



**IT, E-Commerce, Data Privacy and Security**

## Practice Areas

### Corporate and Nonprofit

Corporate  
Commercial Transactions  
Closely Held Businesses  
Nonprofit and Tax-exempt Organizations  
Outside General Counsel  
IT, E-Commerce, Data Privacy and Security  
Real Estate and Construction  
Intellectual Property  
Mergers and Acquisitions  
Commercial Finance  
Internal Investigations  
Education

**Data Privacy and Security** New data privacy laws continue to be enacted with multiple states implementing their own version yearly. There are two competing versions of a US federal regulation on data privacy pending as well. We advise our clients on compliance with data privacy laws, both in the US and other countries (working with local counsel as necessary) for their compliance steps in privacy policies, terms and contracts. As cyber threats become more sophisticated and data regulations tighten, organizations also face unprecedented challenges in protecting their valuable assets and maintaining customer trust. Our firm offers comprehensive legal counsel and strategic advice to help clients navigate the intricate web of federal, state, and industry regulations, and protect our clients' sensitive information and minimize legal risks. We have extensive experience in:

- **Data Breach Response:** incident response, risk assessments, investigations, mitigation plans, breach protocols, and compliance with notification laws
- **Privacy Compliance:** developing and implementing privacy and security policies and procedures, conducting data assessments, managing data retention and disclosure, and drafting contractual terms related to compliance in master agreements, data protection agreements, business associate agreements, and confidentiality agreements
- **Regulatory Adherence:** ensuring compliance with HIPAA, GLBA, GDPR, CCPA, and other applicable regulations, including negotiating business associate agreements

**Information Technology** Balancing business terms for our client's customers, consumer protection, data privacy, and business growth in the online technology industry demands a deep understanding of the intricate interplay between legal frameworks and technological advancements. We help clients navigate this environment by providing comprehensive legal counsel focused on safeguarding their business interests while ensuring compliance with all relevant laws and regulations. Our experience encompasses a wide range of agreements and transactions, including:

- **Cyber Liability Insurance:** advising on policy coverage considerations, review of policies, and assisting with tendering notices when necessary to effectuate a claim
- **Payment Processing:** credit card processor agreements, merchant account agreements, refund policies, customer terms regarding payment, and ensuring privacy policies specify protections as to payment information, including obligations to comply with PCI-DSS security standards
- **Platform and Operations:** drafting and revising SaaS subscription agreements, data use agreements, online sales/shopping cart agreements, website terms and conditions, privacy policies, e-commerce services agreements, security assessments, outsourcing agreements, hosting and cloud services agreements, business process operations, data processing, SLAs and other services agreements
- **Logistics:** shipping terms, transportation and delivery agreements
- **Security:** reviewing and/or drafting security policies to ensure compliant with latest industry standards, responding to our client's customers' security audit questionnaires, reviewing audit standards and auditing parties, and providing training on security related topics

**E-commerce** E-commerce continues to be a common business model for the sale of goods and it has brought both significant opportunities and complex legal challenges. Our group helps businesses navigate the digital marketplace and protect their interests. Our services include:

- **E-commerce Platform Agreements:** Drafting and negotiating agreements with e-commerce platforms, providing standard online terms, and structuring user account terms
- **Online Sales and Marketing:** Advising on online sales practices, digital marketing regulations, and consumer protection laws, including FTC regulations and GDPR
- **Payment Processing and Security:** Assisting with payment processing agreements, PCI DSS compliance, and data security measures to protect sensitive customer information
- **E-commerce Dispute Resolution:** Representing clients in e-commerce disputes, including domain name disputes, trademark infringement, and breach of contract claims
- **Privacy and Data Protection:** Ensuring compliance with data privacy laws, such as GDPR and CCPA, and developing comprehensive privacy policies and data security measures
- **Refund Policies:** Drafting refund and/or returns policies and ensuring compliant with applicable laws