

# HOW THE GDPR WILL EFFECT SMALL AND MEDIUM SIZE BUSINESSES

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## GLOBAL PRIVACY REVOLUTION - WHY NOW?

- PRIVACY AS A GLOBAL HUMAN RIGHT
  - FOUNDATIONAL DIFFERENCES OF WHAT PRIVACY MEANS
  - U.S. LAGS BEHIND THE WORLD IN RESPECTING PRIVACY
  - PRIVACY TRADITIONALLY SECTOR BASED IN THE U.S.
  - TENSION BETWEEN COUNTRIES AS THE GLOBAL MARKET PLACE SHRINKS
  - DATA BECOMING THE NEW OIL
  - FACEBOOK, GOOLE AND AMAZON EFFECT
  - TREND IS CERTAINLY SWINING TOWARDS CITIZENS; BUT IS IT TOO LATE

## WHAT IS THE GDPR? – GENERAL DATA PROTECTION REGULATION

- THE GDPR IS A EUROPEAN LAW
- IT IS NOT THE EU'S VERSION OF "Y2K"
- IT DOES NOT GO AWAY BASED ON "BREXIT"
- IT IS CURRENTLY THE LAW **NOW!**
- DOES NOT REQUIRE ADOPTION BY U.S. OR STATES
- CONTAINS BOTH PRIVACY AND DATA SECURITY ELEMENTS
- ESTABLISHES A NEW VOCABULARY, NEW ROLES AND RESPONSIBILITIES, NEW GOVERNMENT OVERSIGHT REGIME AND NEW POTENTIAL LIABILITIES FOR BUSINESS EVERYWHERE

## WHY SHOULD A SMALL-MEDIUM SIZE BUSINESS IN TEXAS CARE?

- THE GDPR APPLIES TO THE DATA OF EU RESIDENTS. NOT JUST CITIZENS OR TO DATA CONTAINED ON SERVERS IN EU COUNTRIES
- DEPENDING ON SCOPE OF BUSINESS, YOU MAY NOT BE EFFECTED.
- IF YOU SUBCONTRACT OR DO WORK FOR LARGER BUSINESS, HAVE A WEBSITE ACCESSIBLE TO EU RESIDENTS, SELL/SHARE DATA WITH OTHER ENTITIES, UTILIZE MARKETING ANALYTIC TOOLS, HAVE A DESIRE TO MERGE WITH A LARGER COMPANY OR ASSUME THE ROLE OF A 3<sup>RD</sup> PARTY VENDOR TO OTHER COMPANIES – THE GDPR LIKELY WILL COME INTO YOUR LIFE

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## Title search: How the GDPR Will Effect Small and Medium Size Businesses

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41<sup>st</sup> Annual Corporate Counsel Institute session  
"What Small and Mid-Size Businesses Need to Know About GDPR"