BERGER SINGERMAN
FLORIDA'S BUSINESS LAW FIRM

CYBERSECURITY & DATA BREACH

In today's technology-driven world, cybersecurity and data protection is critical to protecting businesses from data breaches, government enforcement actions, reputational damage, and litigation. Before an incident occurs, we help our clients assess data security and privacy risks. When a security or data breach incident occurs, we actively guide our clients through investigation and their immediate and ongoing compliance obligations. We are experienced in helping clients, in concert with industry leading technology consultants, to identify the source of the problem, prepare and execute on strategies to resolve the problem, and develop institutional protections to prevent future incidents.

Protection of personally identifiable information (PII) and protected health information (PHI) is critical. Our team is experienced in guiding our clients through their consumer notification obligations, legal and regulatory compliance requirements, and business reputational challenges. Whether it is complying with Federal and state data breach notification laws, notifying potentially affected patients and consumers of data breaches, securing insurance coverage, or investigating internal institutional threats, our attorneys are experienced and work as a rapid response team for our clients.

We represent a diverse group of clients and industries, including health care providers, rehabilitation centers, banks, insurance providers, hospitality providers including as hotels, big-box retailers, energy and telecommunications companies, as well as the officers and directors of affected businesses.

In addition to legal and regulatory compliance, we have extensive experience advising our clients on practical business challenges following a breach incident as well as protecting confidentiality and trade secrets and resolving employee issues. We also leverage our government regulations and insurance coverage team members and have established relationships with data breach service providers, including forensic investigators, IT support personnel, PR companies, as well as with governmental agencies and law enforcement to provide our clients with full-service legal representation.

Berger Singerman lawyers regularly respond to crisis situations involving breach of sensitive business information, PII and/or PHI, with representative experience including:

- Data breach incident response, investigation, and litigation
- Managing 50-state data breach notifications
- Implementing HIPAA/HITECH data breach notifications
- Recovering clients' intellectual property, electronic information, and data
- Obtaining insurance coverage for businesses victimized by data breaches
- Defending government enforcement actions
- Developing industry and business-specific internal policies
- Drafting and revising privacy policies and terms of service
- Advising clients on data retention and destruction policies
- Employee termination and enforcement of restrictive covenants, etc.