

PRIVACY, CYBERSECURITY AND TECHNOLOGY

Navigating COVID-19: Top Issues in Cybersecurity and Technology

As many companies continue to transition to new work settings for the foreseeable future, there are important considerations regarding cybersecurity hygiene and best practices. Now more than ever, each employee is a critical resource to ensure that company systems and information remain secure. Threat actors quickly have capitalized on the rapidly changing work environments caused by COVID-19, and there has been a marked increase in phishing activity and other inbound security risks.

Manatt's multidisciplinary privacy and data security team provides international, federal, state, and industry-specific privacy and data security proactive counseling and analyzes security-related enterprise risks on a regional and global scale. Our team can partner with you to minimize security risks, confirm and improve upon existing and new practices and controls, and to ensure that you are prepared to respond timely to security risk that materializes as you operate in a heavily remote business environment.

Key Issues to Consider

Ensuring Compliant Data Handling Practices

The Issue: Companies need to consider the potential implications of both purposeful and inadvertent data collection by a workforce that may now be entirely remote. Your remote workforce needs to understand clearly its obligations and the company's expectations with respect to data collection, use, storage and transfer—this relates not only to personal information, but also to information belonging to the company. Otherwise, companies risk exposing themselves to unintended liability in the event company information or personal information is handled in ways that violate current privacy laws, privacy disclosures and company policies.

How Manatt Can Help: With extensive experience in developing and implementing privacy and data security compliance programs regulated by the Health Insurance Portability and Accountability Act (HIPAA), General Data Protection Regulation (GDPR), California Consumer Privacy Act (CCPA), New York Shield Act, Telephone Consumer Protection Act (TCPA) and others, Manatt's privacy and data security team is uniquely positioned to draw on the integrated resources of Manatt's market-leading healthcare and labor and employment professionals to provide comprehensive guidance to address companies' key concerns during the COVID-19 crisis.

Reducing and Responding to Security Risk Such as Phishing Attacks

The Issue: Since the ramp-up of the COVID-19 pandemic, we have seen threat actors quickly capitalize on fears associated with the coronavirus by identifying opportunities to initiate phishing attempts and embed malicious links in purported news articles and communications about the pandemic.

How Manatt Can Help: Manatt's privacy and data security team can assist with educating, training and testing employees on various security risks, and with reminding employees of the threats and best practices. We can also assist in testing a company's security program to ensure that the security processes, policies and controls are well documented, tested and understood.

Maintaining Business Continuity With a Remote Workforce

The Issue: With many businesses implementing work-remotely policies, the increased demand for remote connectivity, technology and resources has the potential to strain the availability and reliability of electronic infrastructure. Critical systems must have the capacity to avoid interruptions in service, and the company's business continuity plan should address failover and other backup procedures in the event a business-critical system becomes unavailable. In addition, businesses may consider whether additional IT staff is warranted during a fully remote work environment.

How Manatt Can Help: Manatt's team of privacy and data security professionals can review company policies, identify areas of risk and potential gaps, and then accurately tailor policies to suit a company's individual business practice and corporate footprint while operationalizing policies to increase efficiency and security.

Meeting Your Discovery Obligations

The Issue: With the immediate growth in remote workforces, many more employees are bringing documents home, printing documents at home, and electronically storing documents at home or on nonbusiness computers, devices or systems. Even with the best intentions and protocols, these documents may not all be collected by the company when circumstances return to normal. This has implications for companies presently under a litigation hold and any company that might be under a hold in the future.

How Manatt Can Help: We can craft communications to employees reminding them of their obligations to protect company documents, and especially confidential or proprietary information. We can work with third-party vendors to collect and preserve any information that might have been generated in these new remote workspaces. And if litigation happens, we can effectively represent your interests when adversaries probe for holes in preservation and collection efforts.

Transforming Workplace and Critical IT Business Practices Amid the COVID-19 Pandemic

The Issue: The pandemic drastically has accelerated trends of moving key business IT processes into the cloud and enabling larger portions of the workforce to work remotely and efficiently. Companies are grappling with the shifts required in the types of infrastructure, software and services that will support a more fully distributed workforce, and in working with vendors that provide cloud computing solutions and SaaS-based software and services that reduce the need for large on-site deployments of mission-critical applications.

How Manatt Can Help: With extensive experience in the technology transactions space, including with both traditional software and services licensing and new models of SaaS, PaaS and IaaS services and solutions, Manatt can assist both vendors and customers in achieving their technology solutions, from the early proposal stages all the way through drafting and negotiating the key agreements and navigating effective implementation strategies.

We're Here to Help:



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