

MACERA & JARZYNA / MOFFAT & CO. PRIVACY POLICY

We are a law firm and patent/trademark agency firm with an international practice. We have always had a professional responsibility to maintain the confidentiality of any information which we receive from clients. We are committed to continuing our high standards of confidentiality.

This policy statement has been prepared in order to confirm our commitment to the maintenance of the highest privacy standards and to inform you as to our practices concerning the collection, use and disclosure of information provided to the firm.

YOUR PRIVACY RIGHTS

The laws of Canada require that all businesses engaged in commercial activities must comply with the *Personal Information Protection and Electronic Documents Act* and the Canadian Standards Association Model Code for the Protection of Personal Information which is incorporated therein.

OUR OBLIGATIONS AS LEGAL PROFESSIONALS

Our obligations as lawyers and patent/trademark agents are set out in part in the Rules of Professional Conduct which govern our professionals. These obligations apply equally to all members, employees, contractors or agents who provide services in connection with the provision of legal services to our clients. Other applicable laws and internal firm policies govern the protection of personal information of members, associates and employees of our firm.

PERSONAL INFORMATION THAT WE COLLECT

Personal information which is required to enable us to fulfill our professional responsibilities is collected and used for that, and only that, purpose. Personal information gathered in the course of providing services is held in the strictest confidence and will not be revealed to anyone without express or implicit consent of the person or organization concerned. We retain personal information in confidence only for as long as it is needed or required by law.

We collect personal information from our employees in order to pay them, comply with laws, provide them with benefits, contact appropriate people in case of emergencies, as well as improve

on programs, policies and employee relations. We also collect personal information from persons seeking employment with us. We inform employees of the reasons why we require such information, how it will be used, how it will be kept confidential, and with whom it may be shared.

INFORMATION GATHERED LIMITED BY NECESSITY

We collect only the information from individuals or organizations that is necessary for the purposes of providing our services. We do not sell, trade, barter or exchange any information obtained in the course of professional relationships. We do not share personal information with third parties except when necessary to carry out our professional responsibilities or as required by law.

If there are any questions regarding the management of information, clients may first address such questions to the professional for the matter. In the event that a satisfactory response is not forthcoming, a client should address questions to our firm privacy officer.

DISCLOSURE OF PERSONAL INFORMATION

Under certain limited and specific circumstances, we may disclose your personal information. For example:

- a) when we are required or authorized by law to do so, i.e. in the case of a Court issuing a subpoena;
- b) when you have consented to disclosure;
- c) where it is necessary to establish or collect fees;
- d) if we engage a third party to provide administrative services to us, such as computer backup services or archival services, and that third party is bound by our privacy policy;
- e) if we engage expert witnesses on your behalf;

- f) if we retain other law firms or patent/trademark agency firms in other jurisdictions on your behalf; and
- g) if the information is already on the public record.

UPDATING INFORMATION

Since personal information is used to provide legal services to you, it is important that all information be accurate and up-to-date. If your personal information changes during the course of the retainer, please inform us in order that we can make any necessary changes.

STEPS TAKEN TO ENSURE INFORMATION SECURITY

We take all reasonable precautions to ensure that personal information is protected from loss, unauthorized access, modification or disclosure. Among the steps taken to protect information are:

- a) premises security;
- b) restricted file access to personal information;
- c) the deployment of technological safeguards, such as security software and firewalls, to protect against hacking or unauthorized computer access;
- d) internal password and security policies.
- e) Unless you expressly or implicitly advise us that encryption is not necessary, encryption of any confidential materials transmitted by e-mail.

COMMUNICATING WITH US

Please note that e-mail is never a truly secure medium. If you have any concerns about e-mail or other communication security, encryption be used. We have appropriate encryption and decryption

software and technology. Thus if you wish the firm to communicate with you by e-mail, encryption is available if required.

ACCESS TO YOUR PERSONAL INFORMATION

You are entitled to review any personal information that we hold about you. Summary information is available on request. More detailed requests, which require archival or retrieval costs, may be subject to our normal professional and disbursement fees.

REQUESTS FOR ACCESS

If you have any questions or wish to access your personal information, please write to our privacy officer at:

MACERA & JARZYNA / MOFFAT & CO.
427 Laurier Avenue West, Suite 1200
Ottawa, Ontario
K1R 7Y2
Tel: (613) 238-8173 / (613) 232-7302
Fax: (613) 235-2508

If you are not satisfied with the response provided , the Privacy Commissioner of Canada may be reached at:

Office of the Privacy Commissioner of Canada
112 Kent Street
Ottawa, Ontario
K1A 1H3
Tel: 1-800-282-1376

AMENDMENTS TO THIS PRIVACY POLICY

We may from time to time review and revise its privacy practices and this policy statement.