

# Lamoureux v. Organisme canadien de réglementation du commerce des valeurs mobilières (OCRCVM)

April 24, 2019

Read the decision: <https://www.canlii.org/fr/qc/qcca/doc/2022/2022qcca685/2022qcca685.html>

The Court of Appeal recently rendered a landmark decision which sets a key precedent for privacy class actions in Québec and Canada: the Court of Appeal confirmed the dismissal of the first privacy class action on the merits in Canada. This decision provides increased clarity on how the civil liability framework applies in matters involving a loss of personal information. It also serves as an example of appropriate corporate response following a loss of personal information.

## Key takeaway

Institutions could take inspiration from the measures taken by the defendants to avoid punitive damages (e.g. taking the time to identify what information was breached, purchasing credit protection for affected individuals, engaging external experts, following incident response guidelines).

[BLG case comment \(May 2022\).](#)

**By**

[Thoburn](#)

**Services**

[Fintech](#)

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#### Calgary

Centennial Place, East Tower  
520 3rd Avenue S.W.  
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T2P 0R3

T 403.232.9500  
F 403.266.1395

#### Ottawa

World Exchange Plaza  
100 Queen Street  
Ottawa, ON, Canada  
K1P 1J9

T 613.237.5160  
F 613.230.8842

#### Vancouver

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Vancouver, BC, Canada  
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H3B 5H4

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#### Toronto

Bay Adelaide Centre, East Tower  
22 Adelaide Street West  
Toronto, ON, Canada  
M5H 4E3

T 416.367.6000  
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