

# Technology, IP & Privacy Services



## The right level of support, where you need it most

We help organizations identify and manage legal risk associated with technology. Whether you're looking to better manage cyber-risk, comply with privacy legislation, protect your intellectual property, or launch a new digital transformation initiative – we are here to help. These complex and often intertwined concerns require an integrated approach and a knowledgeable legal team.

## Why MLT Aikins?

For members of our technology, IP and privacy services team, these areas of law are our core focus – not something we do off the side of our desks. Our depth of skill and experience is not easily found elsewhere in the West.

Working with our group gives your organization access to a large, skilled team of professionals with a deep understanding of the law, the technology and the business implications involved in technology-related undertakings.

Plus, we know Western Canada. We live here, we work here, and we're invested in the success of your business and our communities.

We help in four key areas:

### 1. Protecting your proprietary information and technology

We offer a full suite of intellectual property (IP) law services to help strategically design, develop and enforce your IP portfolio – including patents, copyright, trademarks and industrial designs in Canada. We work with an international network to provide IP services worldwide.

- **Strategic planning and assessment** can uncover hidden value and opportunities for your organization. We help you proactively identify valuable IP assets for protection and commercialization, such as newly developed technology that your company could patent, brands that your company could register as trademarks, or business processes and economic models that your company may protect as a trade secret.
- We can provide strategic advice on **commercializing your IP assets and technology**, including licensing and sale.
- A well-thought-out and documented IP strategy can help you avoid unpleasant surprises – something that becomes critical when you're looking to purchase or license IP assets from another party, sell your IP assets or your business.

- **IP enforcement and litigation** can be complex and high-stakes – it requires a strong legal strategy. Members of our team have engineering, science and technology backgrounds, which provide the technical know-how for patent and trade secret cases.

MLT Aikins can represent you as a plaintiff asserting IP rights in federal or provincial courts. Or, if you're accused of infringement, we can assist you in responding to claims for injunctions, damages and other court orders that could have a profound impact on your business. We can also attack the validity the IP rights being asserted against you in a counterclaim.

## 2. Meeting your privacy and access to information obligations

In response to growing public attention to privacy and access to information rights, organizations are expected to increase transparency and accountability with respect to their privacy practices and the records they hold. Canadian and international privacy laws are changing. The responsibilities associated with ensuring compliance, building trust and reducing the risk of reputational or financial damage can feel overwhelming.

We help you understand the legal requirements and best practices to create privacy and access to information compliance programs that will help your organization comply with legal requirements and effectively manage risks. Based on your needs and capacity to dedicate internal resources, we create a custom, cost-effective approach to achieve your desired outcome.

- Our team can review, supplement or develop **privacy or access to information documents and programs** including policies, acknowledgments/oaths, data protection schedules or third-party agreements, training programs or presentations, privacy impact assessments, response letters, and more.
- Along with addressing day-to-day privacy and access to information questions and issues as they arise, we can manage and respond to access requests, complaints, incidents or breaches and investigations and reviews by helping you respond efficiently and advising on or managing the relationship and communications with privacy regulators on your behalf.
- For a flat monthly fee or reduced hourly rate, we act as a third-party virtual privacy officer, filling that essential role for your organization or supporting your existing privacy officer where it's most needed.

## 3. Preparing for and managing cybersecurity incidents

Your organization faces risk from cybersecurity threats on a daily basis and must react quickly if a security incident or data breach occurs. Working closely with your internal team and external security experts, we help you manage cybersecurity risks, conduct strategic risk assessments and implement effective governance, risk transfer and incident response planning.

- We help you understand the **legal and regulatory requirements** your organization must meet as it reacts to a cybersecurity incident – such as mandatory reporting and record-keeping or fulfilling contractual obligations.
- We can become part of your **Cyber Incident Response Team (CIRT)** to proactively develop and implement a response plan. If an incident or data breach does occur, we can assume the role of breach counsel, giving your organization trusted legal guidance on immediate and longer term next steps.
- Some of the **breach counselling** services we offer to clients include board training sessions, security assessment and tabletop exercise, insurance review, high-level privacy review, incident response plan review/preparation and vendor contract review. We offer three breach counsel packages, scaling our services to best meet your needs and desired investment.



## 4. Navigating your digital transformation

When handled well, digital transformation projects can be a driving force behind innovation, productivity and growth for your organization. These projects are often key to streamlining operations, improving customer experiences and supporting organizational goals. Taking advantage of technologies and digitizing your approach means you can remain competitive, solve business challenges and better protect against threats.

- Regardless of your industry or the size of your organization, from early or growth stage to mature operations, asking the right questions ahead of time can help you manage risks and maximize the value of the technology your business uses or creates. We develop a practical **digital transformation roadmap** for your project that anticipates common issues, avoids common pitfalls and proactively mitigates risk.
- We can review and negotiate **technology and software purchase and licensing agreements** and support your IT procurement efforts. With a wealth of experience in digital transformation projects, and experience representing both vendor/provider and technology customer, our team knows what to expect from third-party suppliers and what to push for to make a project successful.
- Sometimes you need a **project reset and rescue**. Despite best planning efforts, digital transformation projects can still encounter roadblocks and veer off course. We help get your project back on track and repair your vendor relationship. We negotiate fair and reasonable sharing of financial impacts and create realistic go-forward plans and agreements. We can also assist with a transition if the vendor relationship is beyond repair.

## Contact us



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