



Date: December 16, 2017



Bernice Karn

bkarn@casselsbrock.com

t: 416 869 5721

f: 416 640 3205

Toronto

Suite 2100, Scotia Plaza

40 King Street West

Toronto, ON

Canada

M5H 3C2

“Recognized for her depth of knowledge in IT which she uses to her advantage in negotiating contracts with vendors.” -
Client Testimonial, Chambers Canada

Bernice Karn* is a leading lawyer in the areas of **information technology (IT)**, licensing and **privacy law** and a partner in our Toronto office. She is ranked as one of Canada’s top IT lawyers by the world’s foremost ranking publications, including *Chambers Global* and *Chambers Canada (IT)* and Legal Media Group’s *Guide to the World’s Leading Technology, and Media & Telecommunications Lawyers (IT)*.

Extensive IT and IP Expertise

For over 25 years, Bernice’s expertise in **IT law** has benefitted clients from a range of industries, including major retailers, e-commerce companies, hospitals, universities and major Canadian financial institutions. She has significant experience in outsourcing matters and regularly advises clients on the acquisition and disposition of IT assets and **intellectual property (IP)** rights. She is extremely knowledgeable in the area of IT-related agreements and has deftly crafted master services, joint venture, development, license, escrow, consulting and cloud computing/SaaS agreements for her clients. Bernice’s strong background in IP complements her IT practice as she provides in-depth counsel on trade-marks prosecution, copyright licensing, rights clearances, marketing and advertising law, as well as social media campaigns.

Through her numerous mandates in **IT** and outsourcing matters for financial institutions, Bernice has developed a strong understanding of the regulatory framework within which financial institutions must conduct outsourcing business. She applies this expertise in her work with banks, insurance companies and their service providers, as well as mortgage administration companies.

Bernice also advises on all aspects of procurement procedures and Canadian laws of competitive bidding. Her involvement ranges from assisting clients with competitive request for proposals and multiple vendor negotiations to sourcing partnerships.

In addition, Bernice is a certified licensing professional and a member of the **payments team** at Cassels Brock.

Notable Privacy/Data Security Proficiency

Bernice's practice also includes advising on [privacy](#) laws and data security, a growing area of concern for most companies, as more and more rely on IT-driven solutions. She advises clients on private and public sector privacy and data protection laws and emerging developments, such as Canada's anti-spam legislation.

Bernice has assisted clients in developing and implementing policies and compliance procedures for handling and safeguarding personal and company information, maintaining and transferring customer and employee information, and regulating data transfers with third parties. She regularly conducts privacy assessments and information security policy audits and, when needed, can use her skilled expertise in this area to assist clients in handling and responding to data security incidents.

For her work in this area, Bernice was named a 2015 "[Cybersecurity](#) and Data Privacy Trailblazer" by the *National Law Journal*.

Recognized IT Expert

Bernice has been recognized by publications worldwide for her expertise in [IT](#) and [privacy law](#). She is ranked by *Chambers Global* for her work in IT. *Chambers* notes: "sources highlight her significant in-house background as a strong asset," while clients say "I wouldn't hesitate to recommend her." Bernice is also ranked in the Legal Media Group's *Guide to the World's Leading Technology, Media & Telecommunications Lawyers* (IT) as well as their *Guide to the Leading Women in Business Law* and is recognized as a leading technology lawyer by the *Canadian Legal Expert Directory*; in addition, Bernice was selected as a finalist by Euromoney's *Women in Business Law* for "Best in Media & Entertainment (2013)."

Related IT-Related Transactional Experience

- Advising a major Canadian retailer on master services agreements for code development and system integration
- Negotiating master consulting agreements with major IT consulting vendors on behalf of significant Canadian retailer
- Advising a Canadian bank on credit card production agreements, statement production and processing agreements, and payment processing agreements
- Advising "super computer" manufacturers
- Advising a Canadian university on several satellite launch projects
- Advising a major Canadian retailer on IP aspects of private label insurance products
- Advising a Canadian university on building of hi-performance computing centre and acquisition of hi-performance "super computers"
- Advising a Canadian university on several "Massively Open Online Course" agreements
- Advising several Canadian universities on SaaS agreements for email services with major IT vendor
- Providing legal advice on matters related to cloud-based mortgage administration systems

Client Commentary

- “Recognized for her depth of knowledge in IT which she uses to her advantage in negotiating contracts with vendors.” — *Chambers Canada* (Information Technology)

**denotes Professional Corporation*

Achievements

- *Canadian Legal Lexpert Directory* 2015–2017 (Computer & IT; Technology Transactions)
- *The Best Lawyers in Canada* 2017-2018 (Information Technology Law)
- *The Legal 500 Canada* (Technology, Media and Telecoms)
- Certified Licensing Professional
- *Chambers Canada* 2016–2018 (Information Technology)
- *Chambers Global* 2012–2017 (Information Technology)
- *National Law Journal* 2015 "Cybersecurity & Data Privacy Trailblazer"
- The 2010 *Legal Media Group Guide to the World's Leading Technology, Media & Telecommunications Lawyers* (Information Technology)
- The 2010 *Legal Media Group Guide to the Leading Women in Business Law* (Technology, Media and Telecommunications)

Call to the bar

Ontario, 1986

Associations

- American Bar Association
- Canadian Bar Association
- IT-Canada (Director)
- Licensing Executives' Society (Internet and E-commerce Committee)
- Ontario Bar Association
- Toronto Computer Lawyers Group

Expertise

Business
Cannabis
Copyright & Entertainment
Education
Emerging Companies
Information Technology
Intellectual Property
International Business
Life Sciences
Payments Industry
Privacy