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Data Security & Privacy

Data Security & Privacy

The personal information companies accumulate has become a highly valuable and increasingly risk-laden business asset.

As more countries introduce new data protection laws to regulate the collection, use, disclosure and security of personal information, many companies find it more and more challenging to navigate the myriad complex regulations in order to comply with their data privacy and security obligations.

And, the rise in technology innovation combined with the rapid increase in cybersecurity threats poses additional concerns which demand a legal team with deep expertise in Privacy and Data Security matters.

At Chamberlain Hrdlicka, we understand how data is captured, stored, transferred and monetized. Thanks to our experience working with a vast range of clients, from Fortune 100 companies, leading internet companies and communications providers to mid-size firms and emerging startups, we are not only well-versed in the legal issues, but have a deep understanding of how data flows through systems and interfaces and how companies implement their technology. Further, we know how the federal laws differ from state laws, which vary from state to state, but all require immediate, compliant responses to a breach, followed by a host of requirements in the aftermath.

Leveraging our comprehensive, multidisciplinary legal and industry experience, we identify and anticipate trends and risks in a cross-section of industries and provide forward-thinking, customized legal strategy to help clients:

- achieve compliance obligations;
- design and implement data governance systems, including risk mitigation; and
- quickly and compliantly respond to data breaches and other data-related incidents, and
- manage preparedness in a proactive, cost-effective manner despite an incredibly dynamic regulatory landscape.

Our ability to provide a full-spectrum of data privacy and security services is particularly valued by leaders of companies with a global presence, businesses with a significant online footprint who face complex and often conflicting regulations, and growth businesses seeking comprehensive next-level legal and technical advice.

We counsel clients on a wide range of privacy and protection issues, including:

- information handling;

Data Security & Privacy, Continued

- cross-border data transfers;
- data breaches and theft;
- global compliance obligations;
- workplace privacy;
- training programs;
- compliance audits;
- data privacy policies and programs;
- mobile and online privacy;
- cloud computing security;
- commercial transactions support, including M&A due diligence;
- management of HIPAA and health care privacy issues.

In the event of data breaches or alleged improper use of data, we provide swift, effective incident response and represent clients from initial event through government investigations and litigation, if necessary.

Cloud Computing Security

As more companies of all sizes move to cloud computing for their data storage and IT infrastructure needs, they are exposed to new risks. Chamberlain Hrdlicka attorneys assist clients in policy, procedures and contract development designed to minimize risks associated with being in the cloud.

Data Breaches and Theft

Data breaches and theft, arising from simple employee error to intentional threats of malware and ransomware, have become everyday occurrences. Though common, they are not minor occurrences. These incidents can create significant legal burden and introduce costly risks to company reputations and financial well-being. Our lawyers are adept at creating policies and procedures to prevent data breach incidents from occurring in the first place. We also provide legal counsel on incident response when data theft takes place.

Health Care Privacy and HIPAA Issues

Patient data privacy protection remains a key issue for health care providers, from independent practices to large hospital systems. Building on our experience in health care law and data privacy matters, we work with clients to identify existing and emerging compliance concerns, from patient portals and data collection, storage and sharing, to ransomware and phishing protections, providing counsel through the legal lens to achieve compliance obligations while minimizing risks.

Mobile and Online Privacy

Data Security & Privacy, *Continued*

The proliferation of mobile applications, social media and connected devices has created a host of dynamic legal challenges. Consent requirements. Location-tracking regulations. State laws limiting employer access to social media accounts. Emerging and changing regulatory obligations. All these demands create a complex maze for mobile applications developers and corporate end-users to navigate. Our attorneys help clients plot a steady course through these layered requirements to avoid legal pitfalls.

Workplace Privacy

Employee and employer technology use has grown exponentially. Multiple device use, remote tele-commuting, the proliferation of technology platforms and applications, the use of location tracking are but a few of the emerging trends increasing the demands for diligence. We frequently advise clients on what's appropriate, possible and legal from mobile device management, social media and other employee communications monitoring, background checks and other regulatory issues.

As technology causes evolution in every aspect of our world, and in our business functions, laws and regulations are introduced to instill protections and accountability. And, those developing these ever-changing policies expect our businesses to be informed, compliant, responsive and responsible.

If you have any doubts about what is required, whether your company is compliant, your ability to respond as the law dictates, or your potential exposure in an unplanned event or claim, we urge you to contact our data security and privacy team today at PrivacyTeam@chamberlainlaw.com.

Stay up to date on the latest compliance campaigns. The **Data Privacy Tracker** follows enforcement cases and compliance with the Texas Data Broker Law, the Texas Data Privacy and Security Act, Texas Deceptive Trade Practices Act (DTPA), and applicable federal standards.

