

# GDPR Quick Facts

Global impact of European Union privacy law



## What is GDPR?

The General Data Protection Regulation (GDPR) is a European Union (EU) law that regulates the handling of personal data relating to individuals located in the EU.

## Who's Affected?

Even though GDPR is an EU law, it also applies to individuals and organizations outside the EU. No matter where you're based, you may be subject to GDPR if you have:

- A physical presence in the EU
- EU citizens as employees or investors
- A business or mission that involves data collection, processing, or storage
- A website that uses cookies or forms
- Marketing activities in the EU
- Customers or suppliers in the EU

## What's at Stake?

Most of GDPR's provisions have yet to be tested in action, so there's uncertainty about its exact scope and application. Now is a good time to be cautious.

**Enforcement:** Regulators and consumers can sue data controllers and/or processors for alleged violations of GDPR

**Maximum Fine:** The higher of 4% of worldwide revenue or €20 million



## What's Next?

When GDPR took effect in May 2018, it was only the beginning of a new era in privacy regulation and data handling. With that looming deadline now in the past, many organizations have lost their sense of urgency. Some still haven't done a compliance assessment, or don't have an ongoing compliance program in place. If yours is one of them, Michael Best can help.

## How We Can Help

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Our Privacy & Cybersecurity attorneys work with clients and their vendors to:

- Determine if and how GDPR applies to them
- Evaluate data handling practices and map data flows
- Conduct GDPR compliance gap assessments
- Develop and implement corrective measures
- Create procedures for ongoing compliance
- Assess the privacy impacts of new products or services

## The Michael Best Advantage

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### Strategic Partners

We provide legal counseling to support risk mitigation strategies across your entire enterprise, and to help you stay ahead of emerging threats. Our goal is not just to assess compliance, but to be trusted advisors who proactively address our clients' needs and challenges.



### Real-World Experience

Our team, which includes the Texas state government's first chief privacy officer, has critical insight into how federal and state governments define, enact, and manage cybersecurity policy and regulations. We know how to quickly answer compliance questions and explain potential risks from a business perspective.



### Tech-Savvy Lawyers

In addition to legal knowledge, we understand the technology solutions that can help clients automate compliance tasks — and the pragmatic steps needed to implement them. These include opt-in/opt-out, “right to be forgotten,” and data breach notification tools, for example.



### Innovative Tools

Our Best Privacy & Cybersecurity Toolkit is an online platform that helps our clients manage compliance with GDPR and other regulations. Clients can take an initial risk assessment using the toolkit at no charge. We then rank their risk level, show where legal action needs to be taken, and create a timeline for compliance.



### Global Resources

Through our membership in Lex Mundi, Michael Best offers access to carefully vetted law firms in more than 100 countries around the world. Their local knowledge and relationships will be useful as GDPR guidance and enforcement continue to evolve.

## CONTACT

Contact us for more detailed information about Michael Best's Privacy and Cybersecurity services.