



Ira Nishisato

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[Commercial Arbitration](#)
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Ira's practice focuses on complex commercial litigation, commercial fraud, investigations, cybersecurity and information technology litigation, intellectual property litigation, and international dispute resolution.

He leads complex international fraud litigation and investigations and asset recovery proceedings, and is a widely-recognized expert in extraordinary remedies, including Anton Piller (civil search), Mareva (asset freezing) and Norwich Pharmacal (equitable discovery) orders. He has appeared in nearly 100 injunction proceedings before Canadian courts and has fashioned creative, leading-edge remedies to assist clients.

Ira advises clients on cybersecurity, data breaches and information security intrusions, and served as “breach coach” on numerous occasions. He served as counsel in many important information technology and intellectual property cases in Canada.

Ira has also brought numerous applications for the enforcement of foreign arbitral awards and judgments, for letters of request/letters rogatory, and to stay proceedings on jurisdictional grounds.

Ira appears before all levels of courts in Canada, including the Supreme Court of Canada, Federal Court of Appeal, Ontario Court of Appeal, Federal Court, Ontario Divisional Court and Superior Court of Justice. He also appears regularly before the Commercial Court in Toronto.

The wide range of cases he has litigated include:

- administrative law
- anti-piracy and anti-counterfeiting
- asset tracing and recovery
- banking
- broadcasting and telecommunications
- class actions/mass torts
- computer and internet law
- contempt proceedings
- cybersecurity and cybercrime (including privacy, data protection and information security)
- conflict of laws
- constitutional law/Charter of Rights and Freedoms
- contracts
- corporate/commercial law
- defamation
- fiduciary duties
- fraud
- intellectual property
- labour and employment
- officer and director liability
- product liability
- professional negligence
- public and private international law
- shareholder and partnership disputes

Ira is the national leader of BLG's cybersecurity and cyber risk management practice.

Experience

- Defended global tobacco companies **Japan Tobacco International (JTI)** and **R.J. Reynolds Tobacco International Inc.** against a \$330 billion claim for recovery of healthcare costs by the Government of Ontario.
- Prosecuted a claim on behalf of a **UAE-based family trust** involving a multi-million-dollar, worldwide “e-banking” fraud perpetrated across multiple jurisdictions over the internet.
- Represented U.S.-based avionics firm **Rockwell Collins Inc.** in complex litigation arising out of the termination of the Learjet 85 program.
- Obtained an emergency interlocutory injunction for U.S. broker-dealer and investment advisory firm **Oppenheimer & Co. Inc.** in a cyber-ransom dispute with a network service-provider.

- Designed and executed national anti-piracy enforcement strategies for satellite television providers **Bell TV**, **DIRECTV** and **DISH Network** and encryption technology provider **NagraStar, LLC**.
- Designed and executed anti-counterfeiting strategies for global brand owners such as **Michael Kors**, **Louis Vuitton Malletier** and **Zumba Fitness**.
- Represented global pharmaceutical company **Pharmacia Inc.** in interlocutory injunction proceedings involving allegations of false and misleading advertising for anti-inflammatory drug Celebrex.
- Prosecuted a claim for recovery of proceeds of multi-million dollar fraud against Swedish medical equipment company **Elekta Inc.**
- Advised **Facebook Inc.** on intermediary liability for content posted by users.
- Served as “breach coach” in major data breach and security intrusion incidents involving leading Canadian organizations, including public and private sector corporations and not-for-profit/charities.
- Prosecuted a claim for recovery of proceeds of multi-million dollar fraud against Canadian custom magnetics manufacturer **Noreast Electronics Co. Ltd.**
- Conducted an independent investigation into alleged terrorism-related offences on behalf of the government of an African state.
- Appointed as an “officer of the court” in connection with the supervision of *Anton Piller* orders in large-scale mortgage fraud cases for **Royal Bank of Canada** and **Bank of Montreal**, and in several trade secrets/confidential information/employee fraud cases.
- Obtained court approval for numerous corporate plans of arrangement.

Insights & Events

- Autonomous Vehicles
- Business of Law - What Microsoft wants you to know about your data
- Interviewed, "Major data breach affecting Marriott hotel guests, CTV News, December 2018.
- Quoted, "Into the breach," Lexpert Magazine, November 2018.
- Speaker, "Navigating the New Cybersecurity and Data Privacy Landscape - Toronto," International Institute for Conflict Prevention & Resolution, November, 2018.
- Co-chair, "Mastering Winning Discovery Techniques," The Advocates' Society, October 2018.
- Enhanced Fact-Finding Powers Used to Grant Summary Judgment in Fraud Claim
- How to Prepare For, Prevent and Repair Online Data Leaks
- Quoted, "How Litigation Funding Works in the Commercial Context," CBA National Magazine, September 2018
- Speaker, "Cybersecurity Readiness," Investment Funds Institute of Canada Annual Leadership Conference, September 2018.
- Conference chair, "Advocacy in the 21st Century," International Bar Association, May 2018.
- Motion To Set Aside Two Ex Parte Orders Dismissed: Noreast Electronics Co. Ltd. v. Danis
- Speaker and chair, "Sell your Judgment/Award! Third-Party Funding for Litigation and Arbitration Proceedings, Including Enforcement of Judgments and Arbitral Awards," International Bar Association, October 2017.
- Speaker, "Cybersecurity Awareness Month 'Fireside Chat,'" Canadian Corporate Counsel Association, October 2017.
- Quoted, "The Rise of Cyber Insurance," Lexpert® Magazine, September 2017.
- Preparing For CASL's Private Right Of Action
- Quoted, "Info of 95,000 McDonald's Canada Job Applicants Compromised," Maclean's, March 2017.
- Hackers Breach Forces.ca, Redirecting Users to Official Chinese State Website
- Quoted, "How Companies Are Using Litigation Financing to Invest in Winning Lawsuits," Canadian Business, November 2016.
- Quoted, "Kids' Activity on the Web Puts Parents at Financial risk," The Globe and Mail, October 2016.

- Speaker and chair, “Modern Litigation Issues Facing Corporate Counsel,” International Bar Association, September 2016.
- Quoted, “Lawyers Call for National Cybersecurity Standards,” Canadian Lawyer, August 2016.
- Author, “How Much Cyber Security Is Enough Cyber Security?,” Financier Worldwide, July 2016.
- Third Party Funding in Arbitration
- Interviewed, “Business of Law: What Microsoft Wants You to Know About Your Data,” Business News Network, April 2016.

Beyond Our Walls

Professional Involvement

- Co-chair, Litigation Committee, International Bar Association, 2017-2018
- Director, Canadian Institute for Advanced Legal Studies (The Cambridge Lectures)
- Co-chair, National Expert Witness Academy, The Advocates’ Society
- Speaker and skills instructor, The Advocates’ Society

Awards & Recognitions

- Recognized in the 2018 (and since 2015) editions of *Benchmark Canada — The Definitive Guide to Canada’s Leading Litigation Firms & Attorneys* as a “Litigation Star: Commercial”.
- Selected by peers for inclusion in the 2019 (and since 2013) editions of *The Best Lawyers in Canada®* (Corporate and Commercial Litigation).
- Recognized in the 2019 edition of *Who’s Who Legal* (Commercial Litigation, Asset Recovery, Business Crime Defence, Investigations)
- Recognized in the 2019 edition of *Who’s Who Legal: Canada* (Thought Leaders – Litigation).
- Recognized in the 2019 (and previous) editions of *Who’s Who Legal: Canada* (Commercial Litigation, Asset Recovery, Business Crime Defence, Investigations)
- Recognized in the 2017 (and since 2015) edition of *World Trademark Review’s WTR 1000 - The World’s Leading Trademark Professionals* (Anti-Counterfeiting).
- Recognized in the 2017 edition of the *Canadian Legal Expert Directory* (Litigation - Corporate Commercial)
- Recognized in the 2009-11 editions of *Chambers Global – The World’s Leading Lawyers for Business* (Dispute Resolution: Ontario)

Bar Admission & Education

- Ontario, 1995
- Diploma in International Law, University of Cambridge, 1996,
- LLB, University of Toronto, 1993,
- BA (High Dist., Political Science and French), University of Toronto, 1990,



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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.

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