

PRIVACY & INFORMATION SECURITY LAW BLOG

Global Privacy and Cybersecurity Law Updates and Analysis



March 2015

This Client Alert is a monthly update on privacy and cybersecurity developments as posted on Hunton & Williams' [Privacy and Information Security Law Blog](#). If you would like to receive email alerts when new posts are published, please visit our [blog](#) and enter your email address in the subscribe field.

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Centre for Information Policy Leadership Holds Privacy Consultations in Brazil March 26, 2015

As part of its ongoing Brazil outreach initiative, a delegation of the Centre for Information Policy Leadership at Hunton & Williams (the "Centre") is in Brasilia and Rio de Janeiro the week of March 23, 2015. The delegation will meet with Brazilian government representatives, organizations and experts to discuss global privacy law and best practice developments and other issues of mutual interest, as well as a joint global privacy dialogue workshop in Brazil planned for later this year. [Continue reading...](#)

FTC Forms Office of Technology Research and Investigation March 25, 2015

On March 23, 2015, the Federal Trade Commission [announced](#) the formation of the Office of Technology Research and Investigation ("OTRI"), which the FTC describes as "an office designed to expand the FTC's capacity to protect consumers in an age of rapid technological innovation." [Continue reading...](#)

CNIL Simplifies Registration Requirements for International Data Transfers Based on BCRs March 24, 2015

On March 24, 2015, the CNIL [announced](#) the implementation of a new procedure that will simplify the registration formalities for French affiliates of groups that have implemented Binding Corporate Rules ("BCRs"). [Continue reading...](#)

IPTF Issues Request for Public Comment Regarding Cybersecurity Issues Affecting the Digital Economy

March 20, 2015

On March 13, 2015, the U.S. Department of Commerce Internet Policy Task Force (“IPTF”) issued a [request for public comment](#) regarding cybersecurity issues affecting the digital economy. The IPTF’s request invites all stakeholders interested in cybersecurity to “identify substantive cybersecurity issues that affect the digital ecosystem and digital economic growth where broad consensus, coordinated action, and the development of best practices could substantially improve security for organizations and consumers.” For each issue identified, the IPTF’s request for comment asks interested parties to opine on a series of questions, including (1) why the issue is suited to a multistakeholder process and (2) why a multistakeholder process would benefit the digital ecosystem. [Continue reading...](#)

FTC to Host Workshop on Cross-Device Tracking

March 20, 2015

On November 16, 2015, the Federal Trade Commission will host a [workshop](#) in Washington, D.C., to examine the benefits and privacy risks associated with “cross-device tracking.” The workshop intends to highlight the types of cross-device tracking techniques and how businesses and consumers can benefit from these practices. The workshop also will address related privacy and security risks, and discuss whether self-regulatory programs apply to these practices. [Continue reading...](#)

Montana and Washington State Propose Amendments to Data Breach Legislation

March 13, 2015

On March 4, 2015, the House of Representatives of Washington passed a bill ([HB 1078](#)), which would amend the state’s breach notification law to require notification to the state Attorney General in the event of a breach and impose a 45-day timing requirement for notification provided to affected residents and the state regulator. The bill also mandates content requirements for notices to affected residents, including (1) the name and contact information of the reporting business; (2) a list of the types of personal information subject to the breach; and (3) the toll-free telephone numbers and address of the consumer reporting agencies. In addition, while Washington’s breach notification law currently applies only to “computerized” data, the amended law would cover hard-copy data as well. [Continue reading...](#)

FTC Enters into Memorandum of Understanding with Dutch Data Protection Authority

March 10, 2015

On March 9, 2015, the Federal Trade Commission [announced](#) that it has entered into a [Memorandum of Understanding](#) (the “Memorandum”) with the Dutch Data Protection Authority (the “Dutch DPA”). [Continue reading...](#)

NTIA Announces New Multistakeholder Process on Drone Privacy

March 6, 2015

On March 4, 2015, the U.S. Department of Commerce’s National Telecommunications and Information Administration (“NTIA”) [announced](#) a new multistakeholder process seeking comments on best practices concerning privacy, transparency and accountability issues related to the use of commercial and private unmanned aircraft systems (“UAS”), otherwise known as drones. The NTIA’s request was made in response to a Presidential Memorandum [issued by the White House on February 15](#) which directed NTIA to facilitate discussion between private sector entities to develop standards for commercial UAS use. [Continue reading...](#)

Third Circuit Hears Oral Arguments in *FTC v. Wyndham* March 5, 2015

On March 3, 2015, the Third Circuit heard oral arguments in *FTC v. Wyndham Worldwide Corp.* (“Wyndham”) on whether the FTC has the authority to regulate private companies’ data security under Section 5 of the FTC Act. [Continue reading...](#)

Department of Education Releases Guidance for Schools Regarding Terms of Service Offered by Providers of Online Educational Services March 5, 2015

On February 26, 2015, the Department of Education’s Privacy Technical Assistance Center (“PTAC”) [issued](#) guidance to assist schools, school districts and vendors with understanding the primary laws regulating student privacy and how compliance with those laws may be affected by Terms of Service (“TOS”) offered by providers of online educational services and mobile applications. The guidance also is intended to aid school districts and schools in implementing [separate guidance](#) issued by the PTAC in February 2014. The guidance was accompanied by a [short training video](#) directed to teachers, administrators and other relevant staff. [Continue reading...](#)

Sotto Featured on Penn Law’s “Great Minds on Law and Life” Podcast on New Threats to Digital Privacy and Cybersecurity March 4, 2015

On March 3, 2015, Steven Barnes, the host of the new Penn Law podcast series, Case in Point: Great Minds on Law and Life, [interviewed Lisa Sotto](#), partner and chair of the [Global Privacy and Cybersecurity practice](#) at Hunton & Williams LLP, and Anita Allen, professor of law and philosophy at the University of Pennsylvania Law School and vice provost for faculty on trends in privacy and cybersecurity, discussing what we mean when we talk about our right to privacy. [Continue reading...](#)

Sotto Speaks Out on Potential for “Armageddon-Type Cyber Event” March 3, 2015

On March 2, 2015, HuffPost Live [interviewed](#) four cybersecurity experts in response to a top financial regulator’s warning of an “Armageddon-type cyber event” that could eventually affect the U.S. economy. [Lisa Sotto](#), partner and chair of the [Global Privacy and Cybersecurity practice](#) at Hunton & Williams LLP, was featured, describing the threat as legitimate and stressing that hackers are becoming more creative, sophisticated and motivated. She also emphasized that cybersecurity is a high-level governance issue for companies, not an IT matter. [Continue reading...](#)

White House Releases Discussion Draft for a Consumer Privacy Bill of Rights March 2, 2015

On February 27, 2015, the White House released a highly-anticipated [draft](#) of the Consumer Privacy Bill of Rights Act of 2015 (the “Act”) that seeks to establish baseline protections for individual privacy in the commercial context and to facilitate the implementation of these protections through enforceable codes of conduct. The Federal Trade Commission is tasked with the primary responsibility for promulgating regulations and enforcing the rights and obligations set forth in the Act. [Continue reading...](#)



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