

Announcing Cozen O'Connor Canada's Technology and Privacy Team

Tuesday, January 23, 2024

We are excited to launch Cozen O'Connor Canada's Privacy and Technology team headed by Atoussa Mahmoudpour. Our experienced cross-border team is poised to assist clients with their privacy and cybersecurity risks and technology transactions, providing comprehensive services across a full-spectrum of sectors.

Technology & Privacy Practice – Canadian Capabilities

Generative AI, ChatGPT, Zero Trust, deepfakes – we know it can be hard to keep up with the ever-evolving landscape of privacy and cybersecurity risks to your organization. This is particularly true in Canada, given our highly restrictive anti-spam regime and patchwork of national and provincial private and public sector privacy legislation. The stakes are rising as oversight offices, such as Privacy Commissioners, become increasingly tech-savvy and expect organizations to have air-tight accountability and governance programs.

Our lawyers represent clients across Canada in connection with managing cyber-risks, handling clients' most sensitive transactions, and creating and operationalizing sector-specific tailored privacy programs. We understand the risks that a privacy or cybersecurity breach can pose both to an organization's reputation and finances. Cozen O'Connor provides forward-looking advice and counsel to prevent incidents from occurring in the first place. In case of an incident, we are poised to handle the investigation, containment, and remediation phases and to guide you through any resulting regulatory action. Our cross-border capabilities mean our teams are here to help across North America. Whatever your privacy and cybersecurity needs may be, Cozen O'Connor's experienced team is here to help.

Transactional Services

Our transactional team addresses a wide range of cyberlaw, privacy, and data security issues and technology- and internet-related transactions. We handle strategic outsourcing/licensing, optimizing digital assets, internal data management and privacy governance, as well as media M&A and other corporate-level technology transactions. We also handle buy- and sell-side technology transactions that typically involve cloud computing, data privacy, IP, software, and security, and interactive marketing regulatory compliance.

Additional transactional services include:

- drafting and negotiating software, IT services, data, and digital media agreements;
- advising clients in the use and protection of IP assets;
- counseling clients on the protection of personal data and other sensitive data assets; and
- inbound and outbound technology licensing and acquisition.

Artificial Intelligence

Our team stands ready to assist a range of clients, including developers and providers of AI platforms, subscribers and business users of AI platforms, creative agencies, software developers, and others that leverage, embed, or integrate with AI and machine learning tools. Whether you use AI in your business or AI is your business, we can help you navigate this largely uncharted territory.

For example, when structuring and negotiating transactions for the development, licensing,

Related Practice Areas

- Technology, Privacy & Data Security

acquisition, or use of AI tools, clients can rest assured that our interdisciplinary team is tracking all of the issues at play, including privacy, legal and regulatory compliance, intellectual property rights, and risk allocation. We can also help organizations comply with industry and regulatory AI frameworks relating to privacy, safety, accountability, and absence of bias.

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Regulatory Services

The regulatory landscape surrounding data protection and cybersecurity is ever-changing and pitted with landmines. One incident of data loss, breach, or cyberattack can undermine years of good will and leave clients with daunting financial, legal, and reputational challenges. When disaster strikes, companies need an experienced crisis manager at the helm to stem the damage and ensure that the remediation strategy complies with all relevant laws and regulations. We also provide advice and guide our clients and their businesses on new and upcoming laws such as:

- the new Quebec Privacy Act (Law 25) coming into force in September 2024;
- Bill C-27 that sets out the Digital Charter Implementation Act, creating a new framework governing the private sector, governing the use of AI systems;
- the Consumer Privacy Protection Act (CPPA) that may replace PIPEDA in the private sector, and
- the artificial Intelligence and Data Act, regulating trade and commerce in the AI systems.

Additional services include:

- drafting privacy policies and privacy-related disclosures, and structuring privacy and security by design;
- assisting with advertising and marketing privacy (including retargeting, cross-device tracking, cookie matching, and identity resolution);
- handling contracts with all aspects of the digital advertising ecosystem, including DSPs, SSPs, DMPs, yield optimization tools, verification tools, ad servers, list management, and lead generator/aggregator and performance marketing contracts; and
- evaluating and managing vendor privacy and security.