

Cassels



Bernice Karn

Partner

Contact Information

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Office

Toronto

Expertise

- Information Technology & Data Privacy
- Business
- Cannabis
- High Growth & Venture Capital
- Intellectual Property
- Universities & Colleges
- Blockchain & Cryptocurrency

Biography

Bernice Karn* is a partner in the Information Technology & Data Privacy Group at Cassels. For over 25 years, Bernice has applied her expertise in information technology (IT) in advising clients from a broad range of industries, including: major retailers, e-commerce companies, hospitals, universities and leading Canadian financial institutions. Bernice is extremely knowledgeable in IT-related agreements and has deftly crafted master services, joint venture, development, license, escrow, consulting and cloud computing/SaaS agreements for her clients. Bernice advised a major Canadian retailer on master services agreements for code development and system integration and negotiated master consulting agreements with leading IT consulting vendors on behalf of another significant Canadian retailer. With a strong background in intellectual property (IP) complementing her IT practice, Bernice provides in-depth counsel on trademarks prosecution, copyright licensing, rights clearances, marketing and advertising law, and social media campaigns.

A certified licensing professional, Bernice has significant experience in outsourcing matters and regularly advises clients on the acquisition and disposition of IT assets and IP rights. As a result of her many mandates in IT and outsourcing matters for financial institutions, she has developed a strong understanding of the regulatory framework within which financial institutions must conduct outsourcing business. Bernice applies this expertise in her work with banks, insurance companies and their service providers, and mortgage administration companies.

In addition, Bernice advises on all aspects of procurement procedures and the Canadian laws of competitive bidding. Her involvement ranges from assisting clients with competitive request for proposals and multiple vendor negotiations to sourcing partnerships. Bernice's practice includes advising on privacy laws and data security – a growing area of concern for companies who 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, assists clients in handling and responding to data security incidents.

**denotes Professional Corporation*

Achievements

- *Best Lawyers in Canada* (Information Technology)
- Certified Licensing Professional
- *Chambers Global* (Information Technology)
- *Expert Guides* (Best of the Best, Information Technology, Technology, Media & Telecommunications, Women in Business Law)
- *Legal 500 Canada* (Technology, Media and Telecoms)
- *National Law Journal*, Cybersecurity & Data Privacy Trailblazer Award (2015)

Client Commentary

- “A strong track record.” – *Chambers Global (Information Technology)*
- “Recognized for her depth of knowledge in IT which she uses to her advantage in negotiating contracts with vendors.” – *Chambers Canada (Information Technology)*
- “Well regarded for her experience of master services, master consulting and development agreements.” – *Chambers Global (Information Technology)*

Recent Representative Work

- Spark Power Completes \$35 Million Sale of Bullfrog Power to Envest
- CloudMD Software & Services Closes Sale of BC Based Clinics to Well Health Technologies
- CloudMD to Sell Pharmacies to Neighbourly Pharmacy for \$3.8 Million
- Advanced Web Technologies Acquires Label Innovation
- CloudMD Software & Services to Sell BC Based Clinics to Well Health Technologies

Insights

- OSFI Issues Final Version of Guideline B-13, Technology and Cyber Risk Management
- PIPEDA Reimagined – Federal Privacy Law Modernization, Take Two
- Personal Information – You're So Sensitive!

Education / Bar Admissions

- M.B.A. (with Distinction), Schulich School of Business, 1999
- LL.B., Western University, 1984
- B.A., Western University, 1981

- 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