

Get Ahead of Data Privacy Changes in 2020

Presenters



Aaron Simpson Partner, Hunton Andrews Kurth



Lewis Barr VP of Legal and DPO, Lytics



Today's discussion

- **➤ Looking back**
 - You may ask yourself...how did I get here?
- > Looking forward
 - We've only just begun . . .
- > Right now: some clarity plus tech changes in marketing landscape
 - Ah, changes are taking the pace I'm going through
- > Strategy for the long haul and recommendations
 - For the times they are a changin'



Ch, Ch, Ch, Changes - Turn and face the changes



You have zero privacy anyway. Get over it.

- Scott McNealy, CEO of Sun Microsystems, 1999

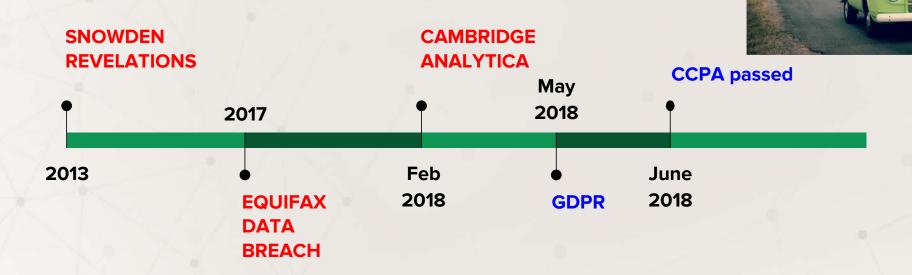
The future is private.

- Mark Zuckerberg, Facebook CEO, 2019.



Looking back

What a long strange trip it's been!





Data broker's song

Look what you're doin', I'm feeling blue and lonely

Would it be too much to ask of you What you're doing to me?

- What You're Doing, The Beatles



Looking Forward

- > CCPA Regulations and enforcement
- > US federal/state privacy legislation to come
- > Strengthening of FTC enforcement powers
- > Robust privacy law developments in India, Brazil, and China
- > Regulatory responses to Al/algorithm programmer bias



A little more clarity from the regulators and courts?

I can see clearly now the rain is gone. I can see all obstacles in my way.

- I can see clearly now, Johnny Nash





Some clarity now

- ➤ GDPR consent requirements apply to non-necessary cookies
- ➤ Privacy Shield / Model clauses intact for now
- > Data sales and purchases under threat
- > Greater risk associated with of PI obtained from 3rd parties



Browser changes impacting cookie based marketing

- ➤ What's going on?
 - Google Chrome changes
 - Safari ITP
 - Firefox



- 3rd party cookie-dependent marketing practices threatened
- ITP in perspective
- Moving to transparent, first party relationship for mutual benefit





The Times They-Are-A Changin'

Come gather 'round people

Wherever you roam

And admit that the waters around you have grown And accept it that soon you'll be drenched to the bone If your time to you is worth savin'

Then you better start swimmin' or you'll sink like a stone For the times they are a-changin'

- Bob Dylan





Be Strategic

➤ Why? You don't want to sink like a stone.

¥ How?

- Programmatic, consistent approach
- Understand and build on common principles
- Get a grip on your data
- **Execute on data minimization**
- Understand and operationalize data subject rights
- Plan for incident response
- Teamwork, train, audit



CCPA consumer rights Access Profiling/ Restriction **Automated** Decisions **GDPR** data subject rights Portability Objection Deletion

Got questions?



Aaron Simpson
Partner, Hunton Andrews Kurth
asimpson@HuntonAK.com



Lewis Barr VP of Legal and DPO, Lytics lewis.barr@lytics.com



Thanks for joining!

Happy trails to you, until we meet again.

- Roy Rogers



