



Privacy Policy

Last updated: October 3, 2019

At Smartblock Law Professional Corporation (“Smartblock Law”), we are committed to maintaining the accuracy, confidentiality and security of your personal information.

If you **are** a current, past, or prospective client, your personal information is subject to protections under the Law Society of Ontario’s By-Laws and Rules of Professional Conduct, solicitor-client privilege, and general privacy laws applicable in Ontario.

If you are **not** a current, past, or prospective client, your personal information is subject to protections only under general privacy law—particularly those that apply in Ontario.

This Privacy Policy applies only to applicable protections under general privacy law applicable in Ontario. It describes the personal information that Smartblock Law collects from or about you, directly or through third parties, how we use that information, and to whom we disclose that information.

This Privacy Policy does not apply to individuals who were, are, or hope to become employed by Smartblock Law.

What Is Personal Information?


For the purposes of this Privacy Policy, personal information is any information about an identifiable individual, other than the person’s business title or business contact information when used or disclosed for the purpose of business communications.

What Personal Information Do We Collect?

You can visit our website without telling us who you are or revealing any information about yourself, including your email address. Our web server may collect information related to your visit to our website, including:

- the IP address and domain used to access our website;
- the type and version of your web browser;
- the website you came from to access our website;
- the page you entered and exited at;
- any website page that is viewed by that IP address;
- any files you request; and
- what country and national region you are from.

We use this information to monitor our website’s performance (e.g., number of visits, average time spent, page views) and for our business purposes such as working to continually upgrade our website.



In addition, we collect the personal information that you submit to our website, such as your name, address and any other contact or other information that you choose to provide by:

- contacting us through email, telephone, mail, or other correspondence;
- registering for a service we provide, irrespective of whether any reseller or third party purchasing site is involved in the transaction;
- purchasing a product we sell, irrespective of whether any reseller or third party purchasing site is involved in the transaction;
- registering to receive our newsletter;
- using the “Contact Us” or “Retain Us” portions of our website;
- applying for a position with Smartblock Law through our website or by e-mail; or
- by corresponding with a representative of Smartblock Law via email using the hyperlinks created for that purpose.

Where you request information from us, we may use the email address that you provide to send you information about offers on products and services that we believe may be of interest to you. If you have asked us to put you on an email mailing list to provide you with certain information on a regular basis, or if we send you information about our offers on products and services by email, you may ask us to remove you from the list at any time (using the unsubscribe instructions provided with each email and on the site where you signed up).

Moreover, we collect and maintain different types of personal information in respect of the individuals with whom we interact. This includes:

- contact and identification information, such as your name, address, telephone number and email address;
- product-and-service related information concerning the products and services that we provide to, or receive from, you;
- when necessary, credit and financial information, such as your direct deposit and banking information; and
- business relationship information, including information related to your agreements, preferences, advisors and decision-makers, as well as any feedback and information requested by or provided to you.

We may also collect market-related information, which may include personal information, concerning market trends and activities impacting our business. This information may include contract terms, financial information and other information for the purpose of market analysis and strategic planning. We may also collect information related to our media, investor and public relations activities and information related to our interactions with financial and other analysts and advisors.

As a general rule, Smartblock Law collects personal information directly from you, except in the case of our Client Intake Form at the “Retain Us” portion of our website, which service is sourced from **EmailMeForm LLC**, and any other form on our website, which service is sourced from **Squarespace, Inc.** We have taken reasonable steps to ensure web traffic through our website, and through services provided by these third party vendors, is transmitted via a secure connection. In most circumstances where the personal information that we collect about you is held by a third party, we will obtain your permission before we seek out this information from such source (such permission may be given directly by you, or implied from your actions).

From time to time, we may utilize the services of third parties in our business and may also receive personal information collected by those third parties in the course of the performance of their services for us or otherwise. Where this is the case, we will take reasonable steps to ensure that such third parties have represented to us that they have the right to disclose your personal information to us.

Where your personal information is collected and held on our behalf by our third party vendors, that information may be held to different legal standards depending on the location of those third party vendors. We make reasonable

efforts, to the prevailing market standard, to ensure that our third party vendors protect your data at least to the same standards required of Smartblock Law under general privacy law requirements applicable in Ontario.

Where permitted or required by applicable law or regulatory requirements, we may collect information about you without your knowledge or consent.

How and When Do We Use Cookies?

When you visit the website, with your consent, we may place a “cookie” on the hard drive of your computer to track your visit. A cookie is a small data file that is transferred to your hard drive through your web browser that can only be read by the website that placed the cookie on your hard drive. The cookie acts as an identification card and allows our website to identify you and to record your passwords and preferences. The cookie allows us to track your visit to the website so that we can better understand your use of our website so that we can customize and tailor the website to better meet your needs.

What About Links to Other Websites?

Our website may contain links to other websites that may be subject to less stringent privacy standards. We cannot assume any responsibility for the privacy practices, policies or actions of the third parties that operate these websites. Smartblock Law is not responsible for how such third parties collect, use or disclose your personal information. You should review the privacy policies of these websites before providing them with personal information.

Why Do We Collect, Use and Disclose Personal Information?

Smartblock Law collects personal information to enable us to manage, maintain and develop our business and operations, including:

- to establish, maintain and manage our relationship with you so that we may provide you with, or receive from you, the products and services that have been requested (for example, we will use your personal information to establish your identity and location so that we may provide you with the products and services that you have requested);
- to review the products and services that we provide to you so that we may understand your requirements for our products and services and so that we may work to improve our products and services;
- to review the products and services that we obtain from you so that we may work with you and so that you may understand our requirements for such products and services;
- to comply with your requests (for example, if you prefer to be contacted at a business or residential telephone number and advise us of your preference, we will use this information to contact you at that number);
- to protect us against error, fraud, theft and damage to our goods and property;
- to enable us to undertake our environmental, health and safety activities, including incident planning, response and investigation;
- to enable us to comply with applicable law or regulatory requirements; and
- any other reasonable purpose to which you consent.

How Do We Use and Disclose Your Personal Information?

We may use or disclose your personal information:

- for the purposes described in this Privacy Policy; or

- for any additional purposes for which we have obtained your consent to the use or disclosure of your personal information.

We may use or disclose your personal information without your knowledge or consent where we are permitted or required by applicable law or regulatory requirements to do so.

When Do We Disclose Your Personal Information?

We may share your personal information with our employees, contractors, consultants and other parties who require such information to assist us with managing our relationship with you, including: third parties that provide services to us or on our behalf; third parties that assist Smartblock Law in the provision of services to you; and third parties whose services we use to conduct our business.

Some or all of the personal information we collect may be stored or processed in jurisdictions outside of Canada, where we are based, or your own residential jurisdiction. As a result, this information may be subject to access requests from governments, courts, or law enforcement in those jurisdictions according to laws in those jurisdictions.

In addition, personal information may be disclosed or transferred to another party during the course of or completion of, a change in ownership of or the grant of a security interest in, all or a part of Smartblock Law through, for example, an asset or share sale, or some other form of business combination, merger or joint venture, provided that such party is bound by appropriate agreements or obligations and is required to use or disclose your personal information in a manner consistent with the use and disclosure provisions of this Privacy Policy, unless you consent otherwise.

Further, your personal information may be disclosed:

- as permitted or required by applicable law or regulatory requirements;
- to comply with valid legal processes such as search warrants, subpoenas or court orders;
- as part of Smartblock Law's regular reporting activities;
- to protect the rights and property of Smartblock Law;
- during emergency situations or where necessary to protect the safety of a person or group of persons;
- where the personal information is publicly available; or
- where otherwise required by law.

Your Consent Is Important to Us

It is important to us that we collect, use or disclose your personal information where we have your consent to do so. Depending on the sensitivity of the personal information, your consent may be express, implied or deemed (using an opt-out mechanism). Express consent can be given orally, electronically or in writing. Implied consent is consent that can reasonably be inferred from your action or inaction. For example, when you enter into an agreement with us, we will assume your consent to the collection, use and disclosure of your personal information for purposes related to the performance of that agreement, and for any other purposes identified to you at the relevant time.

Typically, we will seek your consent at the time that we collect your personal information. In certain circumstances, your consent may be obtained after collection but prior to our use or disclosure of your personal information. If we plan to use or disclose your personal information for a purpose not previously identified (either in this Privacy Policy or separately), we will endeavour to advise you of that purpose before such use or disclosure.

As we have described above, we may collect, use or disclose your personal information without your knowledge or consent where we are permitted or required to do so by applicable law or regulatory requirements.

By using our website, we assume that you have consented to the collection, use and disclosure of your personal information as explained in this Privacy Policy.

You may change or withdraw your consent at any time, subject to legal or contractual restrictions and reasonable notice, by contacting our Privacy Officer using the contact information set out below. In some circumstances, a change in or withdrawal of consent may severely limit our ability to provide products or services to, or acquire products or services from, you. All communications with respect to such withdrawal or variation of consent should be in writing and addressed to our Privacy Officer.

Deemed Consent (Opt-Out)

You may change or withdraw your consent at any time, subject to legal or contractual obligations and reasonable notice, by contacting our Privacy Officer using the contact information set out below. All communications with respect to such withdrawal or variation of consent should be in writing and addressed to our Privacy Officer.

We assume that, unless you advise us otherwise, you have consented to the collection, use and disclosure of your personal information as explained in this Privacy Policy.

How Is Your Personal Information Protected?

Smartblock Law endeavours to maintain physical, technical and procedural safeguards that are appropriate to the sensitivity of the personal information in question. These safeguards are designed to prevent your personal information from loss and unauthorized access, copying, use, modification or disclosure.

Our data-protection and cybersecurity safeguards include the following:

- We use **Sync.com** as our cloud electronic file storage vendor. This vendor was chosen because it is advertised to facilitate peer-to-peer encrypted file transfer technology, and also because it is based in Toronto, which helps to limit some interjurisdiction legal uncertainty.
- In addition to the regular means of communication by e-mail, you have the option to send sensitive material to our peer-to-peer secured **ProtonMail** account, and through **Signal**. (We reserve these secured communication channels for clients and prospective clients that specifically ask for this means of communication.)
- We use **Microsoft** as our normal e-mail hosting vendor, which is a generally reputable company for safeguarding data at rest.
- We have taken measures to ensure **secure connections** for data submitted to us through our website, although we cannot guarantee such security for data transmitted to us in e-mail without peer-to-peer protections.
- We use **hardware encryption** for all our computers, devices, and local data backups.
- We have enabled **2-Factor-Authentication**, where available, on every platform we use in the course of our business.
- We use one or both of **IPVanish** and **ProtonVPN** for remote access services, and general internet use, to further safeguard our data transmission practices.
- We have obtained **cyber insurance coverage** as part of our disaster recovery plan.
- Our **password management policy** includes a prohibition against password recycling.
- Text-messaging within Smartblock Law is secured via **Signal**.

Unfortunately, no data transmission over the Internet can be guaranteed to be 100% secure. As a result, we cannot completely warrant the security of any information you transmit to us electronically, and you do so at your own risk. We make commercially reasonable efforts to ensure the security of your data on our systems.

Updating Your Personal Information

It is important that the information contained in our records is both accurate and current. If your personal information happens to change during the course of our relationship, please keep us informed of such changes.

In some circumstances we may not agree with your request to change your personal information and will instead append an alternative text to the record in question.

Access to Your Personal Information

You can ask to see your personal information. If you want to review, verify or correct your personal information, please contact our Privacy Officer. Please note that any such communication must be in writing. Generally, your information is kept securely encrypted on the servers of our third-party cloud service vendors.

When requesting access to your personal information, please note that we may request specific information from you to enable us to confirm your identity and right to access, as well as to search for and provide you with the personal information that we hold about you. We may charge you a fee to access your personal information; however, we will advise you of any fee in advance. If you require assistance in preparing your request, please contact the office of our Privacy Officer.

Your right to access the personal information that we hold about you is not absolute. There are instances where applicable law or regulatory requirements allow or require us to refuse to provide some or all of the personal information that we hold about you. In addition, the personal information may have been destroyed, erased or made anonymous in accordance with our record retention obligations and practices.

In the event that we cannot provide you with access to your personal information, we will endeavour to inform you of the reasons why, subject to any legal or regulatory restrictions.

Inquiries or Concerns?

If you have any questions about this Privacy Policy or have any concerns about how we manage your personal information, please contact our Privacy Officer by telephone, in writing or by email. We will endeavour to answer your questions and advise you of any steps taken to address the issues raised by you.

Privacy Officer

We have appointed a Privacy Officer to oversee compliance with this Privacy Policy. The contact information for our Privacy Officer is as follows:

Chetan Phull, Principal Lawyer & Privacy Officer
Smartblock Law Professional Corporation
250 Yonge Street, Suite 2201
Toronto, ON M5B 2L7
Canada
Phone: +1-647-243-5018
Fax: +1-647-498-1095
E-mail: chetan@smartblocklaw.com

Revisions to this Privacy Policy

From time to time, we may make changes to this Privacy Policy to reflect changes in our legal or regulatory obligations or in the manner in which we deal with your personal information. We will post any revised version of this Privacy Policy on our website, smartblocklaw.com, and we encourage you to refer back to it on a regular basis.

Your continued use of our website and/or products after any such changes constitutes your acceptance of this Privacy Policy, as revised.

This Privacy Policy was last updated on **October 3, 2019**.

Interpretation of this Privacy Policy

Any interpretation associated with this Privacy Policy will be made by our Privacy Officer. This Privacy Policy includes examples but is not intended to be restricted in its application to such examples; therefore where the word “including” is used, it shall mean “including without limitation”.

This Privacy Policy does not create or confer upon any individual any rights, or impose upon Smartblock Law any obligations outside of, or in addition to, any rights or obligations imposed by applicable privacy laws. Should there be, in a specific case, any inconsistency between this Privacy Policy and applicable privacy laws, this Privacy Policy shall be interpreted, in respect of that case, to give effect to, and comply with, such privacy laws.