

BRISTOWS

Beyond GDPR comes what?

michael.bond@news.co.uk

robert.bond@bristows.com

Topics

- GDPR and beyond
- Brexit
- Trade Secrets Directive
- E-Privacy Regulation
- California and other new laws



GDPR Transparency and Accountability



GDPR implementation was just the start...



- GDPR laid the groundwork
- Legacy systems and people
- Anything else?

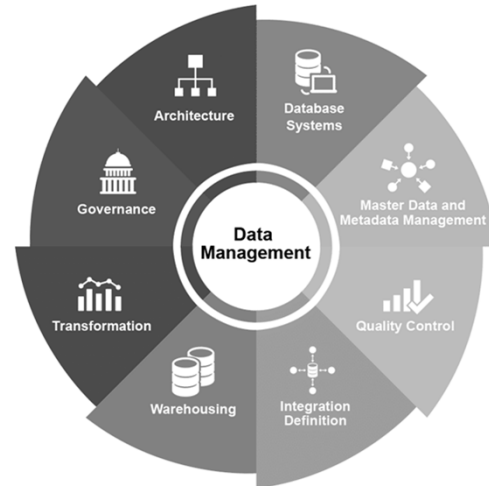
```

for i in people.data.users:
    response = client.api.statuses.user_timeline.get(screen_name=i.screen_name)
    print 'Got', len(response.data), 'tweets from', i.screen_name
    if len(response.data) == 0:
        tdate = response.data[0]['created_at']
        tdate2 = datetime.strptime(tdate, '%a %b %d %H:%M:%S +0000 %Y')
        today = datetime.now()
        howlong = (today - tdate2).days
        if howlong < daywindow:
            print i.screen_name, 'has tweeted in the past', daywindow,
            totaltweets += len(response.data)
            for j in response.data:
                if j.entities.urls:
                    for k in j.entities.urls:
                        newurl = k['expanded_url']
                        urlset.add(newurl, j.user.screen_name)
        else:
            print i.screen_name, 'has not tweeted in the past', daywindow
  
```

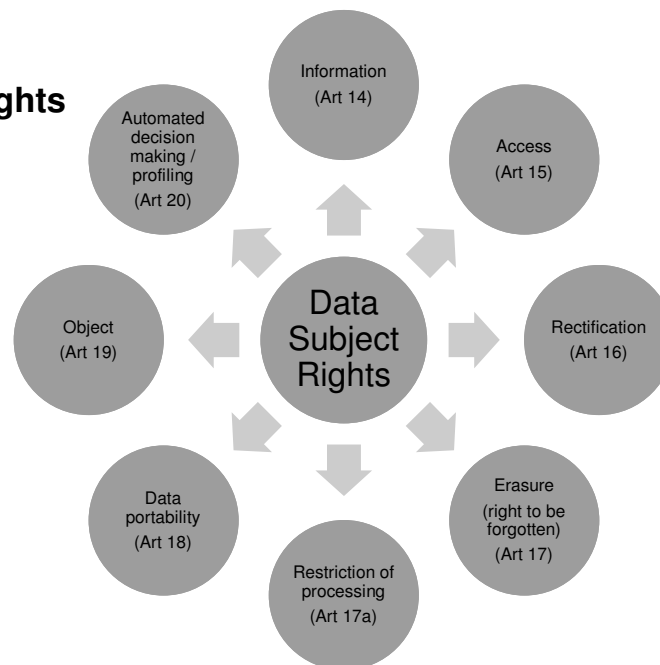


Beyond GDPR: Data Governance is the ultimate prize!

- Data dictionary
- Data quality
- Centralised decision making and prioritisation
- Single customer view
- Issues and escalation
- Data retention and deletion decisions
- Capabilities are fit for compliance
- Exec level buy-in and accountability



Data Protection Data subjects rights



Sanctions for non-compliance are more than just for data breaches

Sanctions for non-compliance – two levels of fines...

➤ Up to the greater of **2%** annual worldwide turnover of preceding financial year or **EUR 10 million** – for matters re internal record keeping, data processor contracts, data protection officers, data protection by design and default

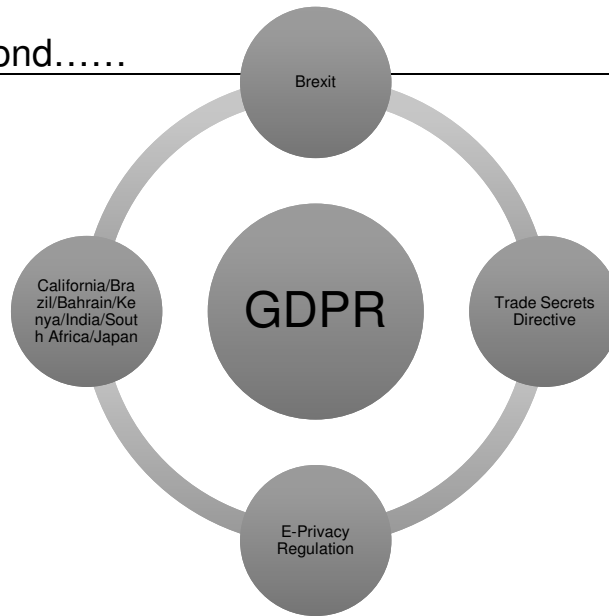
➤ Up to the greater of **4%** annual worldwide turnover of preceding financial year or **EUR 20 million** – for matters re breaching data protection principles, conditions for consent, data subjects' rights and international data transfers

7

That dam breach or that damn breach?



GDPR and beyond.....



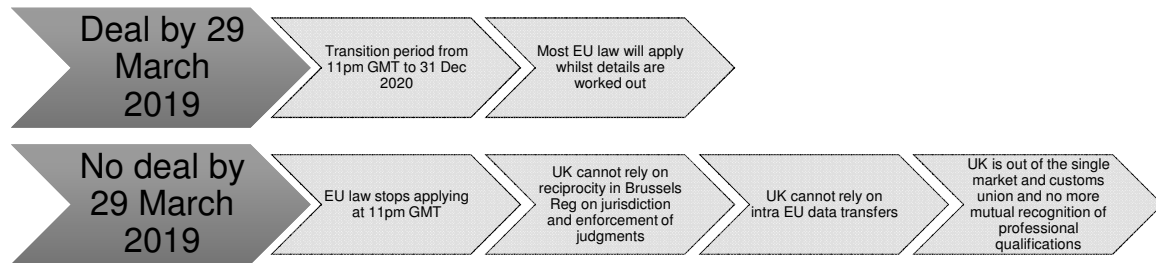
9

Brexit: Deal or no deal



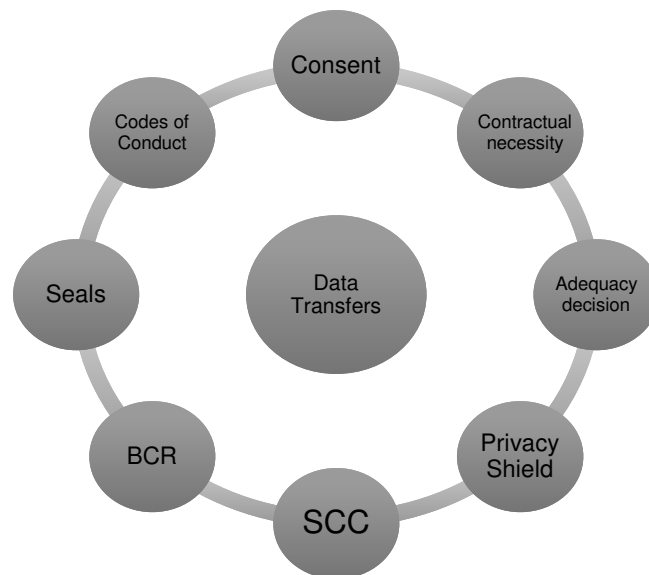
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Deal or No Deal....or no Brexit??



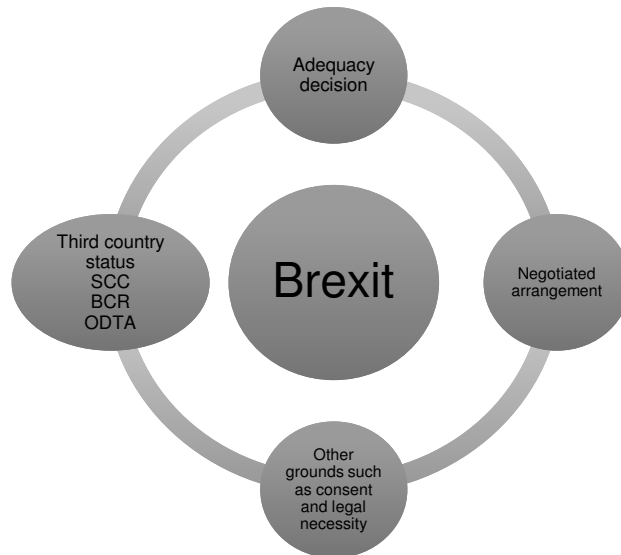
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Data Transfers pre Brexit



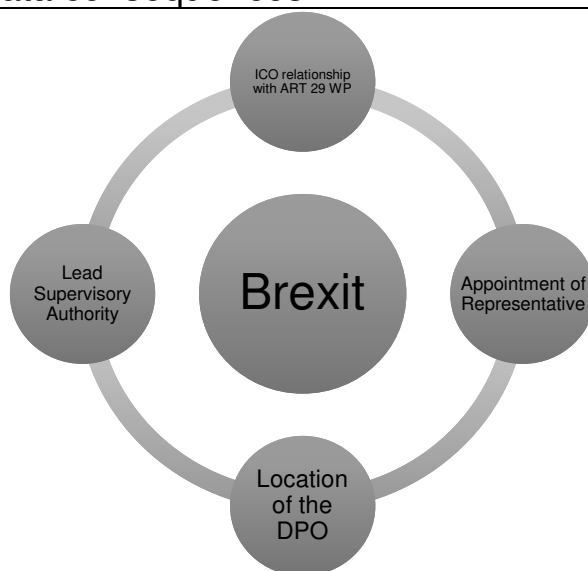
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Brexit and data transfers



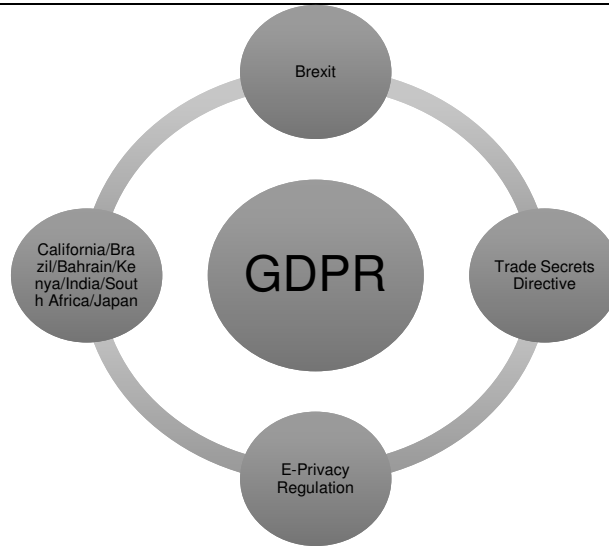
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Brexit and other data consequences



14

GDPR and beyond.....



15

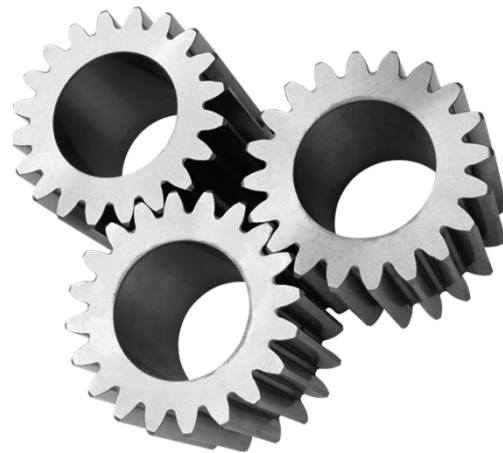
2013 Study on Trade Secrets

75% of respondents ranked them as strategically important to:

- ✓ Growth
- ✓ Competitiveness
- ✓ Innovation

Examples are:

- Commercial bids and contracts
- Contract terms
- Customer/supplier lists
- Financial data
- R&D data
- Process know how and technology
- Formulae and recipes
- Product technology
- Marketing data



Directive 2016/943 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure

- Harmonises the definition of trade secrets
 - Provides civil law rights to stop unlawful use and further disclosure of misappropriated trade secrets
 - Right to have products removed from the market that have created using illegally acquired trade secrets
 - Right to compensation
- ☐ A trade secret must be seen by the business as secret
 - ☐ It must be treated as secret by the business



How to protect trade secrets

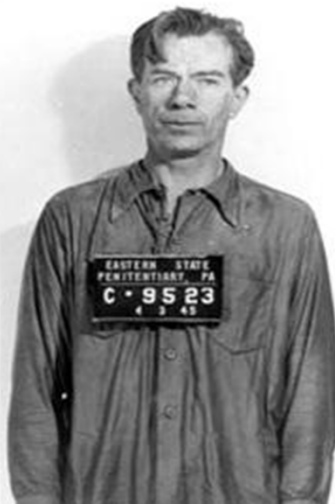
- ✓ Clean desk policy
- ✓ Shredding
- ✓ Use of NDA's and Confidentiality Agreements
- ✓ Mark materials as CONFIDENTIAL
- ✓ Take care when emailing attachments
- ✓ Consider risks of disclosing trade secrets in public places
- ✓ Manage devices in the workplace
- ✓ Train staff to protect trade secrets



Often the biggest threat is ourselves



19



20

City & Finance

City Editor: Alex Brummer Finance Editor: James Coney

Trader boasted about secret deals on WhatsApp

A CITY investment banker has been fined more than £37,000 for boasting about deals on messaging service WhatsApp.

Christopher Niehaus, 49, was a managing director at Jefferies when he bragged to pals about how he might pocket a bonus big enough to pay off his mortgage.

about clients, according to the Financial Conduct Authority.

The scandal came to light when Niehaus handed his phone to Jefferies for an internal probe after an unrelated complaint. Investigators found conversations about deals - including one with a rival business - and the boasts. When confronted, Nie-

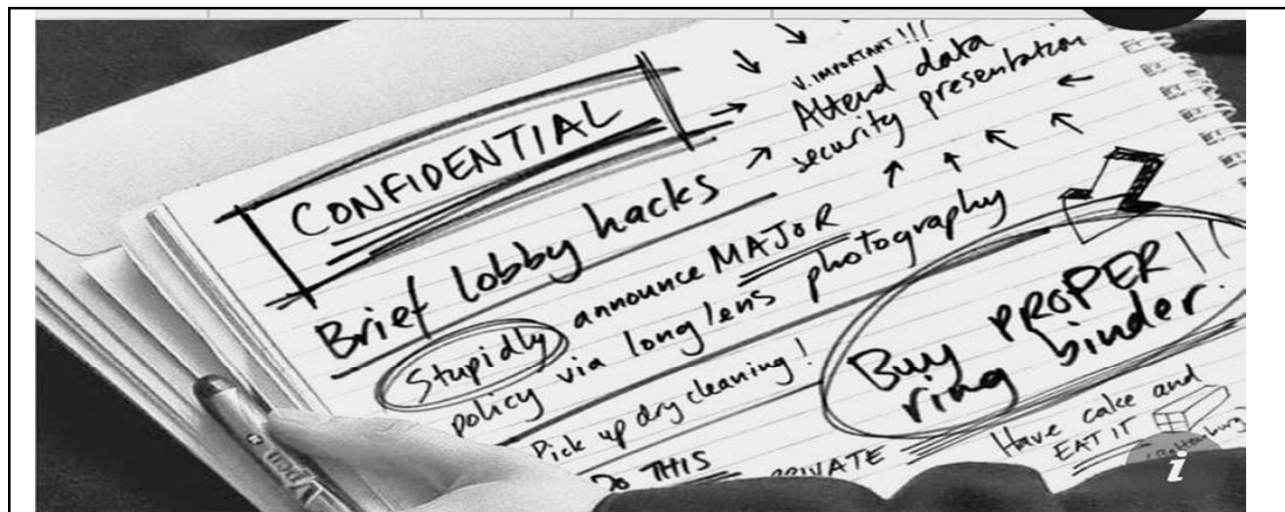
haus said he knew the information was confidential and should have known better.

The FCA accepted that no one involved traded any shares based on the insider knowledge and hit Niehaus - who, according to his LinkedIn profile, had previously worked at HSBC and Swiss lender UBS - with a £37,198 penalty.

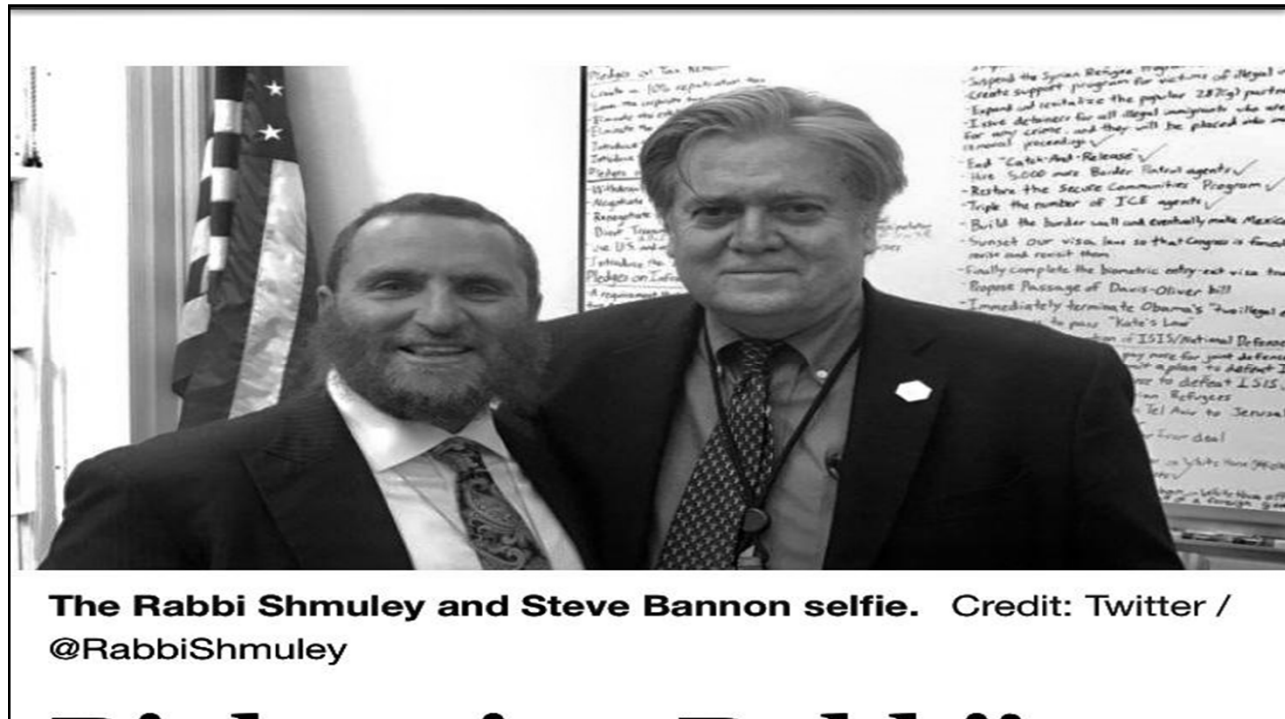
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22



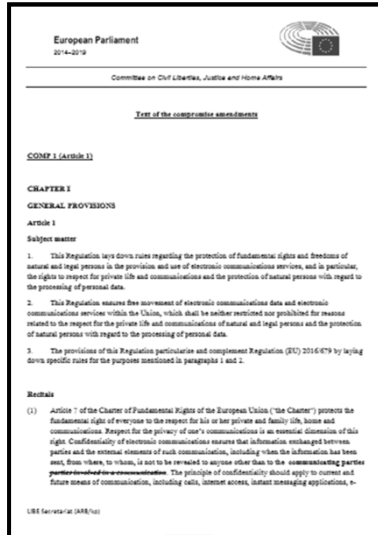
Caught on camera: why
Downing Street papers keep
getting papped



GDPR and beyond.....



Background to the ePrivacy Regulation



Replaces 2002 ePrivacy Directive (and PECR)

Applies from 2019?

Directly applicable in all EU member states

Theoretically greater harmonisation

Lex specialis to the GDPR

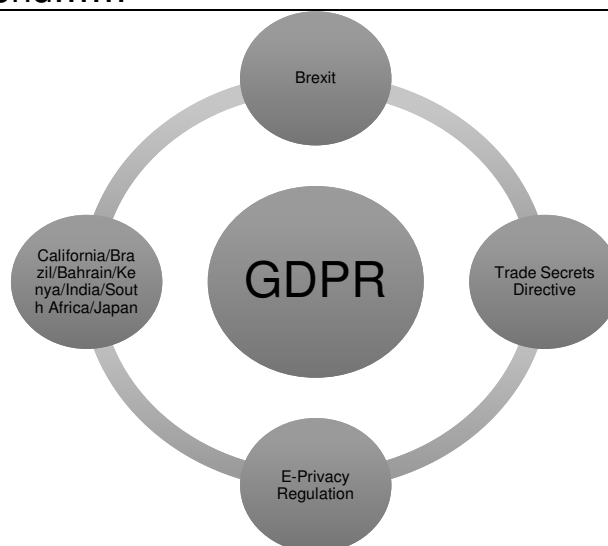
Specific rules regarding e-marketing + cookies

"Consent" is aligned to the GDPR

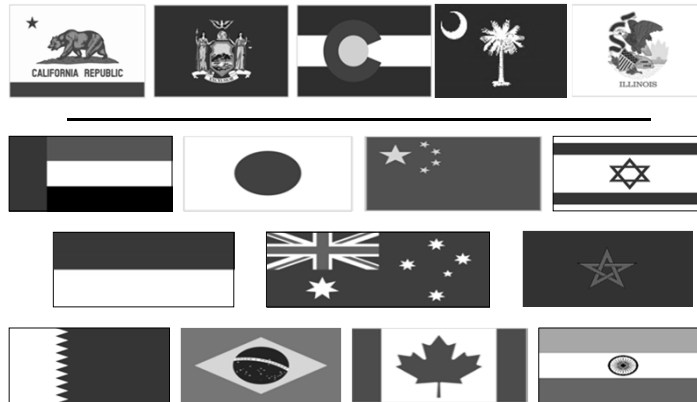
Heavily lobbied / highly contentious

Fines aligned to GDPR (up to €20m / 4% turnover)

GDPR and beyond.....



Expanding Privacy Regulations



Questions?



Thank you

Bristows LLP
100 Victoria Embankment
London EC4Y 0DH
T +44(0)20 7400 8000

robert.bond@bristows.com

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31