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I. DEGREES

Yale Law School: Juris Doctor (2008)
Coker Teaching Fellow (2007-08)
John M. Olin Fellow in Law and Economics (2005-08)
Comments Editor, *Yale Journal of International Law* (2006-08)

University of Oxford, St. Antony's College: M.Phil in International Relations (2004)
Rhodes Scholar for Ontario (2002)

University of Toronto, Innis College: Hon. B.A. in Economics and Political Science (2002)
Innis College Principal's Award (2002) (for highest graduating GPA)
Gordon Cressy Student Leadership Award (2002)

II. EMPLOYMENT HISTORY

University of Ottawa, Faculty of Law, Common Law Section
Samuelson-Glushko Professor of Law (Assistant Professor, Tenure Track) (2019-)
Director, Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic (CIPPIC) (2019-)

Harvard Law School
Lecturer on Law (2016-17, 2018-19)
Clinical Attorney, Cyberlaw Clinic (2017-18)
Assistant Director and Clinical Instructor, Cyberlaw Clinic (2016-17)
Clinical Instructor, Cyberlaw Clinic (2014-16)

University of California, Davis, School of Law
Visiting Lecturer (2017-18)

Foley Hoag LLP: Washington, DC and Boston, MA
Counsel, Corporate Social Responsibility and Privacy & Data Security Practices (2018-19)
Associate, International Litigation & Arbitration and Corporate Social Responsibility Practices (2010-14)

Supreme Court of Canada: Ottawa, ON
Law Clerk to the Hon. Morris J. Fish (2008-09)

Foley Hoag LLP: Washington, DC
Summer Associate (2007)

Debevoise & Plimpton LLP: New York, NY
Summer Associate (2007)

O'Melveny & Myers LLP: Washington, DC
Summer Associate (2006)

III. HONOURS AND APPOINTMENTS

1. HONOURS

Internet Law and the Law of the Sea—Paper selected by the Canadian Council on International Law for participation in the 2020 Four Societies Conference at the University of California, Berkeley (conference postponed indefinitely due to COVID-19).

2. APPOINTMENTS

Member, Centre for Law, Technology, and Society, University of Ottawa (2019-)

Fellow, Carr Center for Human Rights Policy, Harvard Kennedy School (2018-)

Senior Associate (Non-Resident), Human Rights Initiative, Center for Strategic and International Studies (2018-)

Affiliate, Berkman Klein Center for Internet & Society, Harvard University (2018-)

IV. SCHOLARLY AND PROFESSIONAL ACTIVITIES

1. CLINICAL LEGAL TEACHING & PROJECTS

Prepared a legal analysis of how the intermediary liability provisions of the U.S.-Mexico-Canada Agreement (USMCA) will impact Canadian defamation law.

Counselled an international human rights NGO in developing its policy positions on several technology and human rights issues.

Supported the United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance on the drafting of a thematic report regarding tech-facilitated racial discrimination.

Developed a new framework for assessing the performance of Global Network Initiative (GNI) member-companies in protecting the privacy and free expression rights of their users, following the expansion GNI's expansion to include device manufacturers and telecom network operators.

Advised medical researchers on the privacy-related aspects of using consumer-grade fitness trackers to collect data for a peer-reviewed study.

Advised a law enforcement start-up on how to design its predictive analytics software to respect user privacy and enhance data security.

Prepared an analysis of the constitutionality of various proposed legislative measures to regulate encryption technology in the United States.

Prepared an analysis of the privacy impacts and cybersecurity risks of the U.S. government's use of network investigative techniques (NITs) in domestic criminal investigations.

Prepared an analysis of the privacy impacts of the use of cell site emulators by law enforcement and intelligence agencies in Canada, the United States, and four other countries.

Prepared legal analyses of cybercrime legislation introduced in the Parliaments of several English-speaking nations in the Caribbean and Sub-Saharan Africa.

Advised an international NGO on the privacy and cybersecurity-related impacts of Canada's new intelligence laws.

2. PUBLIC LECTURES

The Quest to Regulate Big Tech, New England College of Law (Nov. 7, 2019)

Has Technology Made Privacy Obsolete? High Tech Institute, Santa Clara University School of Law (Mar. 18, 2019).

Artificial Intelligence and Human Rights: Risks and Opportunities, University of California, Davis School of Law (Mar. 8, 2019).

A Human Rights Approach to AI, Humanity, Wired (Podcast Series of the Center for Strategic and International Studies' Human Rights Initiative) (July 25, 2019) (available at <https://www.csis.org/podcasts/humanity-wired/human-rights-based-approach-ai>).

Human Rights in the Face of Emerging Technology, Justice Matters (Podcast Series of the Carr Center for Human Rights Policy at the Harvard Kennedy School) (Jan. 2, 2019) (available at <https://carrcenter.hks.harvard.edu/news/justice-matters-podcast-vivek-krishnamurthy>).

Enlisting Artificial Intelligence to Promote Human Rights, Promise Institute for Human Rights, University of California, Los Angeles School of Law (Nov. 8, 2018).

Can the Law Protect Privacy from Technology? Harvard Law School (Oct. 26, 2018).

The Future Can Be Bright: Enlisting Artificial Intelligence to Promote Human Rights, Sole presenter, Carr Center for Human Rights Policy, Harvard Kennedy School of Government (Oct. 1, 2018).

Can the Law Protect Privacy from Technology? Harvard Law School Alumni Association Open Lecture (May 31, 2018) (available at https://youtu.be/ciDf_UroRuk).

Data Privacy in the Cloud: the Microsoft Ireland Case, University of California, Davis School of Law (Jan. 28, 2018).

Extraterritorial Law and Social Responsibility, Business for Social Responsibility (BSR) Human Rights Working Group, San Francisco, CA (Jul. 14, 2016).

3. INVITED PRESENTATIONS

Discussant, *Artificial Intelligence in Principle and Practice*, Berkman Klein Center for Internet & Society, Harvard University (Mar. 31, 2020).

Panelist, *Civil and Human Rights Implications of Artificial Intelligence*, ABA Artificial Intelligence and Robotics National Institute, Santa Clara University School of Law (Jan 9, 2020).

Panelist, *Comparative Perspectives on Data Privacy*, Association of American Law Schools 2020 Annual Meeting, Washington DC (Jan 2, 2020).

Moderator, *Project Kana Roundtable on Artificial Intelligence and Human Rights*, Permanent Mission of Canada to the United Nations, New York, NY (Dec. 10, 2019).

Discussant, Mark Latonero, *When AI for Good is Bad*, Carr Center for Human Rights Policy, Harvard Kennedy School (Nov. 15, 2019).

Panelist, *Artificial Intelligence and Human Rights: The Case of the Autonomous Vehicle*, Business and Human Rights Teaching Forum, New England College of Law, Boston, MA (Nov. 7, 2019)

Panelist, *Digital Health & Connected Devices*, 2019 Boston Bar Association Privacy and Cybersecurity Conference, Boston, MA (May 14, 2019).

Panelist, *The First Amendment and the Digital Age*, Boston Bar Association, Boston, MA (April 8, 2019).

Panelist, *Artificial Intelligence for Diversity and Inclusion*, AI for Social Impact: 2019 Conference on Business, Technology, and Human Rights, Haas School of Business, University of California, Berkeley (Mar. 7, 2019).

Moderator, *Artificial Intelligence and Human Rights Law in the Here and Now*, Edmond J. Safra Center for Ethics, Harvard University (Dec. 1, 2018).

Panelist, *Promoting Fairness, Equity, and Human Rights in Tech*, Berkman Klein Center for Internet & Society, Harvard University (Nov. 30, 2018).

Panelist, *Regulation of the Internet in the Transnational Arena*, American Society of International Law Midyear Meeting, Los Angeles, CA (Nov. 8, 2018).

Moderator, *Protect Me from What I Want: The Transatlantic Divide on Data and Privacy*, German-American Conference at Harvard University (Oct. 6, 2018).

Panelist, *Putting Users First: The Responsibility of Tech SMEs to Respect Human Rights*, RightsCon 2018, Toronto, Canada (May 18, 2018).

Panelist, *Canadian Courts and Internet Jurisdiction*, International Institute of Communications—Canada Annual Conference, Ottawa, Canada (Nov. 14, 2017).

Panelist, *The Ethics of Artificial Intelligence*, Business for Social Responsibility (BSR) 2017 Annual Conference, Newport Beach, CA (Oct. 26, 2017).

Panelist, *Should Content Restrictions Be Limited to Geographical Borders?* RightsCon 2017, Brussels, Belgium (Mar. 30, 2017).

Moderator, *Artificial Intelligence, Robots, and the Laws of War*, Harvard Law and Development Society Fall 2016 Symposium (Oct. 21, 2016).

Discussant, Prof. Elizabeth Joh, *Big Data and Policing*, Harvard Law and Policy Review Symposium on Policing in America (Feb. 8, 2016).

Panelist, *Digital Evidence Across Borders*, Special Meeting of the United Nations Counter-Terrorism Committee Member-States, New York, NY (Dec 17, 2015).

Respondent, Former Ass't Att'y Gen. Viet Dinh, *Toward a Modern Statutory Framework for Law Enforcement Access to Electronic Communications*, Harvard Law School Federalist Society (Apr. 14, 2015).

Panelist, *A Plan for Rights-Respecting Telecoms*, Seventh Internet Governance Forum, Baku, Azerbaijan (Nov. 8, 2012).

Panelist, *Frontline Lessons from Other Sectors: Learning What Works in Human Rights*, Rio de Janeiro Human Rights & Technology Conference (May 31, 2012).

4. SERVICE TO THE PROFESSION

Peer Reviewer for the *Journal of Business & Human Rights* and *Big Data & Society*

Member of the Current Developments Advisory Board for the *Journal of Business & Human Rights* (2019-)

5. SERVICE TO THE UNIVERSITY

University of Ottawa

Member, Admissions Committee, LL.M in Law and Technology (2020-)

Member, University of Ottawa Cybersecurity and Cybersafety Strategy Core Group (2020-)

Harvard University

Business Owner, Harvard Law School Clinical Information Technology Transformation Project (2016-18)

6. SERVICE TO THE COMMUNITY

Member, Board of Directors, Association of American Rhodes Scholars (2020-)

Member, Advisory Board, Harvard-Stanford Policing Technology Project (2017-20)

Member, Board of Directors, Global Network Initiative (GNI) (2016-18)

7. BAR ADMISSIONS

United States Supreme Court (2017-)

Commonwealth of Massachusetts (2015-)

District of Columbia (2010-)

State of New York (2009-)

V. COURSES TAUGHT

University of Ottawa

Internship: Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic (2019-20)

Interdisciplinary Studies in Law: Technology, Human Rights, and Cybersecurity (2020)

Harvard University

Counselling and Legal Strategy in the Digital Age (2016, 2018)

Cyberlaw Clinic Seminar (2014-17)

University of California, Davis

Counselling and Legal Strategy in the Digital Age (2017)

Business and Human Rights (2018)

VI. PUBLICATIONS

1. CHAPTERS IN BOOKS

Cybersecurity and Human Rights: Friends, Foes, or Frenemies?, in FREEDOM OF EXPRESSION AND NEW INFORMATION TECHNOLOGIES (Alice Breathe et al, eds.) (forthcoming 2021 with Hart Publishing) (50% contribution—with Amy Lehr and Devony Schmidt).

Artificial Intelligence and Canadian Human Rights Law, in ARTIFICIAL INTELLIGENCE AND THE LAW IN CANADA (Teresa Scassa & Florian Martin-Bariteau, eds.) (forthcoming 2021 with the University of Ottawa Press).

Artificial Intelligence and Human Rights: Probing the Relationship, in LEADING LEGAL DISRUPTION: ARTIFICIAL INTELLIGENCE—A TOOLKIT FOR LAWYERS AND THE LAW (Pina D'Agostino et al., eds.) (forthcoming June 2020 with LexisNexis Canada).

Boundless Courts and a Borderless Internet, in INTERNET MONITOR 2014: REFLECTIONS ON THE DIGITAL WORLD 130 (Urs Gasser et al., eds., 2014). <https://ssrn.com/abstract=2538813>.

2. PAPERS IN REFEREED JOURNALS (OR EQUIVALENT)

A Tale of Two Privacy Laws, 114 AM. J. INT'L L. UNBOUND 26 (2020). <https://doi.org/10.1017/aju.2019.79>.

Are Internet Protocols the New Human Rights Protocols? Understanding RFC 8280—Research into Human Rights Protocol Considerations, 4 BUS. H. R. J. 163 (2019). <https://doi.org/10.1017/bhj.2018.30>.

The Myth of Platform Neutrality, 2 GEO. L. TECH. REV. 400 (2018) (with Anupam Chander). <https://perma.cc/7XDS-XRZG>.

Note, *Colonial Cousins: Explaining India and Canada's Unwritten Constitutional Principles*, 34 YALE J. INT'L L. 207 (2009).

Comment, *Energy Security: Security for Whom? A Response to Matthew Smith and Naing Htoo*, 11 YALE HUM. RTS. & DEV. L. J. 259 (2008).

Book Note, 31 YALE J. INT'L L. 544 (2006) (reviewing Gary C. Hufbauer and Jeffrey J. Schott, NAFTA REVISITED: ACHIEVEMENTS AND CHALLENGES (2005)).

Recent Development, *The Emperor's New Quotas: European and American Safeguard Measures Against Chinese Textiles*, 31 YALE J. INT'L L. 271 (2006).

3. MAJOR INVITED CONTRIBUTIONS AND RESEARCH REPORTS

Assessing the Assessments: Lessons from Early State Experiences in the Procurement and Implementation of Risk Assessment Tools, Berkman Klein Center Research Pub. No. 2018-08 (Dec. 7, 2018) (with Christopher Bavitz, Sam Bookman, Jonathan Eubank, and Kira Hessekiel). <http://dx.doi.org/10.2139/ssrn.3297135>.

Artificial Intelligence and Human Rights: Opportunities and Risks. Berkman Klein Center Research Pub. No. 2018-06 (Sep. 24, 2018) (with Filippo Raso, Hannah Hilligoss, Christopher T. Bavitz, and Levin Kim). <http://dx.doi.org/10.2139/ssrn.3259344>.

Here, There, or Everywhere? Assessing the Geographic Scope of Content Takedown Orders (Mar. 27, 2017) (with Alicia Solow-Niederman, Francisco Javier Careaga Franco, and Nani Jansen Reventlow). <https://perma.cc/JAE2-FPJU>.

Cloudy with a Conflict of Laws: How Cloud Computing Has Disrupted the Mutual Legal Assistance Treaty System and Why It Matters. Berkman Center Research Pub. No 2016-03 (Feb. 16, 2016). <http://dx.doi.org/10.2139/ssrn.2733350>.

Managing User Rights Responsibly: A Guide for Early-Stage Companies (Apr. 1, 2016) (with Dalia Topelson Ritvo and Sarah Altschuller). <https://perma.cc/N4HG-QT42>

4. WORKSHOPS PRESENTED

Privacy Externalities, Internet Law Works-in-Progress 2020, New York Law School (Mar. 14, 2020—workshop postponed due to Covid-19).

5. PROJECTS IN PROGRESS

“Privacy Externalities”

“The Data Supply Chain”

“The Law of the Sea and the Law of the Internet”

“Technological Natural Monopolies” (with Dipayan Ghosh)

6. NOTABLE FACTA AND BRIEFS

Comments of Privacy Researchers on Proposals for Ensuring Appropriate Regulation of Artificial Intelligence, Comments Submitted to the Office of the Privacy Commissioner of Canada on behalf of 25 privacy researchers (Mar. 13, 2020) (principal co-author with Margot Kaminski). <https://tlpc.colorado.edu/wp-content/uploads/2020/03/2020.03.13-Academic-Researchers-Comment-on-ensuring-appropriate-regulation-of-artificial-intelligence-final-1.pdf>.

Brief *Amicus Curiae* of United Nations Special Rapporteur on the Right to Privacy Joseph Cannataci, U.S. v. Microsoft Corp., 584 U.S. ____ (U.S. Supreme Court, 2018) (No. 17-2) (with Mason Kortz).

Brief *Amicus Curiae* of Naomi Cahn, Janes D. Lamm, Michael Overing, and Suzanne Brown Walsh in Support of Plaintiffs-Appellants, Ajemian v. Yahoo!, Inc., 84 N.E. 2d 766 (Mass. Supreme Judicial Court, 2017) (with Mason Kortz).

Brief *Amicus Curiae* of the American Civil Liberties Union and the Electronic Frontier Foundation in Support of the Appellants, Commonwealth v. Estabrook, 472 Mass. 852 (Mass. Supreme Judicial Court, 2015) (with Andrew Sellars).

7. SELECTED POPULAR PUBLICATIONS

Let's Weaponize Social Media Against Covid-19, SLATE (May 15, 2020), <https://slate.com/technology/2020/05/weaponize-social-media-coronavirus.html>.

The Ethics of Surveillance Technology during a Global Pandemic, Carr Center Covid-19 Discussion Paper Series 2 (Apr. 2, 2020) (with Bruce Schneier and Mathias Risse). https://carrcenter.hks.harvard.edu/files/cchr/files/200402c_covid_discussion_paper.pdf.

8. SELECTED MEDIA APPEARANCES

Till Hoppe & Britta Weddeling, „Das ist Überwachung“ – Apple-Chef Tim Cook attackiert Google und Facebook, HANDELSBLATT, Oct. 24, 2018, <https://www.handelsblatt.com/unternehmen/it-medien/datenschutz-das-ist-ueberwachung-apple-chef-tim-cook-attackiert-google-und-facebook/23224282.html?ticket=ST-1582574-YhCNPgg53dc7MrlvZBd7-ap1>.

Niraj Chokshi, *This Man Is Taking France to Court to Win Back France.com*, N.Y. TIMES, May 1, 2018, <https://www.nytimes.com/2018/05/01/world/europe/france-lawsuit-website.html/>.

Christina Pazzanese, *On the Web, Privacy in Peril*, HARV. GAZETTE, Mar. 21, 2018, <https://news.harvard.edu/gazette/story/2018/03/facebooks-privacy-problem-may-erode-web-trust-harvard-analyst-says/>.

Cecilia Kang, *A Tweet to Kurt Eichenwald, a Strobe and a Seizure. Now, an Arrest*, N.Y. TIMES, Mar. 17, 2017, <https://www.nytimes.com/2017/03/17/technology/social-media-attack-that-set-off-a-seizure-leads-to-an-arrest.html/>.

Elaine McArdle, *The New Age of Surveillance*, HARV. L. BULL., Spring 2016, <http://today.law.harvard.edu/bulletin/post/human-rights-encryption/>.

Politics Overshadows U.S. Tech Firms' Hopes for Entering Iran, NPR ALL THINGS CONSIDERED, July 29, 2015, <http://www.npr.org/sections/alltechconsidered/2015/07/29/425297152/politics-overshadows-u-s-tech-firms-hopes-for-entering-iran>

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