

What You Should Know About Data Privacy, Contracts with Third Party Providers and Strategic Transactions



Heather Buchta, Partner

- Intellectual Property Strategic Counseling
- Trademarks & Copyrights
- Intellectual Property Litigation
- Data Privacy & Security
- Technology Transfer
- Business Law



Jacque Westling, Partner

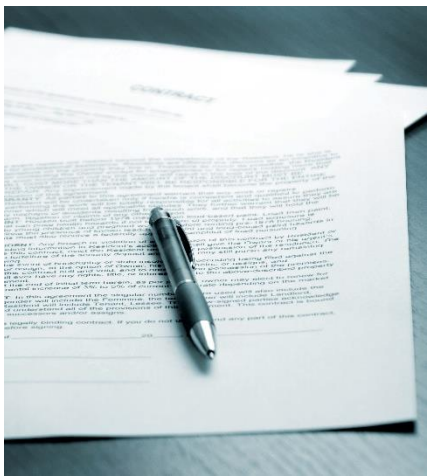
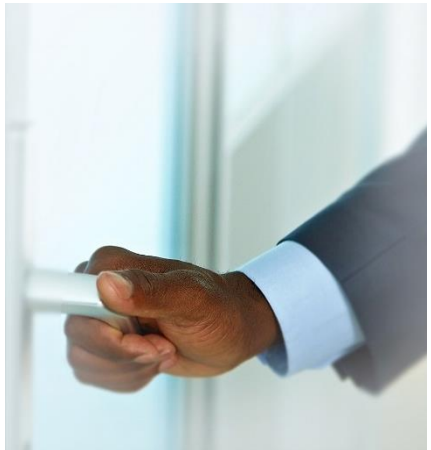
- Business Law
- Mergers & Acquisitions
- Direct Sales Industry
- Banking & Financial Institutions
- Higher Education



Moving into the Technology Space? Yes, you are.....

What you should know about data privacy, third party contracts and strategic transactions

Presented by: Heather Buchta, Partner
Jacque Westling, Partner
Robert Mignanelli, SVP & AGC - Pearson



Data Privacy Basics..... And Traps for the Unwary

Fallacy #1



I'm not concerned about data privacy, we are not a tech company



We are all becoming tech companies, like it or not

Fallacy #2



I'm not concerned about data privacy, we don't deal with consumers



Consumer data is only one (albeit important) subset of data privacy issues

Fallacy #3



My IT group is great, and they tell me they have everything under control



IT is only one (albeit important) subset of data privacy issues

Fallacy #4



We already have a privacy policy in place on our website and have had for years, so we are already doing what we need to do



Your public facing privacy statement is only one component of your data privacy and security program

Fallacy #5



We don't need to be concerned about data privacy because we don't share data with third parties



Anyone using any hosted software, outsourced data centers, or any third party vendor (pretty much of any kind) is sharing data

What can I do as in-house counsel?

New Cultural Leadership

- Unintended consequences
- Breaking down the silos
- Communication is key
- Know your stakeholders
- Work through the internal issues

So what does this mean for us on a daily basis?

Vendor Contracts and Screening Programs

- New Vendors
- Old Vendors

Divestiture issues

- Commingled Databases
- Data Rooms and Access

Other Issues

Questions?

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