



## William Denny

### **Threats to Data: Legal Compliance Challenges at the Intersection of Privacy and Security**

The world has changed. Data security breaches dominate the headlines and businesses who are victims of the breaches face enormous loss from consumer class actions, shareholder lawsuits, customer and supplier lawsuits, regulatory enforcement actions and remediation costs. It is now well-accepted that data privacy and data security issues threaten the reputation, profitability and even the survival of organizations. Unsurprisingly, almost every survey conducted of boards and senior management ranks data issues as among their top concerns, if not their greatest concern. This presentation will focus on recent developments in the rapidly-changing world of data privacy and security laws and regulations. Delaware businesses will need to understand the new trends, update their cybersecurity programs to meet compliance requirements and examine and possibly re-engineer their data collection and handling policies and practices. In addition to the new California Consumer Privacy Act, there are new privacy and security laws and regulations in many other states, as well as laws regulating internet of things, biometrics and data handling by specific industries. These laws have ripple effects throughout the economy, as companies subject to these laws will have to assure compliance by their third party service providers through heightened contractual obligations. Finally, the presentation will provide practical tips for managing the evolving landscape. What is your strategy for handling data? Is your privacy program robust enough to handle your compliance obligations? Who are your vendors? How will you track your data flows? How will you outsmart the bad

guys who pose as customers requesting their information? What updates do you need?

### **Biography**

Mr. Denny is a partner at Potter Anderson & Corroon LLP in Wilmington, Delaware, where he leads the practice area of cybersecurity, data privacy and information governance. Bill is a Certified Information Privacy Professional (CIPP/US) and a Certified Information Privacy Manager (CIPM) through the International Association of Privacy Professionals (IAPP). He has represented public and privately held companies and government entities in a wide range of technology transactions, including negotiating complex cloud services agreements, software and IT infrastructure development, maintenance and support agreements, long-term materials supply agreements, outsourcing agreements, transition and site services agreements, technology licensing agreements, sales of internet domain names, and website terms of use and privacy policies. Clients include major corporations in the industrial, chemical, medical and technology sectors, as well as technology and information systems service providers and developers.

Bill has litigated disputes over the interpretation and enforcement of many types of technology contracts, general commercial contracts and liability insurance policies. He has tried jury and non-jury cases in federal and state trial and appellate courts, before arbitration panels, and by use of other alternative dispute resolution techniques. Bill took a leading role in drafting and negotiating Delaware's amendment to its computer security breach law, 6 Del. C. §§ 12B-100 et seq., which was enacted in June 2017 and came into force in April 2018.