



IIC Canada 2017 Conference New Developments in Communications Law and Policy Speaker Profiles

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Research Paper

JANET WALKER, CD, BA(Hons) MA, JD, DPhil (Oxon), is a Chartered Arbitrator based in Toronto at Arbitration Place, in London at Outer Temple Chambers, and in Sydney, Australia. She is a professor of law (and past associate dean) of Osgoode Hall Law School, a member of the Ontario Bar, and a licensed legal consultant of the New York State Bar.

Ms. Walker has served as sole, presiding, and co-arbitrator in ICC, ICDR, DIAC, SIAC and in ad hoc arbitrations in a variety of seats. She is a member of the panels of ACICA, BVI, CIETAC, HKIAC, ICDR, KLRCA, Shanghai, Shenzhen, SIAC and Ukraine, and she has a good working knowledge of Spanish and French.

Professor Walker was admitted to the ICC Canada roster in 2001 and she is a founding member of the Toronto Commercial Arbitration Society (formerly Arbitration Roundtable of Toronto), the CIArb Canadian Branch (formerly founding chair of the Toronto Chapter), Young Canadian Arbitration Practitioners (founding advisor), and ArbitralWomen; and she is a member of the LCIA, IBA, IPBA, ICCA and the Worshipful Company of Arbitrators.

For 20 years Ms. Walker has served as consultant and legal expert witness in crossborder and complex litigation, and in law reform working groups for the American Law Institute, ABA, IBA and the Uniform Law Conference of Canada, including its international arbitration legislation project advisory board. She was a member of the Working Group that successfully advocated on behalf of the adoption of the 2006 version of the Model Law in Ontario; and a member of the Executive Organizing Committee of ICCA 2018 Sydney.

Ms. Walker has authored Canada's main text on private international law, *Canadian Conflict of Laws* for more than 15 years, and she is the general editor of works on civil litigation and complex litigation. She was advisor (common law) to Canada's Federal Courts rules committee (2006-15) and CIArb academic advisor (2014-15).

Professor Walker is International Association of Procedural Law secretary general, ILA Canada past president, and she coached the Osgoode Vis Team (2001-14), including in the year that they won the competition. She was Leverhulme professor at University College, Oxford; Hauser global law professor at NYU and NYU/NUS in Singapore; and visiting professor at universities at

Tunisia (2001-14) and in Australia, Israel, Italy, Croatia and China. She has served as co-director of the CIArb Oxford Diploma course in international arbitration since 2014.

Since 2010, Ms. Walker had been recognized in leading indexes, including *Who's Who Legal* (Canada, and International), *Chambers*, and *Best Lawyers*.

Moderator

PETER RUBY is a partner at Goodmans. He has a national and international practice focused on business and information technology dispute resolution, including software, telecommunications, film, radio, television, privacy and data protection, intellectual property, ecommerce and internet litigation, Canadian and cross-border arbitration, mediation and advice.

Mr. Ruby represents both large multi-national organizations and some of Canada's most entrepreneurial providers and users of information technology. With respect to privacy and data protection, he has successfully litigated business-related privacy cases that have been brought before the courts and has considerable experience assisting clients in dealing with privacy breach incidents.

Mr. Ruby is recognized as a *leading IT litigator in Chambers Global Guide to The World's Leading Lawyers for Business, The Canadian Legal Lexpert Directory, Euromoney's Guide to The World's Leading Information Technology Lawyers and The Best Lawyers in Canada, and is also recognized by Benchmark Canada: The Guide to Canada's Leading Litigation Firms and Attorneys* in the areas of international arbitration, energy and intellectual property. He was a law clerk to the Federal Court of Canada and is a Professor of Law (adj.) at the University of Toronto teaching Telecommunications and Internet Law. Mr. Ruby was a co-chair of the 2017 World Technology Law Conference in Chicago.

Panellists

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. Mr. Sookman is one of Canada's foremost authorities in the area of information technology, Internet, copyright and privacy law and acts in connection with complex IT/IP transactions, including outsourcings and in IT/IP litigation. He has argued numerous precedent-setting cases at all levels of courts, including the Supreme Court of Canada.

Mr. Sookman is the author of numerous books, including the leading six-volume treatise *Computer, Internet and Electronic Commerce*. As well, he is an adjunct Professor who teaches intellectual property at Osgoode Hall Law School. Mr. Sookman is a member of the Copyright Committee of the Patent Trademark Institute of Canada (PTIC). He was called to the Ontario bar in 1982.

MARK HAYES is one of Canada's best-known technology, copyright and privacy lawyers. He practiced civil litigation, technology, entertainment and privacy law for 25 years with one of Canada's largest full-service law firms before forming his IP and technology boutique law firm, Hayes eLaw LLP, in April 2009.

His practice focuses on commercial and litigation matters relating to intellectual property and copyright law, entertainment and media, gaming, information technology and Internet, privacy and access to information. Mr. Hayes has extensive experience with regulatory matters and Canadian federal tribunals, including the Copyright Board of Canada. His clients range from Fortune 500 companies to individual website operators, and include a number of industry associations.

Mr. Hayes has for several years provided pro bono legal services to Child Find Manitoba, the Canadian Centre for Child Protection and www.cybertip.ca, the Canadian child pornography tip line.

He has written and lectured in Canada and abroad on issues relating to privacy, copyright, entertainment law, technology and the Internet. He is the author of *Privacy Law in Canada*, a chapter of the U.S. publication *Proskauer on Privacy*, and a co-author of *The Cyberspace is Not a "No Law Land"*, the landmark 1997 study commissioned by Industry Canada on liability on the Internet.

VIVEK KRISHNAMURTHY is a Clinical Attorney at Harvard Law School's Cyberlaw Clinic and a visiting lecturer this year at the University of California, Davis School of Law. A public international lawyer by background, his clinical teaching and scholarship focuses on the regulation of the Internet as a cross-border phenomenon and on the human rights impacts of internet-based technologies. He advises activists, journalists, governments, and technology companies on these questions and has spoken about the intersection between the Internet and human rights at conferences and symposia around the world.

A graduate of Yale Law School, Mr. Krishnamurthy holds degrees from the University of Toronto and the University of Oxford, where he studied as a Rhodes Scholar. He clerked for the Hon. Morris J. Fish of the Supreme Court of Canada and currently serves on the board of directors of the Global Network Initiative. Prior to joining the Cyberlaw Clinic, Mr. Krishnamurthy was an associate in the Corporate Social Responsibility and International Litigation practice groups at Foley Hoag LLP.