

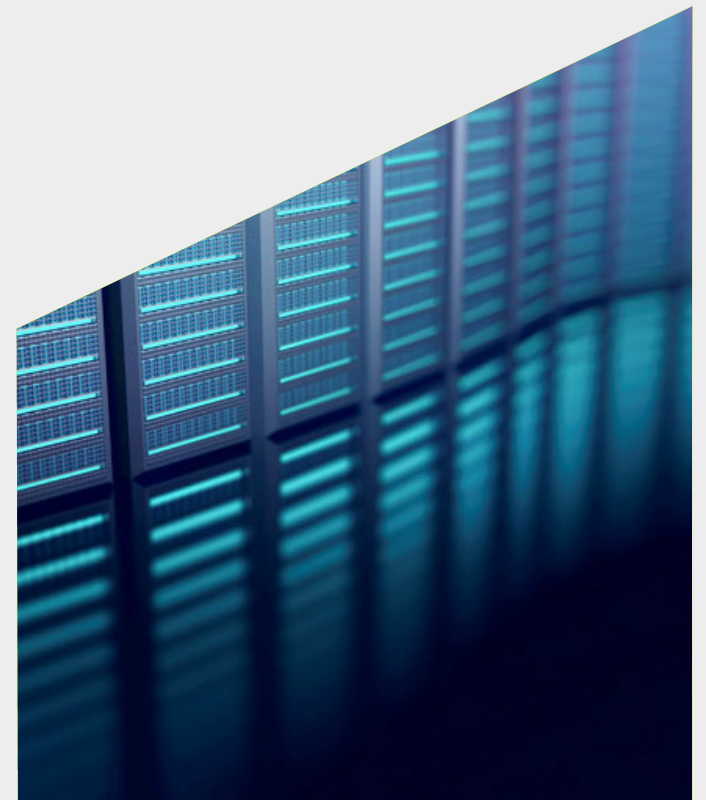


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# PRIVACY IN PRODUCT COUNSELING: HOW TO BUILD PRODUCTS WITH PRIVACY IN MIND

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# SPEAKERS



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# AGENDA

- Part 1: Building Privacy-Friendly Products
- Part 2: Managing Risks
- Part 3: Governance

# PART 1: BUILDING PRIVACY-FRIENDLY PRODUCTS



# BALANCING ACT

- Product development is a **balancing act**
  - Legal requirements and best practices do not always align with product goals at the outset
  - Tension / alignment between regulatory focus on privacy and customer wants
- **Some considerations:**
    - The company's risk profile
    - The type of data that the product is processing
    - The impact of the product that you're building

# BUILDING A FOUNDATION

Know your business

Build relationships with key stakeholders

See around the corner

Future-proof

# PART 2: MANAGING RISKS



## MANAGING RISKS: DATA COLLECTION

What type of data is the product collecting?

- SPI / Biometrics / Minors / Conversations / Ad Tech

How much data is the product collecting?

- Relative risk & exposure
- Tension between data minimization and desire for better products (e.g., model accuracy)



## MANAGING RISKS: DATA COLLECTION (CONT.)

How is the product collecting data?

- Directly from consumers? From a third party?

When is the product collecting data?

- Behind a log-in?

## MANAGING RISKS: DATA USE

- What are the intended purposes for using this data?
- Is this a brand-new use for data that hasn't yet been communicated?
  - Consider whether updates are required to existing privacy notices, or whether this product requires an entirely new notice
  - Consider whether you need consent from the consumer/end user to use their data in this way
- Is this a secondary use from an existing product?
  - Did consumers understand their data might be used for this?
  - Is this use covered in contracts with business customers?
  - Is the new purpose in line with initial collection?

# MANAGING RISKS: DATA SHARING

- Who are you sharing data with (or granting access to data) for purposes of this product?
  - If there's a vendor involved, have you evaluated the privacy and security controls of that vendor?
  - How are you allocating roles/responsibilities between the vendor and the company?



## MANAGING RISKS: DATA SHARING (CONT.)

- Who are you sharing data with (or granting access to data) for purposes of this product?
  - Are you allowing third parties to collect data directly from consumers (e.g., cookies and other tracking technologies)?
  - Do you have opt-in or opt-out requirements for the intended sharing?



## MANAGING RISKS: DATA SECURITY & RETENTION

- How long are you keeping this data?
  - The more data you have for more time, the more vulnerable you are to a security incident
  - eDiscovery
- How is the data secured in transmission / during storage?
- Is the data anonymized/aggregated at a certain point?
  - If so, is it sufficiently anonymized such that it's no longer considered personal data?

# PART 3: GOVERNANCE



# PROGRAM FRAMEWORKS

- Build PbD into the review process for products/services
- Potential options:
  - Engineering gates (e.g., file for approval)
  - Go-to-market checklists / questionnaires
  - PIAs / Risk Assessments
- Embed into existing engineering and business tools
- Be flexible!

# CROSS-FUNCTIONAL STAKEHOLDERS

- InfoSec
- Privacy Engineering
- Product Marketing
- Product Legal
- Privacy Compliance
- Sourcing
- Regulatory Legal
- Developers
- Privacy Champions





## ADDITIONAL RESOURCES

- Ann Cavoukian's Privacy by Design – The 7 Foundational Principles
- NIST Privacy Framework – Tool for improving privacy through enterprise risk management
- ISO 31700-1:2023 – Privacy by design for consumer goods and services
- UK ICO Guidance – Privacy in the product design lifecycle

THANK YOU /  
QUESTIONS?

