



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

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Regulating "Uncivil Discourse" on the Internet: Defamation, Hate Speech, and Fake News

Research Paper

SHELDON BURSSTEIN is a partner of Blake, Cassels & Graydon LLP. He practises in the Intellectual Property (IP) and Information Technology Groups in Toronto. Mr. Burshtein has a B. (Civ.) Eng. from McGill University and is a professional engineer in Ontario. He has his B.C.L. and LL.B. from McGill. He is a member of the Ontario bar and is a Certified Specialist in IP (Patent, Trade-mark and Copyright) Law. He is a patent agent and a trade-mark agent and a Certified Licensing Professional.

Mr. Burshtein is involved in the clearance, prosecution, acquisition, enforcement and exploitation of types of IP in all industries and technology sectors. His practice emphasizes transactions involving IP and technology, such as licensing. He counsels on IP and technology, including ecommerce and social media, matters.

Mr. Burshtein lectures/contributes content at the McGill/IP Institute of Canada courses on Copyright and Trade-marks. He teaches in the Osgoode Hall Law School IP/Technology Intensive Program and has taught in Osgoode Hall's E-commerce and IP LL.M. programs.

He has authored several texts, including *The Law of Domain Names and Trade-marks on the Internet* (3 volumes), *Canadian Corporate Counsel Guide to Intellectual Property Law and Patent Your Own Invention in Canada*. He has co-authored other books, including *The Use of Another's Trademark*, *Intellectual Property Assets in Mergers and Acquisitions*, *Intellectual Property Disputes: Resolutions and Remedies*, and the *Canadian Copyright/Industrial Designs Benchbook*.

Mr. Burshtein is a regular contributor to IP publications, including his "Licensing Fundamentals" column in *World Intellectual Property Report*. He has authored hundreds of papers and articles on IP. He is a member of IP Neutrals of Canada and other dispute resolution panels. He sits on the editorial board of *The Trademark Reporter*, among other boards and committees in IP and technology organizations. Mr. Burshtein has been recognized as a leader in his field in numerous Canadian and international surveys.

Moderator

A lawyer in Ontario, Canada, since 1977, **JOHN GREGORY** practised commercial law with Wright & McTaggart in Toronto for eight years, then joined the provincial government.

As General Counsel with the Ministry of the Attorney General from 1985 through 2016, he developed legislation and policy in a number of areas, including alternative dispute resolution (the Arbitration Act, the International Commercial Arbitration Act, the *Commercial Mediation Act*, a pilot project on court-annexed mediation, family arbitration reform); private international law (UN Convention on the International Sale of Goods, Canada/France legal co-operation agreement, Hague Trusts Convention, Hague Choice of Courts Convention); family pension policy; defamation (secretary of Attorney General's advisory group, 1989-90, Protection of Public Participation Act, 2010-2015), and information technology (Electronic Commerce Act, Electronic Evidence Act, International Electronic Communications Convention Act).

Mr. Gregory was an Ontario delegate to the Uniform Law Conference of Canada 1987-2001, serving as its President in 1995-96. He was the member of several Canadian delegations to The Hague Conference on Private International Law. From 1997 to 2013, he served on the Canadian delegation to the United Nations Working Group on Electronic Commerce (UNCITRAL), helping develop the Model Law on Electronic Signatures and the Convention on the use of Electronic Communications in International Contracts (EEC).

Mr. Gregory was Ontario's member on the federal Minister of Justice's Advisory Committee on Private International Law 1986-2016. He advised the government of Vietnam on legislative policy development and implementation as part of a Canadian development team 2012-2015.

Panellists

MARINA PAVLOVIĆ is an Assistant Professor at the University of Ottawa's Faculty of Law, Common Law Section, where she is a member of the Center for Law, Technology, and Society. Her teaching and research are in the areas of access to justice, private international law, consumer protection, telecommunications, and technology law and policy.

Ms. Pavlovic holds a law degree from the University of Belgrade in Serbia, a master of laws in Law and Technology from the University of Ottawa, and has been called to the Ontario bar. She has acted as a co-counsel for the Canadian Internet Policy and Public Interest Clinic as an intervener before the Supreme Court of Canada in *Douez v Facebook* and *Haaretz v Goldhar*.

She is a consumer-groups appointed Director on the Board of the Commission for Complaints for Telecom-Television Services (CCTS). Her article "Contracting Out of Access to Justice: Enforcement of Forum Selection Clauses in Consumer Contracts" was cited by the Supreme Court of Canada in *Douez v Facebook*.

PAUL SCHABAS is a Partner with Blake, Cassels & Graydon LLP, Treasurer (President) of the Law Society of Upper Canada and Adjunct Professor, University of Toronto Faculty of Law. His practice includes commercial litigation, arbitrations, criminal and regulatory matters, constitutional, media and public law.

Mr. Schabas is a Fellow, American College of Trial Lawyers, International Academy of Trial Lawyers. He is counsel on leading constitutional/free expression cases including *Grant v Torstar*, *Mentuck*, *Breedon v Black*, *Toronto Star v Canada*, *Canadian Foundation for Children, Youth and the Law*, *Taylor*, *Morgentaler* (1988).

He was named one of Canada's 25 "most influential" lawyers: Canadian Lawyer 2011. Mr. Schabas is a former Chair, Law Foundation of Ontario; Past President, Canadian Media Lawyers Association and Pro Bono Law Ontario; Director, Canadian Civil Liberties Association and The Osgoode Society for Canadian Legal History. He has published numerous articles and frequently speaks on media, Charter and litigation issues.

EDWARD GREENSPON has worked at the intersection of journalism and public policy for more than 30 years. Before becoming President & CEO of the Public Policy Forum in 2016, Mr. Greenspon was a journalist with *The Globe and Mail*, *Bloomberg News* and newspapers in Western Canada. He is also the author of two books on Canadian politics, policy and public opinion.

At the Globe and Mail, he specialized in politics, economics, foreign affairs and business while serving as Editor-in-Chief, Ottawa bureau chief, European correspondent and managing editor of the Report on Business. He was an early proponent of digital transformation as founding editor of globeandmail.com.

At Bloomberg News, he was Editor-at-Large for Canada and global managing editor for energy, environment and commodities, a group situated in 22 countries on six continents.

Mr. Greenspon is the author of *Double Vision: The Inside Story of the Liberals in Power*, which won the 1996 Douglas Purvis Award for best public policy book, and of *Searching for Certainty: Inside the New Canadian Mindset*. He was a winner of the Hyman Soloman Award for Excellence in Public Policy Journalism. In 2010, he chaired a 13-person panel for the Canadian International Council that produced a bold international policy strategy called Open Canada: A Global Positioning Strategy for a Networked Age.

Mr. Greenspon holds a combined honours degree in journalism and political science from Carleton University and was a Commonwealth Scholar at the London School of Economics, earning an M.Sc. (Econ.) with distinction.