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Best Practices and Imperatives

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Disclaimer

Nothing contained in this presentation is intended to provide legal advice to any person or entity.
What Stands in the Way of Effective Information Security?

- There is no such thing as perfect information security
- Misunderstandings about what is reasonable information security
- Existing frameworks do not, by themselves, deliver reasonable information security
- Effective information security requires people and process, not just technology
- Dynamic changes in the workplace which shift the risk landscape
What Drives Privacy and Information Security?

- Statutes, Regulations and Orders
  - CCPA
  - FTC and State Regulation
  - Judicial Rulings
- Industry guidelines and frameworks
- Reputation
- Business damage – DOS, ransomware and wiperware
The Goal: Actual Cybersecurity

- Actual security vs. compliance
  - Compliance is checking boxes on a list that doesn’t necessarily reflect your operations
  - Actual security is achieving security for operations – and it usually leads to compliance

- Actual security requires a deep dive into how a firm collects (or obtains), what they use it for, who has access to it, and how it is held.

- Actual data security must be validated and documented
Privacy and Security Challenges in Hospitality

Allocation of Risk

- Who’s responsible?
  - Brands – from reservations and loyalty programs?
  - Managers – from on-site data collection?
  - Owners – because owners somehow end up paying for all of it – whether it be increased costs or penalties for non-compliance

- Who “owns” and who uses a guest’s personal information?
Achieving Effective Information Security

Key Steps to Cybersecurity

- Contextual to the organization
- Based on data flows and network architecture
- Inclusion of all data points, including external sources and users
- Written policies that are disseminated to all personnel
- Effective data/information governance
- Regular revision and testing
Third Parties and Privacy

Vendors and Other Third Parties

- All enterprises require third parties (cloud services, data processors, etc.)
  - Parties to whom do you disclose data
  - Parties from whom you receive data
  - Their vendors and third parties

- Third parties are a key element in information security
- Key vendors need to be verified; representations are not adequate
Takeaways

Key Takeaways

- Information security is bespoken – there is no “one size fits all” approach
- Reasonable security requires documentation
- Information security is fluid – it needs to be reviewed regularly and anytime there are changes to the system
Questions
For additional information, point your browser to https://www.jmbm.com/cybersecurity-and-privacy-group.html

You can subscribe to our blog, the Cybersecurity Lawyer at https://cybersecurity.jmbm.com/

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