

Global Privacy & Security Team

Vendor & Technology Transactions

Companies are increasingly turning to outside counsel for advice on transactional matters as they look to protect their reputation, stay out of the headlines and avoid litigation. Attorneys on Seyfarth's Global Privacy & Security (GPS) Team have extensive experience and knowledge with respect to the data confidentiality and security issues that arise in vendor contracts and technology-related transactions of various kinds.

Our team focuses on prevention of privacy and security breaches through the contracting process, by imposing contractual practices and policies regarding the handling of private and confidential information, by creating mechanisms that allow for the checking of compliance with such practices and policies, and by drafting and negotiating contractual language that provides remedies and indemnities for breaches of privacy and data security policies and legal requirements. We are focused on making sure vendor and licensing agreements are properly securing your company data. We also focus on limiting post-transaction liabilities. Essentially, we draft agreements around the "what ifs?"

Seyfarth's GPS Team attorneys have advised some of the world's largest companies across various industries—as well as innovative growth and start-up companies—with respect to data privacy and security matters in the context of technology contract matters, from complex multinational sourcing and joint venture arrangements to mergers and acquisitions.

Attorneys on our team assist with evaluation of vendor privacy and security practices and policies in vendor or technology related transactions. We work with clients to draft language that enforces privacy requirements and assists with the preservation of data security in

Our Capabilities:

Global Privacy and Security Capabilities

Privacy Compliance Capabilities

Privacy Litigation Capabilities

Incident Management Capabilities

Vendor & Technology Transaction Capabilities

✓ Security, privacy and confidentiality provisions in vendor agreements (data storage, hosting, software licensing)

✓ Analysis of vendor compliance with privacy and security obligations, including drafting appropriate language to ensure

✓ Technology transaction, M&A transaction and vendor transaction due diligence with respect to worker data

✓ Privacy and security aspects of online policies (terms of service, privacy policies, advertising disclosures)

✓ Advise on the privacy and security aspects of online policies, such as terms of service, privacy policies, advertising disclosures

outsourcing transactions, licensing agreements, hosting agreements, software as a service (SaaS) agreements, purchase of technology assets, data processing and storage agreements, and cloud computing arrangements.

Track Record of Results

- Negotiated and completed outsourcing agreements for major financial services client for offshore vendors to provide business process services, including data security and privacy of customer financial and similar protected information.
- Negotiated and completed outsourcing agreements for leading sports apparel manufacturer for offshore vendor to provide information technology services, including data security for sensitive IT development information.
- Evaluated the data security policies concerning the compliance of the employee benefits plans of a *Fortune* 500 car rental company.



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