

Privacy and Data Security

As the online marketplace continues to grow, companies throughout the world are facing increasingly strict - and often inconsistent - regulations regarding the acquisition, use, and protection of personal information.

Our global privacy, data protection, and data security attorneys advise clients on a broad range of privacy and data protection matters, including developing and implementing privacy policies and procedures, privacy-related litigation, regulatory investigations, global compliance, cross-border data transfers, website terms and conditions, social media and other new information technologies, cybersecurity and network intrusion issues, and contractual matters involving privacy and security. We also counsel clients on compliance with regulations such as the TCPA, COPPA, HIPAA, GLBA, and Privacy Shield in the United States and the 95/46/CE Directive and GDPR on privacy and data protection and domestic implementation legislation in European countries. We advise companies in the technology, financial services, telecommunications, consumer products, e-commerce, media, professional services, and healthcare sectors, and help clients develop risk management and privacy and data use policies in compliance with state, national, and international regulatory legislation. Our attorneys conduct privacy and data security due diligence on M&A transactions, including those with cross-border components, negotiate technology license agreements, and assist with cybersecurity audits, cyber-insurance evaluations, and employee security training.

Our group includes attorneys who have achieved designation as Certified Information Privacy Professionals, including in both the U.S. and the E.U., and as a Certified Information Privacy Technologist by the International Association of Privacy Professionals as well as those with advanced degrees in computer information science and engineering. Our attorneys are tech-savvy and have an extensive understanding of privacy and data use legislation on a global scale. They are experienced in guiding clients through data breaches and any resulting litigation and internal investigations, helping them mitigate loss and unfavorable public opinion.

Compliance in the Course of Day-to-Day Business

Regularly draft and review policies and company-wide programs to ensure security and privacy compliance and online privacy policies.

Advise international groups in the U.S. and E.U. in relation to the implementation of Binding Corporate Rules.

Regularly advise companies on compliance with U.S./E.U. international data transfers.

Regularly advise companies on policies and procedures for compliance with HIPAA, privacy and security, and breach notification requirements.

Serve as regular outside counsel to various companies in the U.S. and the E.U. on compliance with applicable privacy regulations, including those of the U.S., E.U., Korea, Japan, and Hong Kong, with respect to the gathering, maintenance, and transfer of personal information.

Advising an e-commerce company regarding online privacy policies and compliance with consumer privacy regulations, including PCI DSS compliance.

Regularly prepare BYOD policies.

Advising a French e-payment company regarding online privacy policies and compliance with privacy regulations, including PCI DSS and payment card networks (Visa, Mastercard, and GIE Carte Bancaire, among others) compliance.

Served as regular counsel to e-commerce company in connection with privacy and security compliance, including COPPA and PCI DSS compliance.

Advised U.S. consulting group on global online privacy policies.

Advised personnel staffing company regarding online privacy policies.

Perform privacy audits and gap analysis for companies with online international presence.

Spearheaded firm's compliance efforts in connection with two financial institutions' security and data protection audits.

Data Breach Response and Management

Regularly manage data breach response and counseling for financial services software company.

Advise e-payment services provider in the E.U. in relation to data breach investigations and enquiries by credit/debit card payment networks.

Advised client on data breach issue relating to disclosure of personally identifiable information.

Represented life sciences service provider on remediation measures following a data breach.

Compliance in the Context of Litigations and Investigations

Regularly represent U.S., French, and international corporations in analyzing and resolving data privacy and security issues related to review and production of sensitive personal and corporate information in the context of cross-border internal and regulatory investigations.

Advised on compliance with data privacy laws in connection with the processing and transfer of Finnish company documents for use in U.S. litigation.