



cybersecurity and privacy

MSK sits at the forefront of one of the fastest growing concerns in today's digital world, bringing together experts that provide services to its clients in the areas of cybersecurity and privacy protection. We assist grappling with a host of rapidly evolving concerns, such as:

- Preparedness and internal controls;
- Responses and breach notifications;
- Internal and external investigations;
- Compliance with federal and state data protection and privacy laws and regulations;
- Privacy policies and procedures;
- Website terms and conditions;
- Identification of causation and remedial security activities;
- Reputational and public relations challenges arising from cyber-attacks;
- Developing smart public policies regarding security of critical infrastructure;
- International human rights and public international law issues related to cyberwarfare and government use of cyber tools.

Whether the need is to assess compliance with international law standards; collect and protect citizen, employee or consumer data; comply with existing and rapidly evolving US state and federal privacy laws and regulations; defend or prevent class action lawsuits or other threatened litigation, evaluate insurance coverage, disclose information to and work with law enforcement, or otherwise respond to highly disruptive cyber hacking, MSK's lawyers know how to address these and the other related and challenging issues.

representative clients

Given the strength of the firm in the new media market, we regularly prepare terms of use, privacy statements and other contractual materials for firms in a wide variety of industries which regularly do business online, including

attorneys

Stacey Chuvaieva, CIPP/US/E

Albina Gasanbekova

Josh Geller

Lucy Holmes Plovnick, AIGP, CIPP/US

Susan Kohn Ross

related practices areas

corporate & business transactions

entertainment & ip litigation

homeland security & regulation

international trade

regulatory



Securities and Exchange Commission disclosure requirements for financial-services providers. We also assist clients with the gamut of issues spanning pre-breach processes/preparations through post-breach claims/dispute resolution, including advising companies about complying with state and federal laws governing the protection of personally identifiable information and requirements in the event of a breach. And, when a specific issue arises, such as a breach, we help our clients respond legally but also assisted with crisis management and interacting with relevant law enforcement authorities.

For example:

- When a national client discovered its system had been hacked and personal information about its employees and customers (located in multiple states) had been posted online, we worked with the company's legal and IT departments, as well as internal and external investigators and federal law enforcement, to address the breach and its consequences, including remedial activity.
- When a multinational client discovered its system had been breached, they called us in to work with the legal and IT departments to determine the scope of information which had been compromised, including whether personally identifiable information or attorney-client or work product privileged communications and documents had been exposed. We also advised the client regarding addressing the breach and its consequences.
- When the owner of a retail website discovered its IT director had failed to encrypt individual and credit card payment data on the company's website, we advised regarding the notice requirements in multiple jurisdictions and how to otherwise minimize exposure.
- When our client discovered its payroll and personnel services provider had been breached, we advised about issues related to the protection of employee data and counseled the company regarding how to comply with the relevant notice requirements. We also assisted the client to identify and manage its legal obligations when its health insurance provider was subjected to a breach, compromising the private personal and medical information of the client's employees located throughout the U.S.
- When it was discovered that our client's Twitter account was hacked and a defamatory post published, we advised on the appropriate response and the legal options available.
- When a prominent food company discovered its system had been breached, we supported the company's efforts to track down the source of the intrusion, stop the improper communications, determine whether any confidential or personally identifiable information had been made public, and shore up its systems and internal controls.

headlines

A Primer on U.S. + EU/EEA Privacy Laws
December 13, 2024



MSK Elects Five Lawyers to Partnership
January 1, 2019

The *Los Angeles Business Journal* Names Susan Kohn Ross Among the 2017 Leaders in Law Nominees
October 2017

news

Lucy Holmes Plovnick Quoted in *Bloomberg Government* Discussing Maryland Youth Privacy Law
Bloomberg Government , November 12, 2024

Lucy Plovnick and Stacey Chuvaeiva Quoted in *Bloomberg Law* Discussing VPPA Litigation Trends
Bloomberg Law , October 21, 2024

Lucy Plovnick Quoted in *Law360* Discussing Children's Online Privacy Laws
Law360, August 28, 2024

Lucy Holmes Plovnick Quoted in *Law360* Discussing the Children's Online Privacy Protection Act
January 17, 2024

Susan Kohn Ross Quoted in *Bloomberg Law*
Bloomberg Law , December 13, 2022

Su Ross Quoted in *The Wrap*
January 3, 2014

Steve Metalitz Quoted in *Warren's Washington Internet Daily*
December 22, 2009

publications

How the FTC's proposed COPPA Rule changes could impact the video game industry
Daily Journal , January 29, 2024

Telethermography Devices: Current FDA Considerations
SIA Online, May 13, 2020

alerts

Here Come More Tariffs - This Time on Automobiles and Parts!
MSK Client Alert, March 27, 2025

Navigating "Pen Register" Law in the Digital Age: Court Rules the Law Applies to Website Tracking Technologies
MSK Client Alert, February 27, 2025



VPPA Litigation Trends and Defense Strategies

MSK Client Alert, August 1, 2024

Texas and Oregon's Comprehensive Privacy Law Is Coming Into Effect: Time To Prepare For Enforcement Actions

MSK Client Alert, July 1, 2024

Be Careful Who You Pick As Your Arbitration Provider!

MSK Client Alert, September 20, 2023

SEC Approves New Rules for Cybersecurity Disclosure and Incident Reporting

MSK Client Alert, August 3, 2023

New Adequacy Decision for the EU-US Data Privacy Framework

MSK Client Alert, July 11, 2023

More States Enact Privacy Laws

MSK Client Alert, June 6, 2023

Final California Privacy Regulations Approved: Key Takeaways

MSK Client Alert, April 4, 2023

New State Privacy Laws Effective in 2023: Get Ready For the Colorado, Connecticut, and Utah Privacy Laws

MSK Client Alert, December 28, 2022

Getting Ready For Virginia's Consumer Data Protection Act (VCDPA)

MSK Client Alert, November 22, 2022

The CPRA and Recent Privacy Patchwork

MSK Client Alert, November 21, 2022

Are You Sure Your Website Terms and Conditions and Privacy Policy Are Enforceable? Maybe Not!

MSK Client Alert, May 3, 2022

New York's Department of Financial Services Initiates Its First Enforcement Action Under Its 2017 Cybersecurity Regulations

MSK Client Alert, August 4, 2020

Return to Work: Beware of Fraudulent Contact Tracers

Client Alert, June 9, 2020

Amidst A Pandemic, New York Quietly Implements Its Enhanced Data Security Law

MSK Client Alert, May 29, 2020

Tracing Concerns

Client Alert, May 26, 2020



Contact Tracing: COVID-19
Client Alert, April 20, 2020

Privacy Takes Many Forms
MSK Client Alert, April 6, 2020

Careful With The Remote
Cybersecurity Concerns with Remote Work
MSK Client Alert, March 23, 2020

Telecommuting? Buckle Up
MSK Client Alert, March 17, 2020

CCPA - More Regulatory Changes Proposed
MSK Client Alert, March 12, 2020

New Revisions to the CCPA
MSK Client Alert, February 18, 2020

California Consumer Privacy Act: Are You Ready?
MSK Client Alert, October 21, 2019

California Consumer Privacy Act of 2018 – GDPR LITE?
MSK Client Alert, July 3, 2018

The GDPR is Coming - Are You Ready?
MSK Client Alert, April 5, 2018

SEC Cyber Unit & Task Force
MSK Client Alert, October 6, 2017

If You SEC Something, Say Something
MSK Client Alert, June 20, 2017

Data Breaches: An Employer's Duty to Protect Employees' Personal Information
MSK Client Alert, January 30, 2017

Importance of Maintaining Cybersecurity Measures – Assessing the Ashley Madison Data Breach Settlement
MSK Client Alert, December 19, 2016

Privacy Shield Takes More Hits
MSK Client Alert, May 31, 2016

European Union - United States Reach Privacy Deal
MSK Client Alert, February 9, 2016



New Cybersecurity Law – Are You Prepared?

MSK Client Alert, January 11, 2016

Machinima Settles FTC Enforcement Action Over Xbox One Endorsements

MSK Client Alert, September 3, 2015

President Obama Issues Executive Order Promoting Private Sector Cybersecurity Information Sharing

MSK Client Alert, February 17, 2015

Cybersecurity Update – How Are You Impacted?

MSK Client Alert, February 28, 2014

events & speaking engagements

Red Flags in Your Terms and Conditions

May 14, 2025

Artificial Intelligence and Ethics

February 19, 2025

A Primer on U.S. + EU/EEA Privacy Laws

December 14, 2024

Video Privacy Protection Act (VPPA): Litigation Overview

November 20, 2024

The Use & Benefits of Artificial Intelligence for Trade Compliance

October 7, 2024

AI Deconstructed: IP, Privacy and Employment Law

March 27, 2024

Race Against the Machine: Keeping Pace with IP Risks in AI Development

The Business of AI Conference

March 20, 2024

Cybersecurity Disclosure Requirements for Public Companies: Are You Prepared to Comply With The New Rules?

February 1, 2024

FTA Webinar: Cybersecurity

May 31, 2023

Cybersecurity: Fact or Fiction?

October 20, 2022



2021 SIA Education at ISC West
July 19, 2021

Focus on Cyber
October 29, 2020

COVID-19 and International Privacy & Cybersecurity Concerns
June 5, 2020

Cybersecurity in the Logistics World
June 3, 2020

CCPA – For CA Businesses & Beyond
December 4, 2019

California Consumer Privacy Law: January 2020
May 17, 2019

The MSSP Model Changes Everything! Are You Ready?
March 11, 2019

Navigating Privacy in an Interconnected World: Hot Topics, Including the GDPR
April 19, 2018

GDPR: Are You Ready? *(Webinar)*
April 18, 2018

GDPR and Its Impact on Security Firms
April 11, 2018

Cybersecurity: Hoping For The Best But Preparing For The Worst
December 13, 2017

Decrypting Cybersecurity Laws: 2016 Year In Review and Looking Forward to 2017
2017 ABA Section of Litigation Corporate Counsel CLE Seminar
February 17, 2017

E-Commerce Basics
January 30, 2017

Keeping America Safe in Cyberspace
November 4, 2016

Cyber Attack! Now What Do I Do?
September 8, 2016



Who's Knocking on Your Computer Systems Door?

June 21, 2016

Cyberattacks – Ready, Set, Help!

January 13, 2016

Navigating the New Encryption and Cybersecurity Export Compliance Landscape

November 11, 2015

Cyber Security, "The New Wild West"

October 28, 2015

Is Someone Watching Me? Balancing Citizens' Rights and Freedoms in a Dangerous World

October 23, 2015

Social Media & Privacy: Building Your Online Presence and Protecting Your Digital Assets

June 13, 2014

Annual Security Growth Conference

March 3, 2009