7TH ANNUAL INFORMATION PRIVACY AND DATA PROTECTION

Social media, The Internet of Things, targeted advertising - new technologies are challenging our current notions of privacy and the protections that exist for it. In today’s information world, organizations are confronted with increasingly greater privacy and security risks. When technology creates new business models for database applications, privacy and security concerns are heightened. Legislative non-compliance and litigation liability expose the organization to significant financial risks. Integral to corporate responsibility and accountability is the need to deal ethically with consumers and employees, not only in collection practices, but also in protecting databases. Privacy and security concerns extend to the workplace and reputation management. However risks can be managed through effective strategies for privacy compliance and information security. This course is aimed at legal and compliance professionals who seek to have a focused understanding of the core issues facing information privacy and data protection with the objective of achieving corporate responsibility and risk minimization within their organization’s governance practices.

WEBINAR | DECEMBER 1, 2015 • TORONTO | DECEMBER 1, 2015

SPEAKERS

COURSE LEADERS
David Young, Principal, David Young Law
Kelly Friedman, Partner, DLA Piper (Canada) LLP

GUEST SPEAKERS
Brian Beamish, Information and Privacy Commissioner, Ontario
Karen R. Bock, Partner, DLA Piper (Canada) LLP
Bosco Chan, Chief Privacy Officer and Director, Privacy Risk and Security Management, OACCAC
Brendan Clancy, Associate, DLA Piper (Canada) LLP
Bill Hearn, Partner, Fogler, Rubinoff LLP
Jan Kestle, President, Environics Analytics
Paul Lewis, Executive Consultant, Security Services, IBM Canada
Vance Lockton, Senior Regional Analyst, Toronto Regional Office (PIPEDA), Office of the Privacy Commissioner of Canada
Albert Luk, VP, Legal and General Counsel, Jumbleberry Interactive Group Ltd.
Ian Roger, Competition Law Officer in the Ontario Regional Office of the Competition Bureau
Scott Smith, Director, Intellectual Property and Innovation Policy, The Canadian Chamber of Commerce

COURSE HIGHLIGHTS
• Big Data and Data Analytics
• Big Data, Online Behavioural Advertising and Programmatic Trading - Update
• Lessons to be Learned – CASL’s Enforcement Process
• Case Law Developments – Privacy and Security
• Privacy Issues - Panel Discussion:
  • Workplace snooping
  • Social media in the workplace
  • Privacy and security in the financial services industry
• Information Security Program
• The Internet of Things
<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00 - 8:45 A.M.</td>
<td>REGISTRATION AND BREAKFAST</td>
</tr>
<tr>
<td>8:45 - 9:00 A.M.</td>
<td>WELCOME AND ISSUES UPDATE</td>
</tr>
<tr>
<td></td>
<td><em>David Young; Kelly Friedman</em></td>
</tr>
<tr>
<td>9:00 - 9:40 A.M.</td>
<td>KEYNOTE SPEAKER</td>
</tr>
<tr>
<td></td>
<td><em>Brian Beamish, Information and Privacy Commissioner of Ontario</em></td>
</tr>
<tr>
<td></td>
<td>• Workplace snooping – what employers can learn from the Ontario experience</td>
</tr>
<tr>
<td>9:40 - 10:15 A.M.</td>
<td>BIG DATA AND DATA ANALYTICS</td>
</tr>
<tr>
<td></td>
<td><em>Jan Kestle</em></td>
</tr>
<tr>
<td></td>
<td>• What is Big Data – where does it come from and who uses it?</td>
</tr>
<tr>
<td></td>
<td>• The role of data integrators</td>
</tr>
<tr>
<td></td>
<td>• How Big Data can be used in a privacy-compliant way – anonymization, de-identification and other strategies</td>
</tr>
<tr>
<td>10:15 - 10:30 A.M.</td>
<td>REFRESHMENT BREAK</td>
</tr>
<tr>
<td>10:30 - 11:15 A.M.</td>
<td>BIG DATA, ONLINE BEHAVIOURAL ADVERTISING (OBA) AND PROGRAMMATIC TRADING - UPDATE</td>
</tr>
<tr>
<td></td>
<td><em>David Young; Albert Luk; Bill Hearn</em></td>
</tr>
<tr>
<td></td>
<td>• Programmatic ad trading - how it works</td>
</tr>
<tr>
<td></td>
<td>• Targeted advertising and programmatic trading – the privacy issues</td>
</tr>
<tr>
<td>11:15 - 12:00 P.M.</td>
<td>LESSONS TO BE LEARNED – CASL’S ENFORCEMENT PROCESS</td>
</tr>
<tr>
<td></td>
<td><em>Bill Hearn; Scott Smith, Ian Roger</em></td>
</tr>
<tr>
<td></td>
<td>What you need to know if you are in the CRTC’s crosshairs:</td>
</tr>
<tr>
<td></td>
<td>• Complaints to the Spam Reporting Centre</td>
</tr>
<tr>
<td></td>
<td>• CRTC enforcement tools - preservation demands, notices to produce, search warrants, voluntary undertakings</td>
</tr>
<tr>
<td></td>
<td>• Factors in determining administrative monetary penalties</td>
</tr>
<tr>
<td></td>
<td>• Limitation periods and enforcement through the courts</td>
</tr>
<tr>
<td></td>
<td>• Appeals to the Federal Court</td>
</tr>
<tr>
<td>12:00 - 1:00 P.M.</td>
<td>NETWORKING LUNCH</td>
</tr>
<tr>
<td>1:00 - 1:30 P.M.</td>
<td>KEYNOTE SPEAKER</td>
</tr>
<tr>
<td></td>
<td><em>Vance Lockton, Senior Regional Analyst, Office of the Privacy Commissioner of Canada</em></td>
</tr>
<tr>
<td></td>
<td>• Digital privacy issues - the OPC’s Priorities Report, The Internet of Things and Online Behavioural Advertising</td>
</tr>
<tr>
<td>1:30 - 2:00 P.M.</td>
<td>CASE LAW DEVELOPMENTS – PRIVACY AND SECURITY</td>
</tr>
<tr>
<td></td>
<td><em>Kelly Friedman</em></td>
</tr>
<tr>
<td></td>
<td>• What we can learn from the cases</td>
</tr>
<tr>
<td></td>
<td>• Class action developments - from the banks to the hospitals and beyond</td>
</tr>
<tr>
<td></td>
<td>• The prescriptive path being taken by regulators</td>
</tr>
</tbody>
</table>
2:00 - 3:00 P.M.
PRIVACY ISSUES - PANEL DISCUSSION: WORKPLACE SNOOPING
Kelly Friedman
• The problem of workplace “snooping” - how much is going on?
• Potential liability (and other negatives) for employer organizations
• Practical steps to prevent/minimize snooping
• Responses to “snooping” incidents

SOCIAL MEDIA IN THE WORKPLACE
Karen Bock
• The interplay between BYOD polices, social media and privacy
• Review of recent jurisprudence
• Mistakes to avoid/best practices

PRIVACY AND SECURITY IN THE FINANCIAL SERVICES INDUSTRY
Brendan Clancy
• Key legislative developments in the financial services
• Common privacy pitfalls
• Best practices for privacy and security

3:00 - 3:15 P.M.
REFRESHMENT BREAK

3:15 - 4:15 P.M.
INFORMATION SECURITY PROGRAM
Kelly Friedman (moderator); Bosco Chan; Paul Lewis
• Recognizing the benefits of an Information Security Program to your enterprise
• Understanding the key elements of an effective Information Security Program
• How to create and implement an Information Security Plan that will minimize enterprise risk
• Getting started and staying on track

4:15 - 4:45 P.M.
THE INTERNET OF THINGS
Kelly Friedman, Vance Lockton
• What is the Internet of Things (IoT) and what does it mean for your enterprise?
• IoT breakthroughs - avatars, connected cars, smart cities and more
• The news ways IoT is making us think about privacy and security
• Evolving legal issues in the world of IoT

4:45 - 5:00 P.M.
CONCLUDING REMARKS AND Q&A
David Young; Kelly Friedman
DAVID YOUNG
COURSE LEADER
David is Principal at David Young Law, a privacy and regulatory law counsel practice. He has been advising clients on privacy issues since prior to the enactment of Canada’s private sector privacy laws. David advises both private and public sectors on all aspects of privacy law including compliance procedures, data sharing, employee privacy, personal health information, security, consent documentation and access to information. He also advises on marketing matters related to privacy law including behavioral advertising, anti-spam and social media. David’s practice includes corporate regulatory compliance and food and drug law. He is co-author of Canadian Advertising and Marketing Law (Carswell). David is listed in the Canadian Legal Lexpert Directory 2015 and The Best Lawyers in Canada 2015 Edition. David is the 2015 recipient of the Ontario Bar Association’s Karen Spector Memorial Award for Excellence in Privacy Law.

KELLY FRIEDMAN
COURSE LEADER
Kelly Friedman is a partner in DLA Piper (Canada) LLP’s Toronto office. Kelly is an experienced litigator with unique expertise in electronic information issues, including electronic discovery, data security, and privacy. Kelly is known for her efficient, no-nonsense approach to problem solving and dispute resolution. She is an expert advisor to Standards Council of Canada, Canada’s member body in the International Organization for Standardization (ISO), advising and negotiating with respect to international standards on information technology security. In 2011, Kelly was named as one of Canadian Lawyer’s “Top 25 Most Influential Lawyers in Canada”.

BRIAN BEAMISH
KEYNOTE SPEAKER
Brian Beamish first began his career at the Office of the Information and Privacy Commissioner (IPC) in 1999, as Director of Policy and Compliance. This was followed by his appointment to Assistant Commissioner in 2005, where he directed the Tribunal Services Division – investigating privacy complaints and resolving access to information appeals. In addition to overseeing Tribunal, Brian also served as an executive policy advisor, playing a key role in executing the mandate of the IPC and supporting several initiatives in the best interests of the public, such as bringing universities and hospitals under the Freedom of Information and Protection of Privacy Act and ushering in the Personal Health Information Protection Act. Prior to joining the IPC, Brian held a number of positions within the Ontario Public Service, including with the Ministries of the Solicitor General and Correctional Services. He is a member of the Law Society of Upper Canada and a graduate of the University of Toronto Law School.

VANCE LOCKTON
KEYNOTE SPEAKER
Vance Lockton is the Senior Analyst – Stakeholder Relations at the Office of the Privacy Commissioner of Canada (OPC)’s Toronto office. His primary role involves developing and maintaining strong relationships with private-sector stakeholders, with three primary end goals: (i) encouraging proactive compliance with the Personal Information Protection and Electronic Documents Act (PIPEDA), (ii) advancing industry awareness of OPC findings, guidance and other materials, and, (iii) increasing the OPC’s knowledge of current industry practices, as well as the challenges faced by organizations and technology developers, as they relate to the collection, use and disclosure of personal information. Vance has been involved in the privacy field for over a decade, with the last 6 years split between the OPC and the Office of the Information and Privacy Commissioner of Ontario. He holds B.Math. (Computer Science, University of Waterloo), M.Sc. (Computer Science, University of British Columbia), and M.P.P. (Public Policy, Simon Fraser University) degrees, the latter two focused on online identity.
JAN KESTLE

Founder and President of Environics Analytics, Jan Kestle has been a leader in the marketing information industry for more than forty years. An expert in using statistics and mathematics to help solve business challenges, she directed the initiatives creating the pioneering PRIZM C2 segmentation system that combines mindset and marketplace behaviour to classify consumers. In addition, she oversaw the development of the ENVISION micromarketing tool, the WealthScapes financial database and other innovative products that help clients reach their customers via traditional and new media channels. Prior to founding EA, Jan was president of Compusearch and spent 19 years at the Ontario Statistical Centre.

BOSCO CHAN

Bosco Chan is the Chief Privacy Officer at Ontario Association of Community Care Access Centres (OACCAC). In that capacity, he provides leadership to the organization’s privacy, risk and information security management program. Bosco has served as leader and chair in global privacy, information security and Enterprise Risk Management steering committees within top S&P/TSX 60 and public organizations. Bosco is a seasoned privacy and information security executive who specializes in Enterprise Risk Management (ERM), Information Governance, privacy and security strategy and roadmap planning, policy planning, privacy and security culture building, Threat and Risk Assessment (TRA), Privacy Impact Assessment (PIA) and team building. Bosco has been a member of the Board of Directors of Ina Grafton Gage Home, a long term care home based in Toronto, since 2012, and also the Chair of the Quality of Care and Risk Management Steering Committee.

PAUL LEWIS

Paul Lewis has more than 25 years international experience in Information Technology, Privacy, Security, and Risk Management and is an acknowledged expert in North American, Canadian, and European security and privacy practices. He is currently Executive Consultant for IBM Canada’s Security Services Practice and IBM North America Healthcare Security Leader. Paul’s areas of expertise are in privacy assessment/audit, threat/risk assessment, security and privacy management, compliance, project management, and new technology initiatives. He has strong project management/management consulting capabilities and a broad business background, working at all levels of management. He is a certified information systems security professional (CISSP), certified information privacy professional, a BSi trained ISO17799/27002/27799 implementer and ISO27002 lead auditor. Paul is a member of the Canadian Advisory Board of the International Association of Privacy Professionals.

SCOTT SMITH

Scott Smith is the Director of Intellectual Property and Innovation Policy at the Canadian Chamber of Commerce and the Director of the Canadian Intellectual Property Council. In this capacity, Scott leads the Canadian Chamber’s advocacy activities in the areas of intellectual property protection, innovation and industry productivity, the digital economy and research and development issues. During the consultation period on CASL regulations, Scott lead a coalition of over 15 business organizations and acted as the central point of contact between business and government on the CASL file. Advocating for improved compliance clarity and symmetry for business, Scott has written numerous articles, conducted media interviews and has appeared before parliamentary committees on this subject.

IAN ROGER

Ian Roger is a Competition Law Officer in the Ontario Regional Office of the Cartels and Deceptive Marketing Practices Branch, Competition Bureau. Ian joined the Bureau in 2004, holding various positions within the Fair Business Practices Branch, including Enforcement Support Officer, Legal Research Officer, and since December 2008, Competition Law Officer. Ian has worked on a number of enforcement matters, as well as the implementation of Canada’s Anti-Spam Legislation, and other digital economy matters. Ian graduated with a Bachelor of Arts degree in Criminology and Criminal Justice from Carleton University.
BRENDAN CLANCY

Brendan Clancy is an associate in the Toronto office of DLA Piper (Canada) LLP where he is a member of the firm’s commercial litigation group. He has a broad litigation practice that includes infrastructure litigation, securities litigation, fraud investigation and litigation, and contractual disputes. As part of his practice he has written about the interplay between civil litigation and privacy legislation.

ALBERT LUK

Albert Luk is Vice-President, Legal and General Counsel of Jumbleberry Interactive Group Ltd. As Jumbleberry’s first general counsel, Albert is responsible for designing, implementing and maintaining compliance systems in connection with advertising and marketing campaigns. In addition to serving on the executive team and managing Jumbleberry’s global function, he has operational responsibility for privacy, records management and information security. Prior to joining Jumbleberry, Albert practiced at national and regional law firms as a corporate-commercial lawyer. He was called to bar in 2002.

KAREN R. BOCK

Karen Bock is a partner in the Employment Group at the firm’s Toronto office. Karen has a general management-side labour and employment law practice. Karen advises public and private-sector employers on matters, such as employment standards, arbitrations, wrongful dismissal actions, human rights complaints, workplace safety and insurance matters. Karen received her LL.B. from the University of Toronto in 2000. Previously, she earned her B.A. (Hons.) from the University of Winnipeg. She also earned an M.A. and Ph.D. in English Literature from Brown University, and taught for some years at Wesleyan University in Connecticut.

LAW SOCIETY OF BRITISH COLUMBIA
This program has been accredited by the Law Society of British Columbia for 5.5 hours towards the professional development requirement for certification.

LAW SOCIETY OF UPPER CANADA (CPD)
This program can be applied towards the 9 Substantive Hours of Continuing Professional Development (CPD) required by the Law Society of Upper Canada. Please note that this program is not accredited for Professionalism hours or for the New Member Requirement. Total hours 5.5

LAW SOCIETY OF NEW BRUNSWICK
This program has been accredited by the Law Society of New Brunswick for 5.5 hours towards the mandatory continuing professional development requirement.

LAW SOCIETY OF ALBERTA
For Alberta lawyers, consider including this course as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the Law Society of Alberta.

BARREAU DU QUÉBEC
The Barreau du Québec automatically recognizes the same number of hours for this training activity, as long as it has been accredited by another Law Society that has adopted MCLE.