



# Daniel G.C. Glover

## Associé

Toronto

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t. +1 416-601-8069

## Admission au barreau

Ontario 2006

## Faculté de droit

University of Toronto

## Domaines de pratique

Litiges en appel

Litige en propriété intellectuelle

Propriété intellectuelle

Cyber/Données

Litige en concurrence

## Secteurs d'activité

Franchises et distribution

Communications

Technologie

Automobile

*Disponible en Anglais seulement*

**Daniel Glover is national co-lead of our Cyber/Data Group and a member of our Intellectual Property, Privacy, Technology, Consumer Products & Retail Group, Franchise & Distribution, and Appellate Groups.**

Daniel has significant experience in all aspects of information law. His practice takes a 360-degree approach to data: he helps clients extract the tremendous value inherent in data, while at the same time managing the complex risks associated with data. He has worked on the highest-stakes files in the field, having advised clients in relation to the three largest data breaches in Canadian history and having argued landmark cases before the Supreme Court of Canada and other leading appellate courts.

The breadth and excellence of Daniel's practice are widely recognized. Chambers Canada ranks Daniel as a leading lawyer in three separate areas: Intellectual Property: Litigation, Media & Entertainment, and Privacy & Data Protection. Daniel also plays a key role in McCarthy Tétrault's Band One Information Technology practice.

Daniel's insights come from significant exposure to the many different areas of law touching on the exploitation and protection information, including privacy, cybersecurity, breach response, copyright and trademark infringement, privilege, anti-spam and marketing compliance, confidential information, competition law, constitutional law, and Internet law.

This exposure touches upon a broad diversity of industries. Daniel has advised numerous clients in the technology, social media, consumer products, retail, financial services, insurance, entertainment, gaming, automotive, industrial and health services fields, including in the class action setting and also before key privacy, health privacy, and marketing regulators across Canada.

In his litigation practice, Daniel delivered oral submissions on behalf of the International Federation of the Phonographic Industry (IFPI) and other

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creative industry stakeholders in the landmark decision of *Equustek Solutions Inc. v. Google Inc.*, 2017 SCC 73, a case that has drawn global attention, as it created a new form of equitable relief allowing courts to order search engines to remove links to infringing content worldwide and across all of their platforms. This case has been reported in *Fortune*, *Wired*, *The New York Times*, and the *Hollywood Reporter*, among other publications.

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

Beyond his successful representation in the *Equustek* case, Daniel was counsel in successful appeals at the Supreme Court of Canada in two leading copyright cases in 2012, appeared at the Supreme Court again in 2013 and 2015 in important appeals on the test for copyright infringement and the application of copyright law to new technologies. These cases were instrumental in McCarthy Tétrault LLP being named Managing IP's Canada Copyright Firm of the Year for 2018 and 2019. Lexpert has named five of his cases in its annual "Top 10 cases" rankings (for 2012, 2014, 2015 and 2017), and another was named a Managing IP Milestone Case of the Year for 2016. Daniel also led the drafting of an amicus brief on international copyright law standards at the Supreme Court of the United States in 2014.

A selection of cases in which Daniel was counsel includes:

- *American Broadcasting Companies, Inc., et al. v. Aereo, Inc.*, fka Bamboom Labs, Inc, 134 S. Ct. 2498 (Supreme Court of the United States, 2014)
- *SOCAN et al. v. Entertainment Software Assn et al.*, 2022 SCC 30 (Supreme Court of Canada)
- *Equustek Solutions Inc. v. Google Inc.*, 2017 SCC 73 (Supreme Court of Canada)
- *Canadian Broadcasting Corp. v. SODRAC 2003 Inc.*, 2015 SCC 57 (Supreme Court of Canada)

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- Cinar Corporation v. Robinson, 2013 SCC 73 (Supreme Court of Canada)
- Reference re Broadcasting Regulatory Policy CRTC 2010-167 and Broadcasting Order CRTC 2010-168, 2012 SCC 68 (Supreme Court of Canada)
- ESA v. SOCAN, 2012 SCC 34 (Supreme Court of Canada)
- Alberta v. Canadian Copyright Licensing Agency, 2012 SCC 37 (Supreme Court of Canada)
- Bell Canada et al. v. Copyright Collective of Canada et al., 2021 FCA 148 (Federal Court of Appeal)
- Teksavvy Solutions Inc. v. Bell Media Inc., 2021 FCA 100
- 3510395 Canada Inc. (Known as CompuFinder) v. Attorney General of Canada, 2020 FCA 103
- Sirius Canada Inc. v. CMRRA/SODRAC Inc. 2010 FCA 348 (Federal Court of Appeal)
- Maple Leaf Foods Inc. v. Consorzio del Prosciutto di Parma, 2010 FCA 247 (Federal Court of Appeal)
- Canadian Wireless Telecommunications Assn. v. Society of Composers, Authors and Music Publishers of Canada, 2008 FCA 6 (Federal Court of Appeal)
- Columbia Pictures Industries v. Wang, 2007 SKCA 133 (Sask. C.A.)
- Robertson v. Proquest Learning and Information LLC, 2010 CanLII 31314 (Ontario Superior Court of Justice)

Daniel has been recognized as an IP Star (Trademark and Copyright) since 2018, with firm clients singling out his "very knowledgeable" and "creative and business-oriented approach" in connection with McCarthy Tétrault's Tier One copyright practice and notable trademark practice. The WTR 1000 has recognized Daniel in the enforcement and litigation category since 2014, with one firm client stating that he "is just brilliant. He is very very sharp and is exceptionally conscientious, smart, courteous and very funny too". Daniel is also ranked by Chambers for his intellectual property practice. In Lexpert's Special Edition: Litigation 2022, the publication recognized Dan's work with Society of Composers, Authors and Music Publishers of

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Canada, et al. v. Entertainment Software Association, et al., 2022 SCC 30 as one of [Lexpert's Top 10 Business Decisions for 2021–2022](#).

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

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

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

Prior to entering law school, Daniel was an editor and writer for the National Post and an editor for the Frommer's and Let's Go travel guide series. He was also a contributing author for McCarthy Tétrault's chapter in the first edition of Artificial Intelligence, Law Over Borders Comparative Guide 2022.

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

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## Prix et distinctions

### Chambers Global

Leading Lawyer: Intellectual Property – Canada

### Chambers Canada

Leading Lawyer: Privacy & Data Protection; Intellectual Property (Litigation);  
Media & Entertainment

### The Canadian Legal Lexpert Directory

Leading Lawyer: Data Protection & Privacy

### Lexpert Special Edition: Technology & Health Sciences

Leading Lawyer

### Global Data Review

Recognized Practitioner – Canada

### Managing Intellectual Property: IP Stars

Trademark Star and Copyright Star

### World Trademark Review

Canada's Leading Trademark Professionals: Enforcement & Litigations

### Leading Lawyers in Canada

Privacy and Data Security Law

## Mandats récents

- **Meta Platforms, Inc. se défend avec succès contre la plainte du CPVP alléguant la non-conformité à la Loi sur la protection des renseignements personnels et les documents électroniques (LPRPDE)**

13 avril 2023

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- **Music Canada est partie à un litige relatif au nouveau droit de mise à disposition prévu par la loi canadienne**

15 juillet 2022

- **McCarthy Tétrault représente l'appelante Music Canada dans le cadre d'une cause devant la Cour suprême du Canada portant sur les dispositions concernant la « mise à disposition » de la Loi sur le droit d'auteur**

15 juillet 2022

## Publications récentes

- **Faire des affaires au Canada : nouveau numéro disponible dès maintenant**

9 novembre 2023

- **Loi 25 - Obligations en vigueur en septembre 2023**

22 septembre 2023

- **Série de blogues sur le projet de loi 64 du groupe Cyber/Données de McCarthy Tétrault**

22 septembre 2023

- **Trousse de mise en conformité à la Loi 25 : Connaître vos obligations**

9 mars 2023