-Business, Moderated Panel on International Internet Regulatory Issues

October 11, 2000 Institute for International Research – E-Commerce Law: Implementing Legally Compliance E-Commerce Programs to Mitigate Risk and Reduce Loss

October 4, 2000 Ontario Chapter of Risk & Insurance Management – Cyber-Risk: E-Commerce and Risk Management

September 26, 2000 Institute for International Research – Privacy 2000 Conference – Developing a Privacy Policy for Your Internet Site that Fosters Customer Confidence and Ensures Compliance with Legislation

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

September 22, 2000 Marsh Canada – Liabilities Arising from Internet and E-Commerce (E-Commerce)

September 7, 2000 University of Toronto Centre for Innovation Law & Policy – E-Commerce Legislation in Canada

June 27, 2000 Canadian Institute – Intellectual Property On-Line

June 2, 2000 Canadian German Association – E-Commerce Law Issues

May 26 2000 McKinsey & Co. – gave speech to McKinsey clients on Turbo Charging Internet Businesses

May 9, 2000 Toronto Computer Lawyers' Group – Caselaw Update

May 4, 2000 IT/CAN Law Association – Bill C-6, Privacy and Internet Issues

March 31, 2000 - Public Key Infrastructures (PKIs): Practical and Legal Considerations for Maintaining Privacy and Confidentiality in E-Commerce - Netlaw 2000 Conference

March 31, 2000 Canadian Institute – Netlaw Conference – Public Key Infrastructures and E-Commerce

March 22, 2000 INFONEX – Minimizing and Managing Risks Involved in Internet Commerce

March 19, 2000 INFONEX – Bullet-Proofing Your On-Line Business

January 28, 2000 Canadian Bar Association Institute – Developing and Implementing Privacy Policies

January 27, 2000 - Security of Information on the Internet – CBAO

January 27, 2000 Canadian Bar Association Institute – Security of Information in E-Commerce Transactions

December 9, 1999 - Liability Without Leaving Home: The Law of the Internet - The Canadian Institute

November 19, 1999 - Knowledge-Based Businesses: The Businesses of the Future - Pitblado Lectures - The Law Society of Manitoba

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

October 14-15, 1999 - Bill C-54: Sharing Information and Targeting Customers - Insight Second Annual 1999 Advertising Forum

September 13, 1999 - Security and Confidentiality Issues in E-Commerce - The Institute for International Research

June 17, 1999 - Protecting Intellectual Property Rights in E-Commerce - First Joint Canadian IT Law/CLA Conference (Moderator)

April 12, 1999 - Privacy and Security Issues in E-Commerce - Netlaw Conference

March 25, 1999 - Legal Issues Involving E-Commerce and the Internet – CBAO

February 24, 1999 - Information and Data Privacy – E-Commerce in the Year 1999

February 23, 1999 - Legal Issues Related to the Year 2000 - Infonex Conference (Chair)

February 9, 1999 - Information Technology Law Up-Date – gave speech to the Toronto Computer Lawyers' Group

November 30, 1998 - The Law of E-Commerce, Strategy Institute

November 26, 1998 - E-Commerce, Second Annual Canadian Information Technology Law Conference

November 5, 1998 - Commerce on the Internet: Legal Issues, Paper on Corporate Internet Policies (Chair of Conference)

October 20, 1998 - Copyright and Content Issues on the Web, International Trademark Association Annual Meeting

October 6, 1998 - Contracting for Information Technology, Osgoode Hall Law School

September 24, 1998 - Outsourcing Contracts Conference, Federated Press (Chair)

June 22, 1998 - Intellectual Property in the Digital Universe, Infonex (Chair)

April 18, 1998 - Copyright and the New Digital Agenda, New Developments in Communications Law and Policy: Towards the

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

Millennium, Law Society of Upper Canada

March 2, 1998 - Contracting for Information Technology - Outsourcing Agreements, Osgoode Hall Law School Professional Development Program

February 24, 1998 - Expert Purchasing of Information Technology, Federated Press (Chair)

January 29, 1998 - Doing Business Over Global Networks - CBAO Ontario

November 27 and 28, 1997 - co-chaired and organized first Canadian conference of the Information Technology Canada Law Association

September 17, 1997 - Osgoode Hall Law School Continuing Legal Education Programme - Organized and chaired conference on "Doing Business on the Internet"

September 10, 11, and 12, 1997 - ITU Conference Switzerland – "Jurisdiction and the Internet"

June 13, 1997 - Dayton School of Law – "Jurisdiction and the Internet"

June 3, 1997 - Canadian Business Press – "Legal Issues Involved in On-Line Publishing"

April 29, 1997 - Infonex - "Intellectual Property Issues for Business Agreements"

April 24 & 25, 1997 - Computer Law Association Washington - "Legal Developments in Information Technology and Communications in Canada"

March 25, 1997 - Osgoode Hall Law School Continuing Legal Education Program - "Legal Implications of Doing Business over the Internet"

March 7, 1997 - "Legal Issues Related to the Internet" (Canadian Music Week)

January 14, 1997 - Speech to Toronto Computer Lawyers' Group - "Recent Developments in Information Technology Law"

October 30, 1996 - York University, Osgoode Hall Law School - "Copyright and Information Technology"

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

April 18, 1996 - Thomson & Thomson Forum - "The Impact of New Technologies on Copyright"

April 9, 1996 - Toronto Computer Lawyers' Group - "Case Law Update"

March 21 & 22, 1996 - National Intellectual Property Law Institute - "Strategic International Issues in Enforcing Copyright Issues in Computer Software"

February 23, 1996 - Moderator Colloquium of ALAI Canada on Multi-Media and Information Highways

February 1, 1996 - Canadian Business Press Seminar - "An Editor's Guide to Going On-Line"

June 19 & 20, 1995 - Insight Conference - "The Business of Licensing and Merchandising Legal and Practical Issues for Successful Licensing"

March 29, 1995 - Infonex Conference - "Software and the Electronic Distribution of Information Products"

June 9, 1994 - University of Dayton School of Law Conference on Significant Developments in Computer Law - "An Outsider's View of United States Copyright Protection for Software"

Awards & Rankings

Chambers Global

Star Individual: Information Technology - Canada

Chambers Global

Band 1: Intellectual Property - Canada

Chambers Canada

Star Individual: Information Technology - Nationwide Canada

Chambers Canada

Band 1: Intellectual Property - Nationwide Canada

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

Chambers Canada

Leading Lawyer: Privacy & Data Protection - Nationwide Canada

Lexpert Guide to US/Canada Cross-Border Lawyers in Canada

A leading cross-border lawyer

The Canadian Legal Lexpert Directory

Most Frequently Recommended: Computer & IT Law, Intellectual Property and Technology Transactions

The Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada

Most Frequently Recommended: Computer & IT Law, Intellectual Property and Technology Transactions

The Legal 500 - Canada

Leading Lawyer: Technology

The Legal 500 - Canada

Leading Lawyer: Intellectual Property

Benchmark Litigation Canada

Litigation Star: Intellectual Property

Who's Who Legal

Most Highly Regarded: Telecoms, Media & Technology - Canada

Best Lawyers in Canada - 2017 & 2019

Toronto Lawyer of the Year - Technology Law

Best Lawyers in Canada

Leading lawyer in the areas of Information Technology, Intellectual Property, Privacy and Data Security and Technology Law

Intellectual Asset Management (IAM) Patent 1000

Recommended: Patents (Transactions)

Managing Intellectual Property Magazine: IP Stars

Trademark IP Star

Barry B. Sookman

Partner

Toronto

bsookman@mccarthy.ca

t. 416-601-7949

Recent Experience

- **Access Copyright files counterclaim against school boards across eight Canadian provinces and three territories for unpaid copyright tariff royalties**
- **Music Canada involved in litigation regarding the new “making available” right under Canadian law**
- **Stelco Inc. emerges from CCAA proceedings**
June 30, 2017
- **SCC confirms that Internet intermediaries can be ordered to deindex illegal sites worldwide: Google Inc. v. Equustek Solutions Inc., 2017 SCC 34**
June 28, 2017

Recent Insights

- **Site blocking orders come to Canada: GoldTV.biz**
November 19, 2019
- **Hard lessons in dataset licensing to create commercial products: 77m v Ordnance Survey**
November 12, 2019
- **When Copyright in a Work Transfers to the Crown: Keatley v. Teranet**
September 26, 2019
- **OPC Drops Transborder Transfer of Data Consultation**
September 24, 2019

Events

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