

Technology

All types of industries, from financial services and automotive to healthcare and energy, are feeling the impacts of digitalization – increasing the need for traditional businesses to understand technology’s opportunities and challenges and take action. Whether you are an early tech adopter or a business looking to invest in digital infrastructure for your operations, it’s crucial to have practical, innovative and cost-effective legal advice at every step to ensure your businesses safety and reputation and prepare for what’s next.

Our national group is a collaborative, cross-functional and future-focused team of lawyers and patent agents who are fluent in tech talk and can help both technology developers and suppliers – and their customers – navigate any legal or regulatory matter.

Advising on purchasing technology, raising funds, mitigating legal and regulatory risk – we cover all bases.

Our team can help at any point in the technology lifecycle, including:

- **Corporate M&A:** Mergers and acquisitions, joint ventures, private equity buyouts, divestitures and restructuring transactions
- **Regulatory; Product Counselling:** Regulatory and compliance matters; product liability, payments regulatory, risk management
- **Intellectual property:** Patents, trade secrets, trademarks and copyright
- **Corporate matters:** Shareholder agreements, founder compensation plans and corporate governance
- **Privacy, Data Protection and Cybersecurity:** Compliance, risk management, incident response, Canada’s Anti-Spam Legislation (CASL)
- **Fundraising:** Financing, venture capital, private equity and initial public offerings
- **Commercial contracts:** Procurement, software development, outsourcing and service arrangements, IP licensing, supply agreements, NDAs and joint ventures
- **Foreign investment:** Reviews under the Investment Canada Act, competition, anti-trust matters
- **Disputes:** Arbitration, litigation, class actions, product liability, investigations

Experience

- **Highlights**
 - Amazon Inc. on multiple labour and employment, privacy, class action and competition law matters

- Bell Canada and its affiliates on multiple acquisitions, labour and employment, commercial contracts, privacy, litigation and regulatory matters
- Netflix on various M&A, labour & employment, foreign investment, real estate, and corporate matters
- **M&A**
 - STN Video Inc., in its sale to Minute Media, a leading global technology and sports content company.
 - PayBright, a Canadian buy-now-pay-later provider, on its \$340M acquisition by the US-based consumer finance platform provider Affirm, Inc.
 - BDC Capital as key shareholder of Budge Studios (one of the world's biggest mobile game developers) in its sale to Tilting Point
 - Exo Imaging Inc. as Canadian counsel on the acquisition of Singapore company Medo DX Pte Ltd., and ongoing advice to its Canadian operating subsidiary, Medo.ai
 - Lightspeed POS, a Montreal-based cloud e-commerce platform in its 3 post-IPO acquisitions – Chronogolf Inc, iKentoo and Kunta
 - Ericsson in the sale of its global internet of things business to Aeris Communications
- **Commercial Contracting**
 - Software companies regarding the commercialization of their technology, including SaaS and locally installed software licensing
 - Groups of hospitals across Ontario in the acquisition of hospital information systems and related governance agreements among them
 - Financial institutions, telecommunications providers and major media companies in the procurement and negotiation of some of the largest outsourcing transactions in Canada
 - Clients with respect to new mobile and online financial products and services including partnerships with financial institutions, FinTech organizations and other new and innovative financial services developers.
- **Venture Capital, Corporate Finance and Capital Markets**
 - ZayZoon Inc., on its US\$34.5 million Series B financing led by Framework Venture Partners, with participation from Export Development Canada, ATB Financial, and a number of ZayZoon's shareholders.
 - iNovia Capital as lead investor in ESG software reporting company Novisto Inc.'s US\$20M Series B round.
 - McKinsey & Company on their venture capital investment and collaboration agreement in Element AI Inc.'s \$200 million Series B equity financing round, a company that builds artificial intelligence tools for enterprises. BDC Capital's new \$200 million Deep Tech fund in its first investment as lead, namely in Nord Quantique, a quantum computing start-up.
 - iNovia Capital and Fonds Solidarité FTQ in a US\$50 million growth round in WorkJamFrontier Growth in their Series A and Series B investments in Jane Software Inc.
 - Craft Ventures on their Series A investment in Klue Labs Inc.
- **Regulatory**
 - Gatik with Walmart Canada to provide the first fully driverless commercial operations in Canada, a major milestone for autonomous vehicles in Canada.
 - The first investment dealer in Canada to offer bitcoin futures, providing a regulatory framework and developing policies and procedures.
 - A major Chinese online payments company on the analysis of compliance work related to several of its new and evolving business models, the creation of its two Canadian entities and

related application to Canadian regulatory authorities for approval, and the structuring its new global payments products that could be introduced into Canada.

- A major online fashion retailer on the analysis of payment processing regulations in Canada.
- **Intellectual Property**
 - A software company on developing and executing an international IP Strategy, as well as the management and expansion of their worldwide patent portfolio including drafting and prosecution.
 - Titan Medical on the licensing to Medtronic of Titan intellectual property.
 - A renewable energy AI company that develops AI software systems that improve the distribution and usage of renewable energy in areas including energy grid management, renewable power distribution, and electrical vehicle (EV) charging management and infrastructure.

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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