



Peter Ruby

Tel: 416.597.4184

Email: pruby@goodmans.ca

Education

Osgoode Hall Law School, J.D., 1994

Osgoode Hall Law School, LL.M., 2000

Professional Affiliations

Law Society of Ontario

Executive Committee Member and Former Co-Chair Dispute Resolutions Committee, International Technology Law Association

Arbitrator/Mediator, Arbitration Place

Arbitrator/Mediator, American Arbitration Association ICDR

Chair of North America committee, Silicon Valley Arbitration & Mediation Center

Former Director and Member, Canadian Technology Law Association

Member, Toronto Computer Lawyers Group

Member, The Advocates' Society

Member, Canadian Bar Association

Year of Call

1996 Ontario

PRACTICE

Peter acts as an arbitrator and mediator with a focus on the technology and electricity sectors, as well as corporate/commercial domestic and international disputes. He is a member arbitrator/mediator of Arbitration Place, on the Canadian roster of the AAA's International Center for Dispute Resolution, and is the Chair of the North America committee of the Silicon Valley Arbitration & Mediation Center. Peter is also a partner in the Dispute Resolution Group and co-leads the Technology Law Group at Goodmans. For the past 25 years he has had a national and international counsel practice focused on technology, energy, corporate, commercial, and restructuring litigation and arbitration.

His technology dispute resolution work includes software, cloud services, hardware, artificial intelligence, quantum computing, telecommunications, film, television, privacy and data protection, intellectual property, ecommerce and internet litigation, and Canadian and cross-border arbitration and mediation. Peter has a balanced practice, representing multinational and entrepreneurial vendors of technology and services, along with many end-users of information technology.

Peter handles disputes and regulatory matters relating to the energy industry, has acted as counsel for the Canadian Electricity Association, the Electricity Distributors Association, electricity utilities, developers and operators of renewable power projects, resource companies and provincial government bodies. He has appeared at the Ontario Energy Board with respect to generation, transmission, mergers and acquisitions, real estate development and distribution issues, and before other provincial energy regulators.

With respect to privacy and data protection, Peter has successfully litigated business-related privacy cases and has considerable experience assisting clients, on a highly confidential basis, on data breach incidents and cybersecurity. He also assists organizations to deal with privacy inquiries and investigations by privacy commissioners, and to negotiate privacy-related agreements.

Peter also represents clients with respect to a variety of corporate, commercial and restructuring disputes, including shareholder matters, contract interpretation and application issues and acquisition-related disputes.

He has appeared at all levels of the courts of Ontario and the Supreme Court of Canada, as well as at many arbitration proceedings.

REPRESENTATIVE WORK

Peter's representative work includes acting for:

Technology

- the Monitor of Nortel Networks in an unprecedented cross-border dispute over the allocation of the insolvent Nortel's assets and advising on IT, IP, business law and valuation issues
- Oracle in several litigations involving customers, business partners and implementers

- SAP in litigation and arbitration proceedings involving customers, business partners and implementers
- The Business Development Bank of Canada in software fraud litigation concerning a failed technology acquisition
- Trader Corp. in mass on-line copyright infringement litigation
- Bell Media in a Reference to the Supreme Court of Canada opposite Canada's largest cable companies
- Bell Media and Rogers Media in arbitration proceedings and terms of trade
- The Canadian Olympic Committee in copyright litigation
- Software AG in litigation and arbitration with respect to disputes with Canadian corporate and government customers
- CBS Television in internet identity theft litigation
- AXA Asia in obtaining an injunction to prevent a software provider from shutting down an insurer's operations
- NBCUniversal in copyright litigation with respect to the film Charlie Wilson's War, and other matters

Energy

- 19 power companies in a landmark case in the Supreme Court of Canada against Canada's cable television companies
- the majority owner of a wind-power project in arbitration regarding a shareholder dispute
- a dispute with respect to a gas development project
- a renewable energy developer in a dispute over compensation owing to it by other participants in the project
- Atlantic Power in regulatory and arbitration proceedings
- several provincial government bodies with respect to commercial and corporate issues
- various power companies, including Hydro Quebec, B.C. Hydro, New Brunswick Power, ENMAX Corporation, Manitoba Hydro and Greater Sudbury Hydro, in connection with novel matters arising in each of their provinces and/or at hearings

Commercial, Corporate and Restructuring

- litigation concerning the restructuring of Stelco
- litigation concerning a contract dispute arising from the insolvency of Nortel
- a dispute about the restructuring of Cirque du Soleil
- appellate litigation with respect to arbitral jurisdiction
- a dispute about the ownership of music rights upon the insolvency of a publisher
- several arbitrations concerning breaches of representations in share purchase agreements
- arbitration concerning a purchase price adjustment under an asset purchase agreement
- many litigation and arbitration proceedings turning on the interpretation of contracts

RECOGNITION

Peter is recognized as a leading litigator and arbitration counsel in *Chambers Canada and Chambers Global Guide to The World's Leading*

Lawyers for Business, The Legal 500 Canada, The Canadian Legal Lexpert Directory, Euromoney's Guide to The World's Leading Information Technology Lawyers, Best Lawyers in Canada, Benchmark Canada: The Guide to Canada's Leading Litigation Firms and Attorneys Who's Who Legal and Who's Who Legal, with peer reviews such as "brilliant IT litigator" and "vast experience resolving complex IT disputes".

PROFESSIONAL INVOLVEMENT

Peter was a law clerk to the Federal Court of Canada and for over a dozen years was a Professor of Law (adj.) at the University of Toronto and Osgoode Hall Law School teaching internet law. He was a co-chair of the 2017 World Technology Law Conference in Chicago, is a member of the Executive Committee of the International Technology Law Association, the Chair of North America committee of the Silicon Valley Arbitration & Mediation Center and the founder of Canada's popular Tech Law Discussion Forum.