



David Spratley

Partner
TRADE-MARK AGENT

david.spratley@dlapiper.com

Vancouver **Toronto**
T: +1 604 643 6359 T: +1 416 365 3428

David Spratley advises clients on a wide range of intellectual property (IP), information technology (IT), privacy, e-commerce issues and related issues.

David helps with creating, protecting, enforcing and commercializing trademarks, domain names and copyright, drafting and negotiating IT outsourcing and services agreements and cloud computing agreements, implementing e-commerce solutions, drafting web site terms of use, developing, distributing, licensing and supporting software, video games and other technology, and establishing and protecting franchise systems and other distribution systems. As well, he assists clients in complying with federal and provincial privacy legislation (including through privacy audits and drafting privacy consents and policies), Canada's Anti-Spam Legislation (CASL), promotional contest laws and gift card laws. He also advises on IP, IT, privacy and related aspects of commercial transactions.

LANGUAGES SPOKEN

- English

- Intellectual Property and Technology
- Data Protection, Privacy and Security
- Video Games and Interactive Entertainment Law

- Media, Sport and Entertainment

English

- Acted for Tier1 Financial Solutions on its acquisition of Satuit Technologies, Inc.
- Acted for Seequent Limited in its acquisition of Geosoft, a Canadian-based software company.
- Acted for CDW Canada Corp. in its acquisition of Scalar Decisions Inc., a leading technology solutions provider in Canada.
- Acted for the seller of CUL Administration of Canada Ltd in its acquisition by U.S. based Auto Financial Group.
- Advised on the acquisition by Asmodée of Fantasy Flight Games Inc., a worldwide recognized hobby games publisher and Days of Wonder Inc., a top-quality, family-oriented board and online games publisher.
- Assisted Canfor Pulp Inc. with complex IP licensing issues related to the formation of its joint venture, "Licella Pulp Joint Venture", with the Licella Group of Australia for the development of various biofuel plants in Prince George, British Columbia.
- Assisted litigation counsel represent a tobacco accessory supplier in trademark infringement litigation against an infringer, including helping negotiate and draft settlement documents.

- Advised a foreign software services provider about privacy and data protection issues relating to Canadian data routing through foreign jurisdictions and returning to Canada.
- Advised a major sporting goods supplier on implementing a new Canadian e-commerce platform for selling products directly to consumers.
- Assisted a local production company reach a favourable settlement with a large US film production company that had engaged in reverse trademark infringement.
- Drafted and negotiated sponsorship agreements with professional athletes (including NBA and MLB players) for a performance and lifestyle underwear maker.

CREDENTIALS

Admissions

- British Columbia, 2002

Professional Qualifications

- Registered Canadian Trademark Agent

Prior Experience

David has worked in-house for a large public healthcare organization where he advised on legal issues and strategies in a wide range of areas, including information technology, life sciences, business and commercial initiatives, privacy, human resources, communications, procurement and facilities.

Recognitions

- Lawyer of the Year, *Best Lawyers in Canada* (Information Technology Law: Vancouver), 2022
- *Best Lawyers in Canada* (Intellectual Property Law), 2017-2023; (Technology Law), 2018-2023; (Information Technology Law), 2020-2023

Education

- LL.B., Dalhousie University, 2001
- M.L.I.S., Dalhousie University, 2001
- B.A., Political Science, (Honours), University of British Columbia, 1995

Memberships

- Member, Law Society of British Columbia
- Member, Canadian Bar Association
- Chair, Computer Law Section, Canadian Bar Association, 2004-2006
- Vice-chair, Computer Law Section, Canadian Bar Association, 2003-2004
- Secretary, Computer Law Section, Canadian Bar Association, 2002-2003

INSIGHTS

Publications

- Contributor, "Trade Marks 2022," *Chambers Global Practice Guides*
- Co-author, "Tighten up on that service provider agreement", *The Lawyers Weekly*, April 2014