



Duncan C. Card

Partner

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Toronto

EDUCATION

Queen's University, BA (Hons.), 1979,
gold medallist

Queen's University, LLB, 1982, AS&K
Scholar

Academy of International Law (The
Hague), 1982

London School of Economics and
Political Studies (UK), LLB, 1982,
International Rotary Fellow

University of Toronto, LLM, 1987

Institute of Corporate Directors, ICD.D,
2013, Class Valedictorian

BAR ADMISSIONS

Ontario, 1984

Bermuda Islands, 1984 (inactive)

Duncan is Co-Chair of the firm's Technology practice as well as its Defence & National Security practice. Duncan also Chairs the firm's Outsourcing & Managed Services, Procurement, Government Contracting and Bermuda & Caribbean practices.

Duncan's legal practice focuses on complex, innovative and strategic commercial transactions, including: public sector transformation projects; commercialization of IP; P3 infrastructure; defence and national security matters; technology innovation and industrial development; P3 nuclear power projects; all forms of IT goods and services contracts; corporate governance; cybersecurity best practices; technology dependent joint ventures; outsourcing and managed service transactions; advanced payment infrastructure; risk management advice; artificial intelligence projects; data management and protection; public sector procurement; enterprise software projects; offshore and international transactions; and international trade relations.

Canada's national business newspaper, The National Post, includes Duncan in its recently published 2019 ranking of the "Best Lawyers in Canada" (Technology Law). In 2018, Duncan received the following professional awards, designations and rankings: (1) named by Lexpert Magazine and Canadian Council For Public-Private Sector Partnerships as one of Canada's leading infrastructure lawyers; (2) included in the inaugural edition of the U.K. based *Who's Who Legal* as a world leading information technology lawyer; and, (3) the U.K. based Finance Monthly Magazine Global Awards named Duncan the "Telecommunications, Media and Technology Lawyer Of The Year 2018 – Bermuda". Duncan is also identified in the *2017 Chambers Global: The World's Leading Lawyers for Business* as a Foreign Expert, Information Technology. Duncan has been included in the prestigious Lexpert Magazine and American Lawyer Media ranking of the *Leading 500 Lawyers in Canada* for 16 years, and in 2017 he was recognized by Lexpert as one of Canada's Leading Infrastructure Lawyers in the Globe & Mail's Report on Business Magazine. He is included in the *2017 Who's Who Legal: Technology* (U.K. publication) and in the Lexpert Magazine and *American Lawyer Magazine* 2017 joint ranking of the *Leading US/Canada Cross-border Corporate Lawyers in Canada*, most notably for complex commercial transactions. 2017 is Duncan's eleventh year of inclusion in Woodward/White's *Best Lawyers in Canada* in the specialty of Information

Technology Law. Duncan was ranked as a "Most Frequently Recommended" lawyer in Canada in the *2016 Canadian Legal Lexpert Directory* and he is also included in 2015 Expert Guides, *The World's Leading Lawyers Chosen By Their Peers*, where he is recognized in the specialty of Information Technology. For Duncan's nuclear technology work, he was cited among the 2014 Lexpert Special Edition on *Canada's Leading Energy Lawyers* in the *Globe & Mail's Report on Business Magazine*. Duncan is also included in the *Who's Who Legal Canada 2013* for Information Technology. Duncan has also been cited as one of the world's leading lawyers in *Euromoney Magazine's Guide to the World's Leading Technology, Media & Telecommunications Lawyers* (U.K. publication) and he is rated in the 2012 British publication, *PLC Which lawyer?*, published by the UK-based Practical Law Company.

A previous edition of the American Bar and Lexpert Canada's peer review ranking of Canada's "Top 500 Lawyers" cited a leading Canadian General Counsel who described Duncan as "...an outstanding lawyer and formidable contract negotiator to be highly respected."

Duncan has provided internationally recognized leadership in many leading technology industry associations, including: the Society for Computer Law in London, U.K.; Advisory Board, Association of Caribbean Corporate Counsel (2014-Present); Advisory Board, Drone Delivery Canada; the Outsourcing Committee for the Canadian IT Law Association; the Licensing Executives Society (U.S.A./Canada) (Co-Chair of LES' Software Committee); CIO Association of Canada; the CIO Summit Canada; the Advisory Board for E-Commerce Law Magazine; the Retail Council of Canada's E-Business Committee; the Toronto Computer Lawyers Group; and, the International Technology Law Association (U.S.). He founded the Technology Industry Committee of the Arbitration and Mediation Institute of Ontario and he was a Canadian correspondent for *World e-Business Law Report* in London, U.K. He is a member of: the Canadian Bar Association, where Duncan currently Chairs the CBA's Military Law Section's Subcommittee on "Defence & Security Procurement Law"; the Canadian Information Technology Law Association; both the American Bar Association's Science & Technology Law Section's "Homeland Security Committee", the "Internet Relationships and Cloud Computing Committee", and the International Law Section's "National Security Committee"; the American Bar Association's Business Law Section's Gaming Law Committee and the International Association of Gaming Advisors; the International Bar Association's Computer Technology Law Committee; the Society For Computers and Law (UK), where he is also an Associate Editor; the Royal Canadian Military Institute; and, the Canadian Defence & Foreign Affairs Institute.

Duncan is a member of the Institute of Corporate Directors (Canada) and the Institute of Directors (UK), and he currently serves as a director of Osisko Bermuda Limited, wholly-owned ultimate subsidiary of Osisko Gold Royalties Ltd. Duncan has served as a director of several multinational corporations, including Warner Communications companies in Canada, GlobeNet Communications, Monroe Systems For Business Limited, Canadian National Institute for the Blind (Ontario), FinancialCAD Corporation, Auto21 Inc., Hitachi Data Systems Inc., and Capital G Limited, one of Bermuda's largest banks (where Duncan Chaired the Governance and Compensation Committee, 2003-2007). Duncan is also a past elected member of the Board of Trustees of Queen's University in Kingston (2000-2006), and he has been a member of various advisory boards, including Exen Technologies (California), NetClearly.com, Contego Data Systems Inc., Kenception Technology and CIO

Summit. Duncan has provided advice to many Boards of Directors, Audit Committees, regulatory bodies, and executive managers (including CIOs and General Counsel) concerning all aspects of commercial technology transactions, including technology governance issues, outsourcing transactions risk management, and related security governance duties and obligations. Duncan earned his professional independent director designation (ICD.D) from the Institute of Corporate Directors and the University of Toronto's Rotman School of Management (graduated as Class Valedictorian). In 2016, Duncan was appointed to the Editorial Board of the Canadian Institute's IT Law & Technology Journal.

He is a frequent author and speaker on topics related to technology law and transactions, and he has taught related courses at: Truman Bodden Law School, Cayman Islands; National Defense University, Dwight D. Eisenhower School for National Security & Resource Strategy, Washington, D.C.; University of Alberta, Edmonton; University of Toronto, Toronto; Faculty of Medicine, Western University, London; Faculty of Law, Dalhousie University, Halifax; Royal Roads University, Victoria, British Columbia; Southwestern Law School, Los Angeles, California; Course Director and Lecturer, "Internet and Cyberlaw 205", Faculty of Law, Queen's University, Kingston (Bachelor of Law, LL.B. Program) Academic Year, 2000-2001; Osgoode Hall Law School, York University, Toronto, Ontario; Sessional Lecturer, School of Business Management, Ryerson University, Toronto Ontario, where Duncan wrote and taught both the Introduction to Business Law; and Advanced Business Law courses (B.A. Commerce Degree Program) for four years from 1988–1992 (*honorarium provided*); and, University of Florida, Gainesville, Florida.

He is the author of the widely acclaimed book, *Information Technology Transactions: Business, Management & Legal Strategies*, Carswell, Toronto (320 pages—hardcover, Second Edition, 2007); with an English law edition 2005 (240 pages—hardcover, Sweet & Maxwell, London). Book reviews are available upon request.