



## Privacy Policy

Bereskin & Parr LLP/S.E.N.C.R.L., s.r.l. is a firm that specializes in intellectual property law with offices in Ontario (Toronto, Mississauga and Waterloo Region) and Quebec (Montréal). The lawyers, patent and trademark agents and staff at Bereskin & Parr (sometimes referred to as “we”) are committed to protecting your privacy. This Privacy Policy outlines how we handle your personal information to protect your privacy.

### Privacy Legislation

Since January 1, 2004, all Canadian organizations engaged in commercial activities have been required to comply with the *Personal Information Protection and Electronic Documents Act* (PIPEDA) and the Canadian Standards Association Model Code for the Protection of Personal Information incorporated by reference into PIPEDA. These obligations extend to lawyers and law firms, including Bereskin & Parr.

In addition, an Act respecting the Protection of Personal Information in the Private Sector has been in force in Quebec since 1994 and sets out rules regarding the collection, use and disclosure of personal information within that province.

Lastly, as a professional services firm, we have professional and ethical obligations to keep confidential the information we receive in the context of a lawyer-client and agent-client relationship.

### Personal Information

Personal information is defined in PIPEDA as information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization. In other words, it does not include the information that one expects to find on a business card.

### Consent to Our Collection Personal Information

In most cases, we obtain your consent to collect, use and disclose your personal information. Usually, if you retain our firm, we assume that we have your implied consent to our collection and use of your personal information, however, at times we may ask for your express consent, either verbally or in writing. Generally, we collect your personal information directly from you at the start of or during the course of your retainer with our firm. Sometimes we may obtain information about you from other sources such as a government registry or other professionals who serve you.

### Use of Personal Information at Bereskin & Parr

We use your personal information to provide legal advice and services to you, to issue invoices and to maintain our database of clients. In addition, if you apply for a position with Bereskin & Parr, we will use your personal information to assess your candidacy. Lastly, we may use your contact information (name, email and postal address) so that we may communicate with you about recent developments in the law, keep you abreast of Bereskin & Parr news and invite you to our firm events.

### Withdrawal of Consent

You may withdraw your consent to our collection, use and disclosure of your personal information at any time, subject to legal and/or contractual restrictions and upon reasonable notice. Your withdrawal of consent to our collection, use and disclosure of your personal information may impact our ability to represent you and provide you with legal advice.



You can ask us not to send you marketing communications by following the opt-out instructions in each communication or you may let us know by contacting our Marketing Department at [marketing@bereskinparr.com](mailto:marketing@bereskinparr.com).

### **Disclosure of Personal Information**

Generally, we do not disclose your personal information to third parties without your consent unless permitted or required by applicable laws or court orders. The following are some examples where we may disclose your personal information: such disclosure is necessary to collect fees or disbursements; we contract with a third party to provide us with certain services such as archival file storage or insurance. (In such cases, we will use contractual or other means to ensure the third party service provider is bound by obligations regarding privacy which are consistent with this policy); or we engage expert witnesses or other law firms on your behalf.

### **Accuracy of Your Information**

It is important that the information that we have on file be accurate and up-to-date. If, during the course of the retainer, any of your information changes, please inform us so that we can make any necessary changes. We may also ask you from time to time whether your personal information is up-to-date.

### **Safeguards**

Bereskin & Parr uses various safeguards to ensure that your personal information is protected against loss, theft, misuse, unauthorized access, disclosure, copying or alteration. These include: security of our physical premises; our professional obligations; security software and firewalls to prevent unauthorized computer access or "hacking"; and internal passwords that restrict access to our electronic files.

### **Access to your Personal Information**

You have a right to challenge the accuracy and completeness of your personal information and to have it amended, as appropriate. You also have a right to request access to your personal information and receive an accounting of how that information has been used and disclosed, subject to certain exceptions prescribed by law. For example, if the requested information would reveal personal information about another individual, your request for access may be limited or denied. If your request for access is denied, Bereskin & Parr will notify you in writing of the reason for the denial.

To request access or to amend your personal information, please contact the lawyer or agent with whom you normally correspond or write to our Privacy Contact at the address below. Bereskin & Parr will respond within thirty (30) days of receipt of your written request.

### **Challenging Compliance**

Bereskin & Parr will respond to inquiries about its policies and practices relating to its handling of your personal information. Inquiries should be directed to Bereskin & Parr's Privacy Contact using the contact information below. Bereskin & Parr will investigate all complaints and will respond within 30 days of receipt of a written inquiry. If the complaint is found to be justified, Bereskin & Parr will take appropriate measures to resolve it, including, if necessary, amending this Policy and its procedures.

### **Website Privacy**

Like most other commercial websites, we may monitor traffic patterns, site usage and related site information to optimize your visit to our website.

Our website server will automatically collect IP addresses. We may view the IP log from time to time, for example, to maintain the security of our website. We do not link the IP addresses to other personally identifiable information.

You should be aware that we now use "cookies", which are small files containing information about your visit to our



website. We use cookies to remember your language preference and to generally make it easier and faster to explore a site. If you do not wish cookies to be used, your browser's options can be set to refuse cookies or to delete any cookies already stored on your computer.

## **Privacy Contacts**

If you have any questions or complaints about this Policy or the handling of your personal information, if you wish to withdraw your consent to our use of your personal information, or to request access to or update any information we have on file, please contact the lawyer or agent with whom you are dealing, or contact:

[Melanie Szweras](#), Partner

Bereskin & Parr  
40 King Street West  
40th Floor  
Toronto, Ontario  
M5H 3Y2

If any complaint or inquiry is not handled to your complete satisfaction, you may contact:

### **Privacy Commissioner of Canada**

112 Kent Street  
Ottawa, Ontario  
K1A 1H3  
Telephone: 514.873.4196  
Toll free: 1.800.282.1376.

### **Commission d'accès à l'information du Québec**

480 St. Laurent  
Suite 501  
Montreal, Quebec  
H2Y 3Y7  
Telephone: 514.873.4196  
Toll Free: 1.888.528.7741

## **Changes to this Privacy Policy**

We may change this Privacy Policy from time to time. Any changes will be posted on our website and will be made available upon request through your contact at Bereskin & Parr. Please check from time to time to ensure you are aware of our current policy. This Privacy Policy is effective September 2005.