



# Barry B. Sookman

## Conseil principal

Toronto

[bsookman@mccarthy.ca](mailto:bsookman@mccarthy.ca)

t. +1 416-601-7949

## Admission au barreau

Ontario 1982

## Faculté de droit

Osgoode Hall Law School

## Domaines de pratique

Litiges en appel

Litige en propriété intellectuelle

Propriété intellectuelle

Marchés publics

Cyber/Données

## Secteurs d'activité

Impartition

Technologie

*Disponible en Anglais seulement*

**Barry Sookman is one of Canada's leading technology, copyright, privacy, and AI lawyer. He is a senior counsel 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.**

Barry Sookman is the author of [several books](#) including the leading eight-volume treatise, *Sookman: Computer, Internet and E-Commerce Law* (Carswell, 1999-2023); *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, 2001-2022); 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).

Mr. Sookman is also an adjunct Professor who teaches intellectual property at Osgoode Hall Law School.

Mr. Sookman 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 licencing, outsourcing and cloud computing deals and disputes. He regularly acts on transactions which must meet regulatory requirements including the OSFI-B10 Outsourcing Guideline and other applicable guidelines and advisories and privacy and data handling issues. He

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also provides advice in connection with protecting and exploiting intellectual property and new media products.

Barry Sookman is also a leading Canadian lawyer with expertise in issues arising from the development, commercialization and use of artificial intelligence (AI) systems. This includes issues such as copyright, commercial, regulatory compliance, and ethical issues. Barry Sookman a member of the Wellness AI Ethics Committee (a B.C. Supercluster project) and is on the York University Connected Minds Advisory Board.

Mr Sookman 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 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, ISP liability, 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, intellectual property trade, privacy and artificial intelligence related issues.

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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 ten times. His cases include the following:

- *Society of Composers, Authors and Music Publishers of Canada, et al. v. Entertainment Software Association, et al.* 2022 SCC 30 (Supreme Court of Canada)
- *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)
- *CCH Canadian Ltd. v. Law Society of Upper Canada* [2004] SCC 13 (Supreme Court of Canada)
- *Robertson v. The Thomson Corporation* [2006] 25 C.R. 363 (Supreme Court of Canada)
- *Teksavvy Solutions Inc. v. Bell Media Inc.*, 2021 FCA 100
- *3510395 Canada Inc. v. Canada (Attorney General)*, 2020 FCA 103
- *Entertainment Software Assoc. v. Society Composers*, 2020 FCA 100
- *Re:Sound v. Canadian Association of Broadcasters*, 2017 FCA 138

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- *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)
- [Voltage Pictures, LLC v. Salna](#), 2023 FC 893
- [Millennium Funding, Inc. v. Bell Canada](#), 2023 FC 764
- [Canada \(Privacy Commissioner\) v. Facebook, Inc.](#), 2023 FC 533
- [Facebook, Inc. v. Canada \(Privacy Commissioner\)](#), 2023 FC 534
- [TBV Productions, LLC v. Doe](#), 2021 FC 181
- *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 26
- *Tariff 22 Proceeding (Making Available Right)* (Copyright Board) (September 22, 2017)

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- *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:

- Bill C-27 (CPPA and AIDA) Privacy and Artificial Intelligence (Nov. 2023)
- Copyright reform consultations – Artificial intelligence and Internet of Things (2021)
- Copyright reform consultations – Intermediary liability issues (2021)
- Trade in Intangibles and impacts of the CPPA on small business (Roundtable with Minister Ng) (December 2020)
- OPC consultation on artificial intelligence: my submission to the consultation (March 2020)
- OPC consultation on trans-border data flows: my submission to the consultation (August 2019)
- 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)

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- 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, information technology, and artificial intelligence issues at his blog [barrysookman.com](http://barrysookman.com) which has been recognized in the 2012, 2013, and 2022 Clawbies. He also has a large following on Twitter @bsookman and LinkedIn @bsookman.

Mr. Sookman 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 (2005-2024) Information Technology:* Consistently ranked as a "Star Individual" (higher than Band 1) or "Senior Statesman" or Band 1 (highest band). "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

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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 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." "Barry Sookman draws acclaim from clients as "a knowledgeable, steady hand who gets the job done, develops our team and is a tough negotiator." He is a pre-eminent technology lawyer with vast experience in complex negotiations including systems integration deals and licensing agreements." . " "Barry Sookman is a pre-eminent Toronto-based technology lawyer with vast experience in complex negotiations including systems integration deals and licensing agreements. "He definitely remains a household name." "He is the godfather of the market."" Barry Sookman is a pre-eminent Toronto-based technology lawyer with vast experience in complex IT contract negotiations, including master services agreements. "He has a breadth and depth of knowledge which is unsurpassed." "He is an academic. If you need to understand something inside-out, he is your guy." "Barry is not only extremely knowledgeable but very hard to fluster." ""He is excellent at distilling issues to their essence and helping us find a practical solution. Every time I

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am in a negotiation with Barry I learn something new."

*Chambers Canada and Chambers Global (2015-2024) Intellectual Property* (ranked highest in Band 1 or "Senior Statesman"): "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." "Technology industry stalwart Barry Sookman continues to be recognised as a leading light in the area of copyright and information technology. "You don't just get top-notch advice, but there is a gravitas that comes with working with him," revealed one client, adding: "He is so well regarded within the legal industry and the government." "Technology industry stalwart Barry Sookman continues to be recognised as a leading light in the area of copyright and information technology. Based in Toronto, he has also been engaged on major litigation files. "He has an encyclopedic knowledge of the law and is a leader in the field of technology law." "Technology industry stalwart Barry Sookman continues to be recognised as a leading light in the area of copyright and information technology. Based in Toronto, he has also been engaged on major litigation files. "Barry Sookman is a top Canadian IP and internet lawyer." "Technology industry stalwart Barry Sookman continues to be recognised as a leading light in the area of



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*copyright and information technology. Based in Toronto, he has also been engaged on major litigation files."*

*Chambers Canada and Chambers Global (2015-2023) Canada, Privacy & Data Protection ("Senior Statesman")* "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 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. 'Eminent technology lawyer Barry Sookman is highly respected for his contributions to the privacy and cybersecurity field, particularly as it relates to intellectual property and anti-spam legislation.'" "Toronto-based senior counsel Barry Sookman is highly respected for his contributions to the privacy and cybersecurity field, particularly as it relates to intellectual property and anti-spam legislation." "He is the top Canadian IP and internet lawyer."

*Canadian Legal Lexpert Directory (2003-2023):* Listed in Computer and IT Law (Highest ranking - Most Frequently Recommended Lawyer), Technology Transactions (Highest ranking - Most Frequently Recommended or consistently recommended. Also ranked in the *Lexpert Special Edition Technology and Health Sciences (2022)*

*Canadian Legal Lexpert Directory (2023):* Privacy Highest ranking - Most Frequently Recommended

*Canadian Legal Lexpert Directory (2003-2023):* Intellectual Property Highest ranking - Most Frequently Recommended

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Martindale-Hubbell (2019-2022) Preeminent Practitioner

IP Stars (2020-2024) Copyright Star

*The Legal 500 Canada* (2019-2024) (2023-2024 Hall of Fame) Intellectual Property (Leading individual) "key contact is litigator Barry Sookman, who focuses on IT, IP and privacy matters. "Leading Individual" in Technology. ""Barry Sookman ranks among the market's leading regulatory specialists." " **McCarthy Tétrault** operates across all key pillars of IP law, with strong offerings in prosecution, litigation, and multi-jurisdictional matters. Among the names to note in Toronto, senior counsel Barry Sookman stands as an authority in copyright and IP-related issues."

*Technology, Media, Telecoms* (2017) (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* (2008-2023) Ranked as the best Technology Lawyer of the Year, 2010, 2011, 2015, 2017, 2018, 2021. Ranked by Best Lawyers in Information Technology, Technology, Intellectual Property, and Privacy and Data Security Law.

*Who's Who Legal: Canada* (2011-2023) Data - Information Technology – "Thought Leader"; Data Privacy & Protection Global Leader, Data Security, Information Technology. "Most Highly Regarded" Individual or Global Leader", Data "National Leader" "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 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

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"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 (2003-2022): 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* (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

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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.

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

- [\*Voltage Holdings, LLC v. Doe #1\*](#), 2023 FCA 194
- *Society of Composers, Authors and Music Publishers of Canada, et al. v. Entertainment Software Association, et al.* 2022 SCC 30 (Supreme Court of Canada)
- *Nintendo of America Inc. v. King*, [2018] 1 FCR 509
- *Andrews v. McHale*, 2016 FC 624
- *Biocad Medical Inc. c. Panthera Dental inc.*, 2016 QCCS 3096
- *Seggie c. Roofdog Games Inc.*, 2015 QCCS 6462
- *v. Avanes et al.*, 2015 ONCJ 606 (CanLII) (electronic evidence)
- *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)

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- *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)

Mr. Sookman'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 and presentation of this appeal."

Mr. Sookman 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"

Mr. Sookman has also appeared on the cover of CBA National magazine's September 2013 "Is your law firm exposed to cyber-espionage?"

Mr. Sookman 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 Litteraire 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

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Executive Society and the Copyright Society of the USA. He is also a member of the advisory board of the global think tank MacDonalD Laurier Institute (MLI) and York Connected Minds (AI project) and is a former member of the advisory board of the Centre for International Governance Innovation (CIGI).

Mr. Sookman is a graduate of Osgoode Hall Law School with a JD (1980) and was called to the Ontario bar in 1982. He also 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).

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## Prix et distinctions

### Chambers Global

Band 1: Information Technology - Canada

### Chambers Global

Band 1: Intellectual Property - Canada

### Chambers Canada

Senior Statesperson: Information Technology

### Chambers Canada

Senior Statesperson: Intellectual Property - Nationwide Canada

### The Canadian Legal Lexpert Directory

Leading Lawyer: Computer & IT Law; Intellectual Property; Technology Transactions; Data Protection & Privacy

### Lexpert Special Edition - Technology & Health Sciences

Leading Lawyer

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## **Lexpert Guide to US/Canada Cross-Border Lawyers in Canada**

A leading cross-border lawyer

## **The Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada**

Leading Lawyer: Computer & I. T. Law and Intellectual Property

## **The Legal 500 Canada**

Hall of Fame: Intellectual Property

## **Who's Who Legal**

Most Highly Regarded: Telecoms, Media & Technology - Canada

## **Best Lawyers in Canada - 2017, 2019, 2021 and 2023**

Technology Law Lawyer of the Year (Toronto)

## **Intellectual Asset Management (IAM) Patent 1000**

Recommended: Patents (Transactions)

## **Managing Intellectual Property: IP Stars**

Notable Practitioner

## **Benchmark Canada - 2017**

As a Litigation Star in the area of Intellectual Property

## **Benchmark Canada Awards**

Impact Case Award, 2024 – Canada (Privacy Commissioner) v. Facebook, Inc., 2023 FC 533

## **Canadian Law Awards**

Commercial Litigation Team of the Year, 2024 – Canada (Privacy Commissioner) v. Facebook, Inc., 2023 FC 533

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## 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
- **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

- **Bitcoin Mining Damages Clause Enforced by Supreme Court of British Columbia**  
21 novembre 2022

## Événements

- **L'avenir du droit de l'IA : Mieux comprendre la Loi sur l'IA de l'UE et la loi sur l'intelligence artificielle et les données (LIAD) du Canada**  
20 juin 2024
- **Sommet concernant le droit de l'intelligence artificielle**  
11 mai 2023



