

bodman

Data Privacy and Security

We assist clients with keeping data private and secure, including cybersecurity.

By staying on top of current changes in technology trends and the law, Bodman's Data Privacy and Security Group leverages the diverse background and experience of our members to help organizations – in whatever stage they are at in meeting data privacy and security requirements – come up-to-date and get to a place where they can proceed with their core business practices with confidence. We work with each of our clients and their specific circumstances to develop customized strategies and documentation. Our prior experience makes us efficient. Our prompt and personalized service gives our clients what they need to defend their data.

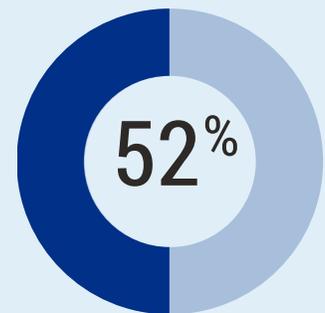
What types of data do clients need to protect?

- Email addresses, telephone numbers, and other contact information
- Social Security Numbers
- Dates of birth
- Racial or ethnic origin
- Health/medical information
- Bank account information
- Computer IP addresses
- Tax records
- Vehicle registration information
- Video surveillance footage
- Fingerprints and biometrics
- Other employee, consumer, and customer information
- Trade secrets
- Personal preferences based on online activity, e.g., shopping sites, online streaming TV/video subscriptions, political views expressed via social media, comments sections



In 2015, the average data breach cost a company **\$7.01 million** in the United States.*

Conducting transatlantic commerce? Our team can help you comply with the **E.U.-U.S. Privacy Shield Framework.**



52% of data breaches derive from human or system errors that can be prevented with proper advanced planning and counsel.*

*2016 Cost of Data Breach Study: United States, conducted by the Ponemon Institute and sponsored by IBM Security

Our Services

1. Risk Assessments and Mitigation Plans. Create and perform a comprehensive risk assessment to identify gaps in the organization's critical risk areas and propose actions to close those gaps.

2. Compliance with Data Protection Laws and Regulations. Laws and regulations governing privacy, data protection, and reporting requirements related to data breaches vary greatly across countries, states, and localities. We assist organizations with necessary local, state, federal, and international regulatory and statutory compliance requirements.

3. Creation of Data Management Policies. Create data management and record retention policies for the organization as well as more specific policies outlining how data is created, stored, transmitted, and destroyed.

4. Database Sale or Transfer Agreements. Prepare and update appropriate use policies and agreements related to the sale, transfer, or appropriate use of databases.

5. Internal Data Usage Agreements. Prepare and revise appropriate use policies and contracts related to internal data usage agreements.

6. Website Privacy Policies and End User License Agreements. Create and update privacy policies for the organization's website(s), as well as end user license agreements.

7. Employee Data. Create sound policies for monitoring employees through the use of tracking instruments (i.e., GPS devices), and advise on the acquisition, management, use, disclosure, and sale of employee-related data.

8. Data Breaches. Assist with respect to preventing and responding timely to data breaches.

9. Security Breach Notifications. Help organizations to recognize when to file a report, what deadlines they must meet, and help with the appropriate filings and reports. Security breach notification laws have been enacted on the local, state, federal, and international levels. These laws and regulations not only require the entity that suffered the data breach to notify those whose information was disclosed about the breach, but they also often require various regulatory filings and reports with governmental entities, often within tight timeframes.

10. Privacy and Security Audits. Assist with and provide defense of privacy and security audits and investigations.

11. Agreements with Vendors or Customers. Review, revise, negotiate, or draft specific provisions or entirely new vendor or customer agreements that address data security when personal information is supplied or shared.

12. Cyber Insurance. Review and negotiate cyber and privacy liability insurance, technology errors and omissions insurance, and similar insurance policies.

13. Trade Secret Protection and Litigation. Help organizations develop and implement data security policies and practices to safeguard their trade secrets and those of their customers and commercial partners that may be in their possession. If a company's trade secrets are stolen by a cyberattack, we can help outline the available practical legal remedies and their corresponding business implications.

14. Data Privacy and Data Breach Litigation. Defend organizations against lawsuits relating to alleged data breaches, violations of privacy laws, employee and customer expectations, and breaches of confidentiality language in agreements.

15. Employee Data Privacy and Security Training. Assist in training company employees on data privacy and security issues, compliance, and company policies.

Bodman's Data Privacy & Security Group

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