



Jim Halpert

Partner

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Jim Halpert advises clients regarding compliance and risk management strategies for transactions relating to transnational, federal and state security and privacy regulations, industry best practices and self-regulatory initiatives, and has represented clients in major security and privacy cases in the federal courts and before the Federal Trade Commission.

Jim represents companies on a broad range of data management issues, including cyber and data security, cloud agreements, managing privacy class action risks, trans-national data flows, navigating difficult conflicts between foreign privacy laws and US compliance obligations, regulation of advertising and marketing practices, healthcare and financial privacy, children's and student privacy, privacy regulation of communications media, employee data, due diligence in sales of corporate assets, records management and responses to government surveillance requests. He has extensive experience with European, Asian and Latin American privacy regimes, and regularly leads teams across DLA Piper's global network advising on complex international security and privacy matters.

LANGUAGES SPOKEN

- French

EXPERIENCE

Representing a coalition of Fortune 500 companies, Jim has helped to draft more than two hundred US state privacy, data security, security breach notification laws and consumer protection laws. He has also helped to draft many of the United States' Internet privacy laws, including the Children's Online Privacy Protection Act, CAN-SPAM Act of 2003, the USA Patriot Act of 2001, the Digital Millennium Copyright Act and Communications Decency Act.

He has personally counseled clients regarding responses to more than 230 data security breaches since 2005, and advised

RELATED SERVICES

- International Trade, Regulatory and Government Affairs
- Litigation, Arbitration and Investigations
- Finance
- Cybersecurity

RELATED SECTORS

- Technology

LANGUAGES SPOKEN

French

many clients on global privacy and security requirements.

Jim has defended clients in numerous FTC investigations and enforcement actions, and has litigated major privacy cases in federal courts, including *Maine Newspaper Association v. Mills*, *Parker v. Time Warner Cable*, and *Los Angeles Police Department v. United Reporting Co.*

CREDENTIALS

Admissions

- District of Columbia

Clerk Experience

- Law clerk to the Honorable H. Lee Sarokin, former judge on the US District Court for the District of New Jersey

Prior Experience

Jim served as the legal advisor for a report of l'Autorita per la Garanzie nelle Comunicazione (the Italian Communications Regulator) to the Italian Parliament regarding revisions to Italy's Internet laws.

Recognitions

Jim has recently been named to the *National Law Journal's* second annual list of "Cyber Security Trailblazers."

Cybersecurity Docket named Jim on the "Incident Response 30," a list of the 30 best and brightest data breach response lawyers.

Jim was recently named as one of The National Law Journal's 2015 Regulatory & Compliance Trailblazers honorees, and as a Top Lawyer in Cybersecurity by Washingtonian Magazine in 2015 and 2017.

Jim has repeatedly been named by both legal research publishers, Chambers & Partners and The Legal 500 as one of the leading data protection lawyers in the US. *Chambers USA* has recognized that he is "outstanding—his knowledge of the legal and political landscape is second to none." The directory also noted that Jim is "'right at the forefront' of legislative innovations in the privacy and data security space and is respected by peers for his influence and shaping of policy." "He is greatly valued by his clients for his inside knowledge of the political process and his 'technically excellent written work.'"

The Legal 500 United States has recognized that he is "renowned for his 'excellent judgment and awareness of the pressures a modern business faces,'" and "for being 'pro-active and impressively hands-on for such a well-respected lawyer.'" Jim "is said to be 'head and shoulders above anyone else in the privacy space.'"

Jim is ranked Band 1 in Chambers USA for his Privacy & Data Security work. The highly regarded legal directory states "Superstar" James Halpert chairs the department and handles a range of regulatory and compliance issues in the privacy field, in addition to data breaches. "He has a great reputation as one of the leaders of the Bar," says a commentator, noting that "he is thought of as a go-to person on privacy counseling issues."

Chambers & Partners has stated that Jim "is praised for his cyber security expertise at a national and international level." Therefore, they have also recognized him in *Chambers Global* for his US Privacy & Data Security work. His "'robust, international practice' attracts strong praise from the market, with sources also noting that he is 'very well connected in this field, with a lot of information about what's going on.'"

Jim was named a BTI Client Service All-Star for 2019.

Education

- J.D., Harvard Law School 1989
cum laude

- D.E.A., École de Hautes Etudes en Sciences Sociales / École Normale Supérieure 1986
- B.A., Yale University 1985
magna cum laude

INSIGHTS

Jim is a frequent speaker on international and US privacy developments for the International Association of Privacy Professionals, and is on the Editorial Board of the Bloomberg BNA Privacy and Data Security Report.

Publications

FTC announces Cambridge Analytica settlement

25 July 2019

A sign that the FTC may be stepping up its pursuit of individual liability in addition to corporate liability.

FTC unfriends Facebook

25 July 2019

The FTC order imposes new penalties and requirements on Facebook.

Sharpen your pencils: California AG's Office announces start of its important CCPA pre-rulemaking and schedule for issuing its important CCPA rules

13 FEB 2019

Because the CCPA is littered with drafting errors and confusing definitions, this AG rulemaking is extremely important.

California Consumer Privacy Act: what's new for retailers?

23 JAN 2019

Particular features of the CCPA affect the retail industry in unique ways.

The California Consumer Privacy Act: More than an encore to the EU GDPR

26 NOV 2018

For the past two years, retailers doing business in Europe have been dealing with multiple obligations under the EU General Data Protection Regulation (GDPR).

The GDPR's impact on internal investigations

10 JUL 2018

The impact of the European Union's General Data Protection Regulation on corporate internal investigations and criminal and civil litigation – both within the EU and abroad – has received little attention. Here, we take a look at the GDPR's privacy requirements

through the lens of internal investigations and litigation.

California privacy law poised to alter US privacy landscape

28 JUN 2018

A major development in privacy law.

Preparing for a payment card data breach: what should businesses do?

15 NOV 2017

In this article, DLA Piper's lawyers consider that there were an estimated 164 million payment cards in use in the UK in 2016 and how, with almost £4 billion being spent using contactless cards alone in April 2017 and new breach notice requirements coming into force soon, those involved (including card brands and merchants) need to consider how to respond to breaches, and potential alternatives to storing card data in the future. Payment card data is a major target of hackers.

Landmark privacy ruling in Europe on the right to be forgotten

26 JUN 2014

European Court of Justice: search engines must remove the link between search results and a web page if it contains information an individual deems should be "forgotten"

The Cybersecurity Framework: Administration, Congress move to incentivize private-sector cooperation, strengthen federal acquisition process

12 SEP 2013

EU releases cybersecurity strategy

15 FEB 2013

What companies need to know about the Obama Administration's Cybersecurity Order

14 FEB 2013

- "Insurance Sector Trends: Forecast for 2018 and 2017 Year End Review," Insurance Update, February 5, 2018
 - "NIST issues draft update to US cybersecurity framework," February 2017 (co-author)
This article was first published in *PL&B International Report*, issue 145, www.privacylaws.com
 - "States Continue Leading the Way on Privacy: An Overview of 2014 State Privacy Legislation," *Bloomberg BNA*, August 8, 2014 (co-author)
 - *Data Protection Laws of the World*, March 2012
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Events

- "Cybersecurity Risk Governance," Association of Corporate Counsel - Baltimore Chapter, September 24, 2014
- Practising Law Institute, "Conducting eCommerce With California Consumers: Complying with California's New Online Privacy Protection Act"

NEWS

Businesses still not fully aware of Data Protection issues

31 JAN 2018

DLA Piper has released its second Data Privacy Snapshot report, finding that once again, company global privacy programs have gaps in meeting increasingly demanding global privacy principles. Significantly, it appears that many companies are falling short of data protection obligations under the General Data Protection Regulation (GDPR), which will start to apply from 25 May 2018.

MEDIA MENTIONS

- "California data-privacy law may become the model for Congress," *Washington Examiner*, July 22, 2019
- "Industry Plays Whack-a-Mole to Fight Slew of State Privacy Bills," *Advertising Age*, February 16, 2017
- "U.S. Promotes Risk-Based Data Breach Response Model," *Bloomberg BNA*, January 11, 2017
- "Jim Halpert of DLA Piper named a Cybersecurity Trailblazer by the National Law Journal," *DLA Piper*, October 31, 2016
- "In real life, Jim Halpert of 'The Office' fame is a DC lawyer," *The Washington Post*, January 4, 2015
- "No US Action, So States Move on Privacy Law," *The New York Times*, October 30, 2013
- "FTC Updates COPPA for the Age of Social Media, Mobile Apps," *Corporate Counsel*, December 21, 2012 and *Texas Lawyer*, December 26, 2012
- "House Cybersecurity Bill Backs Off On IP Theft Provisions," *Law360*, April 16, 2012
- "Transatlantic Privacy War," *Corporate Counsel*, April 1, 2012
- "Conflicts Arise When Complying With EU Data Privacy Laws," *Law Technology News*, February 24, 2012
- "White House Puts 'Consumer Privacy Bill of Rights' on Regulatory Agenda," *Corporate Counsel*, February 24, 2012
- "Conflicts Arise When Complying With US and EU Laws," *Corporate Counsel*, February 22, 2012