

Drafting Data Privacy and Security Compliant SaaS in a Post-Safe-Harbor World

Practical Law will present a free **75-minute webinar** in which Matthew A. Karlyn, partner with Foley & Lardner LLP and co-author of “A Guide to IT Contracting: Checklists, Tools and Techniques,” to discuss practice tips on data privacy and security provisions of SaaS and other cloud service agreements, including a discussion of recent trends and issues.

The webinar will be Wednesday, June 15, at 1 p.m. EDT.

Data privacy and security are key issues for businesses who seek to upload their information onto the cloud, the company says on its website. Customers need assurance that the software as a service (SaaS) or other cloud service provider will maintain effective policies and practices to safeguard the confidentiality and security of their information.

In seeking this assurance, it is not enough for the customer to conduct due diligence of the provider's practices because those practices, like the laws and regulations that govern them, can be a fast-moving target. Only by the skillful drafting of the customer's cloud service agreement can counsel aim to ensure that the customer's confidential, trade secret, and personal information stay well protected and that both the service provider and customer remain compliant with data privacy and security laws.

A key case is the pending replacement of the EU-US safe harbor framework with stringent requirements of a new, EU-US Privacy Shield for the handling of personal data. It is crucial to businesses that their cloud service agreements include terms broad enough to anticipate such legal developments,

technological advances, and changes in standards and practices.

In this program, attendees will:

- Learn how to avoid common errors in data security, privacy, and disaster recovery provisions and provide for proper data protection both during and after the term of the cloud agreement.
- Explore effective remedies for breaches of data privacy and security.
- Consider the requirements of the EU-US Privacy Shield and its anticipated impact on cloud service customers and providers and the terms of their cloud service agreements.

A short Q&A session will follow.

Presenters:

- Matt Karlyn, Co-Chair Technology Industry Team, Foley & Lardner
- Paul Connuck, Senior Legal Editor, Intellectual Property & Technology

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Register for the webinar.