

Catherine Carscallen

Partner

Get in touch

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Executive summary

Catherine advises clients on a broad range of corporate and commercial matters and supports their ongoing corporate/commercial legal needs, including contract drafting and review, secured financings, business formation, reorganizations, general corporate maintenance and governance, and regulatory compliance.

Catherine's practice includes a particular focus on information technology and e-commerce matters. She has extensive experience in negotiating and drafting a wide range technology agreements, including licensing, outsourcing, services, reseller and distribution agreements, and regularly advises clients with respect to e-commerce matters including on-line contracting and consumer protection.

Alongside her corporate/commercial practice, Catherine has extensive experience advising clients on all aspects of privacy law. She advises both Canadian and international organizations on compliance with applicable private and public sector Canadian privacy laws and anti-spam laws. Her practice includes assisting clients with privacy policies, audits and impact assessments, and providing guidance on cross border privacy issues, data retention, preventing and managing data breaches including breach notification and reporting obligations, and responding to access requests, complaints and investigations. Catherine regularly advises and assists clients with privacy and data protection matters in the context of acquisitions and sales of businesses, services agreements, outsourcing and cloud computing agreements and other business transactions, as well as in workplace policies.

EDUCATION

University of Western Ontario, LLB, 1994
Queen's University, BComm, 1991

BAR ADMISSION

Ontario, 1996

Expertise

Corporate & Commercial

Technology & Privacy

Representative work

Gardiner Roberts

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Commercial & Technology

- Advise on and negotiate a wide array of commercial agreements including distribution and supply agreements, licence agreements, outsourcing agreements, services agreements, promotional contests, equipment leases, and purchase and sale agreements.
- Act for borrowers and guarantors in secured financing transactions.
- Work with tax advisors to implement corporate restructurings.
- Negotiating contracts for a national retailer for procurement of a warehouse management system, workforce management system and integrated planning system.

Privacy

- Advising multinational retailers with respect to their privacy policies and compliance with Canadian privacy legislation.
- Advising property managers with respect to privacy compliance including use of video surveillance and facial recognition technology.
- Advising on and negotiating data protection and information manager agreements for service providers in health care sector.
- Advising Canada-wide non-profit organization regarding its privacy policies and processes including access requests and data retention practices.
- Advising US clients with respect to Canadian privacy compliance in consumer transactions; drafting and negotiating privacy and data protection provisions for service provider agreements.
- Advising a major commercial real estate firm with respect to cross-border data transfers and data residency requirements.
- Advising and supporting clients with respect to privacy breach reporting and notification obligations.

Insights

Presentations

Competition Act (Canada) Wage-fixing and no-poach provisions - 21 November 2023

Privacy Update Digital Privacy Act Amendments to PIPEDA - 12 November 2015

Canada's Anti-Spam Legislation - Are You Ready? - 26 May 2014

Blogs

PIPEDA – Draft Breach of Security Safeguards Regulations Published

25 September 2017

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CASL – Private Right of Action Suspended

16 August 2017

Memberships and recognition

Professional memberships

- Canadian Bar Association
 - Ontario Bar Association, Business Law, Information Technology/E-Commerce Section (past Chair - 2013-2014) and Privacy Law Section
 - Canadian IT Law Association
 - Toronto Computer Lawyers Group
 - International Association of Privacy Professionals
 - IR Global
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Recognition

- Best Lawyers in Canada (2025-2026) for Technology Law