



ROBERT J. C. DEANE

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[Litigation and Arbitration](#)

[Securities Litigation](#)

[Corporate Commercial Litigation and Arbitration](#)

[Class Actions](#)

[Intellectual Property Litigation](#)

[International Trade and Investment](#)

[Privacy and Data Protection](#)

[Cybersecurity](#)

[Canada's Anti-Spam Legislation \(CASL\)](#)

[Appellate Advocacy](#)

Education / Bar Admissions

LLB, University of Victoria, 1998 (Law Society of BC Gold Medallist)

BA, Simon Fraser University, 1995

British Columbia, 2000

Professional Involvement

Member, Canadian Advisory Board, International Institute for Conflict Prevention and Resolution

Member, Western Canada Commercial Arbitration Society

Past Regional Representative for North America (Canada), Young International Arbitration Group — London Court of International Arbitration

Member: Young Canadian Arbitration Practitioners, 2010-present; Toronto Commercial Arbitration Society, 2010-present; Western Canada Commercial Arbitration Society, 2010-present

Former Chair, Editorial Board, Working Group on Best Practices for Electronic Document Discovery and Production in Canada (Sedona Canada)

Member, Advisory Board, The

EXECUTIVE SUMMARY

Robert Deane is National Leader of the Firm's International Trade and Arbitration Group, and a member of the Partnership Board, the Firm's governing body. Robert practises international and domestic commercial arbitration, commercial litigation, privacy law, intellectual property litigation and advertising/competition law. He is ranked nationally and internationally as a leading lawyer in these areas.

Robert has experience in all levels of courts in British Columbia, the Supreme Court of Canada, the Federal Court of Appeal, the Federal Court, the Northwest Territories Supreme Court, the Saskatchewan Court of Queen's Bench, and the Courts of Appeal for Ontario, Saskatchewan, Nova Scotia, and the Northwest Territories, in a broad range of cases.

Robert has appeared as arbitration counsel in numerous significant international commercial arbitration proceedings throughout North America, Asia and Europe. His arbitration practice has provided him with opportunities to work with most major sets of institutional rules in the world, including the *LCIA Rules*, the *ICSID (Additional Facility) Rules*, the *ICC Arbitration Rules*, the *UNCITRAL Arbitration Rules*, the *Arbitration Rules* of the Hong Kong International Arbitration Centre, the American Arbitration Association's *International Arbitration Rules (ICDR)*, the *Arbitration Rules* of the Arbitration Institute of the Stockholm Chamber of Commerce, the *Domestic and International Arbitration Rules* of the British Columbia International Commercial Arbitration Centre, and the *National Arbitration Rules* of the ADR Institute of Canada, among others.

Robert served as a Law Clerk to the Honourable Madam Justice Beverley McLachlin of the Supreme Court of Canada (until recently the Rt. Honourable Beverley McLachlin, P.C., Chief Justice of Canada) in 1998-1999.

REPRESENTATIVE WORK

Robert has been involved in numerous significant arbitration proceedings throughout North America, Asia and Europe. Recent cases include:

- Counsel to a Canadian technology company in a dispute with an Asian mobile phone supplier (HKICAC)

Institute for Transnational Arbitration,
2009-present

Community Involvement

Director, Cystic Fibrosis Canada
(2019 - Present)

President, Cystic Fibrosis Canada -
Vancouver Chapter (2013-2019)

- Counsel to a Canadian metal refining company in an investor-State dispute with an Asian state (UNCITRAL)
- Counsel to a Provincial Crown Corporation in a dispute with a sports team relating to sponsorship rights (BCICAC)
- Counsel to a Canadian airline in a dispute with its former CEO (BCICAC)
- Counsel to one of the parties in the dissolution of a law firm partnership (BCICAC)
- Counsel to a Canadian biopharmaceutical developer in a dispute with a Canadian licensor (BCICAC)
- Counsel to a Canadian partner in a dispute with an American partnership relating to a large casino project (BCICAC)
- Counsel to a United States supplier of large aircraft landing gear systems in a dispute with a Canadian sub-supplier (ICC)
- Counsel to a Canadian pharmaceutical company in a dispute with a South Korean company arising out of a license and revenue sharing contract (ICC)
- Counsel to a Canadian software development company in a dispute with American licensees arising out of a license and development contract (BCICAC)
- Counsel to an Icelandic power producer in a series of disputes with an American-owned Icelandic aluminum smelter operator concerning a 25 year contract with an estimated value of between USD\$1 billion and USD\$3 billion (SCC)
- Counsel to a British Columbia energy utility in a dispute with a contractor in relation to a major infrastructure project (BCICAC)
- Counsel to a British Columbia energy utility in a dispute with a major forestry company under a clean energy purchase agreement (BCICAC)
- Counsel to a major North American forestry company in a series of arbitrations relating to a revenue-sharing agreement with its primary forestry services-provider (BCICAC)
- Counsel to a Canadian heavy equipment supplier in a dispute with a Texas distributor (ICDR)
- Counsel to a major British Columbia insurer in a series of disputes with brokers (BCICAC)
- Counsel to a Canadian-based electricity utility in a dispute concerning liability for and quantification of a termination payment under a long term power purchase and sale agreement consequent upon the Enron bankruptcies (AAA)
- Counsel for an Alberta energy utility in a dispute concerning representations and warranties given by the vendors of two run-of-river power plants in British Columbia (ADR Institute of Canada)

Robert has also been appointed to act as arbitrator. Recent cases include:

- Sole arbitrator hearing a dispute between Australian and American parties regarding a patent assignment agreement (ICC)
- President of a tribunal hearing a dispute among Irish, French, and American parties arising in the pharmaceutical distribution industry (ICC)

- Sole arbitrator hearing a dispute between the seller and purchaser of an oil services business, in relation to a working capital adjustment (CAA)

PUBLICATIONS & PRESENTATIONS

- Instructor, "Winning Advocacy Skills Workshop," Continuing Legal Education Society of British Columbia (CLE BC), July 2019
- Panelist, "The New International Arbitration Act: Has Anything Changed One Year Later?" 2019 *ADRBC Symposium* – Vancouver, British Columbia, June 2019
- Panelist, "Efficient Procedures in International Arbitration," *Judge Judith O. Hollinger ADR Program, Fourth Annual Symposium: Best Practices in International Arbitration*, University of Southern California, JAMS Arbitration Institute – Los Angeles, California, March 2019.
- Panelist, "Connecting East and West: BC's Challenges and Opportunities in International Arbitration," 2018 *ADRBC Symposium* – Vancouver, British Columbia, June 2018.
- Panelist, "Hot Topics in Arbitration," Western Canada Commercial Arbitration Society, *12th Annual Energy, Mining and Resources Arbitration Conference* - Calgary, Alberta, May 2018.
- Co-Author, "The Arbitration Review of the Americas," *Global Arbitration Review (GAR)*, 2015-2018.
- Panelist, "Case Law Update – International Arbitration," Western Canada Commercial Arbitration Society, *11th Annual Energy, Mining and Resources Arbitration Conference* - Calgary, Alberta, May 2017.
- Panelist, "BITs in the Background," Rocky Mountain Mineral Law Foundation – International Mining and Oil & Gas Law, Development and Investment Conference – Quito, Ecuador, April 2017.
- Author, "Arbitral Proceedings in Canada," *ADR Forum*, March 2017 (with Kalie McCrystal).
- Author, "Canada Chapter," *The Arbitration Review of the Americas* 2017, *Global Arbitration Review*, August 2016 (with Craig Chiasson).
- Panelist, "Roundtable International Arbitration," *Financier Worldwide Magazine*, June 2016.
- Co-Author, "Country Chapter: Canada," *The Arbitration Review of the Americas* 2015.
- Author, "Unsubstantiated allegation of reasonable apprehension of bias may result in costs," *International Law Office*, December 2015.
- Faculty, Singapore International Arbitration Academy, National University of Singapore – Centre for International Law, November 2015.
- Panellist, "Practical Issues Relating to Costs and Interest in International Arbitration," Dublin International Arbitration Day, November 2015.
- Panellist, "Online Dispute Resolution," American Bar Association, Section of International Law Fall Meeting, October 2015.
- Investment Arbitration Section Editor, *IBA Arbitration News*, International Bar

Association — Investment Arbitration Section/Committee, 2011-present.

- Co-Author, "Canada Chapter," Global Arbitration Review (GAR) Investment Treaty Arbitration Know-How, November 2012-present.
- Panelist, "Telling Your Story Effectively," Commercial Arbitration 2015 : Taking Advantage of User Control, Affinity Institute Conference, June 2015.
- Panelist, "Case Law Update 2015," Western Canada Commercial Arbitration Society Annual Conference, May 2015 (with Gordon L. Tarnowsky, Q.C. and Rachel A. Howie).
- Panelist, "Case Law Update 2015," Toronto Commercial Arbitration Society Annual Conference, April 2015 (with Stephen Drymer and Lisa C. Munro).
- Panelist, "The Intersection of ADR and E-Discovery," Ontario e-Discovery Institute 2014, October 2014 (with the Honourable Colin L. Campbell and the Honourable Joy Flowers Conti).
- Panelist, "Case Law Update 2014," Western Canada Commercial Arbitration Society Conference, May 2014 (with Ronald M. Kruhlak, Q.C.).
- Co-Author, "Privilege attaches to dispute funding agreements in British Columbia," *International Law Office* — Arbitration-Canada, October 2013.
- Co-Editor, Investor-State LawGuide™, 2010-present.
- Co-Author, "International Arbitration 2013 — Canada Chapter," The International Comparative Legal Guide, 10th edition, July 2013.
- Speaker, "Discovery in Intellectual Property Litigation: Protecting Confidential Information," Continuing Legal Education Society of British Columbia (CLE BC) Conference Intellectual Property for Litigators, October 2011.
- Speaker, "Cloud Computing — Privacy and Litigation Issues," BLG Cloud-Computing Seminar, April 2011.
- Speaker, "Addressing Jurisdictional Complexity: The New Civil Rules and the CJPTA," Insight Conference Complex Litigation Management: New Rules, New Technologies, New Risks, New Strategies, November 16-17, 2010.
- Co-Author, "Internet Law" chapter, Annual Review of Law & Practice, CLE BC, 2001-2012.
- Speaker, "Competition Law Compliance: Overview of Recent Changes and Practical Tips," Canadian Bar Association, Corporate Counsel Section, BC Branch, April 2010.
- Speaker, "Misleading Advertising, Pricing and Distribution Practices," CLE BC Conference Canada's New Competition and Foreign Investment Law, March 2010.

RANKINGS & RECOGNITIONS

- Recognized in the 2020 edition (and since 2016) of *Chambers Canada – Canada's Leading Lawyers for Business* (Dispute Resolution: Arbitration).
- Recognized in the 2020 edition of *Chambers Canada – Canada's Leading Lawyers for Business* (Litigation: General Commercial).
- Martindale-Hubbell® AV® Preeminent™ Peer Review Rated.

- Fellow of the Litigation Counsel of America, 2018.
- Recognized in the 2019 (and since 2015) edition of the *Lexpert® Guide to US/Canada Cross-border Lawyers in Canada*.
- Recognized in the 2019 (and since 2015) edition of *Benchmark Canada — The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* as a "Local Litigation Star: British Columbia" and a "Litigation Star: Arbitration, Commercial, Competition, Intellectual Property".
- Recognized in the 2019 edition (and since 2018) of Euromoney Expert Guides: Best of the Best Global.
- Recognized in the 2019 edition of *Chambers Global — The World's Leading Lawyers for Business* (Dispute Resolution – Arbitration).
- Recognized in the 2019 edition (and since 2012) of *The Best Lawyers in Canada®* (Advertising and Marketing Law, Class Action Litigation, Corporate and Commercial Law, International Arbitration, Privacy and Data Security Law).
- Recognized in the 2018 edition (and since 2015) of *Who's Who Legal: Canada* (Arbitration & E-Discovery Practitioners).
- Recognized as the 2018 "Vancouver Privacy and Data Security Law Lawyer of the Year" by *The Best Lawyers in Canada®*.
- Recognized as the 2017 "Vancouver International Arbitration Lawyer of the Year" by *The Best Lawyers in Canada®*.
- Recognized in the 2019 edition (and since 2011) of *Chambers Global — The World's Leading Lawyers for Business* (Dispute Resolution — British Columbia, Dispute Resolution — Arbitration).
- Recognized in the 2019 (and since 2016) editions of *Chambers Canada — Canada's Leading Lawyers for Business* (Dispute Resolution: British Columbia).
- Recognized in the 2019 and 2017 editions of *The Legal 500 Canada* as a "Leading Lawyer" (Dispute Resolution). Also recognized in the 2017, 2016 and 2015 editions (International Trade).
- Recognized as a 2017 Acritas Star.
- Recognized in the 2018, 2016, 2015 and 2014 editions of the *Lexpert®/Report on Business Litigation Special Edition* as a leading litigator.
- Recognized in the 2018, 2017, 2016 and 2015 editions of *The Canadian Legal Lexpert® Directory* (International Commercial Arbitration, Litigation - Corporate Commercial). Recognized in 2019 (and since 2011) for International Commercial Arbitration. Recognized in 2018, 2017 for Litigation - Intellectual Property. Recognized in 2018 for Litigation - Public Law.
- Recognized as the Arbitration Lawyer of the Year (2016) and Arbitration Counsel of the Year (2014 and 2013) by *Benchmark Canada — The Definitive Guide to Canada's Leading Litigation Firms & Attorneys*.
- Honoured with a 2014 *Lexpert® Zenith Award* (International Commercial Arbitration).
- Recognized in the 2013 edition of Expert Guides *Guide to the World's Leading Experts in Commercial Arbitration*.

ABOUT BORDEN LADNER GERVAIS LLP

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration