

May 9, 2024

Dude, Where's My Data? Exploring Privacy Compliance Through Connected Cars and Other Devices

David Cox

Volkswagen Group of America

Danielle Kehl

Cruise

Jonathan Ende

McDermott Will & Emery

Speakers



David Cox

Assistant General Counsel,
Privacy, Data Governance, & E-
Discovery
Volkswagen Group of America



Danielle Kehl

Principal Privacy Counsel
Cruise



Jonathan Ende

Partner
McDermott Will & Emery



1. Connected Devices—What's the Big Deal?



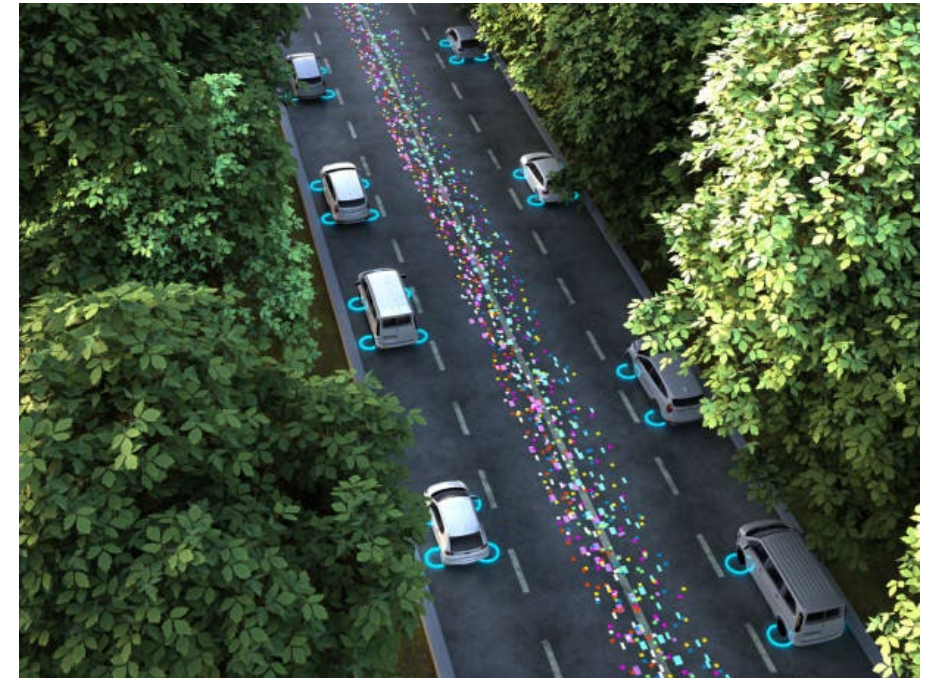
2. Legal Framework



3. Effective Counseling

Why We Collect Data

- Data collection serves a purpose
- Development of technology benefits society
- Issue: Finding balance between benefits and risks



What's the Big Deal with Connected Devices?

Complex Data Ecosystem

- Multitude of data sources
 - ❑ Direct from consumer, third parties, cameras/microphones/sensors
- Number of data stakeholders
 - ❑ Internal business units, business partners, vendors, affiliates
- Volume, variety, sensitivity of data
- Range of consumer touchpoints
 - Mobile app, car/device, websites



Bystanders and Remote Access

Bystander Issue

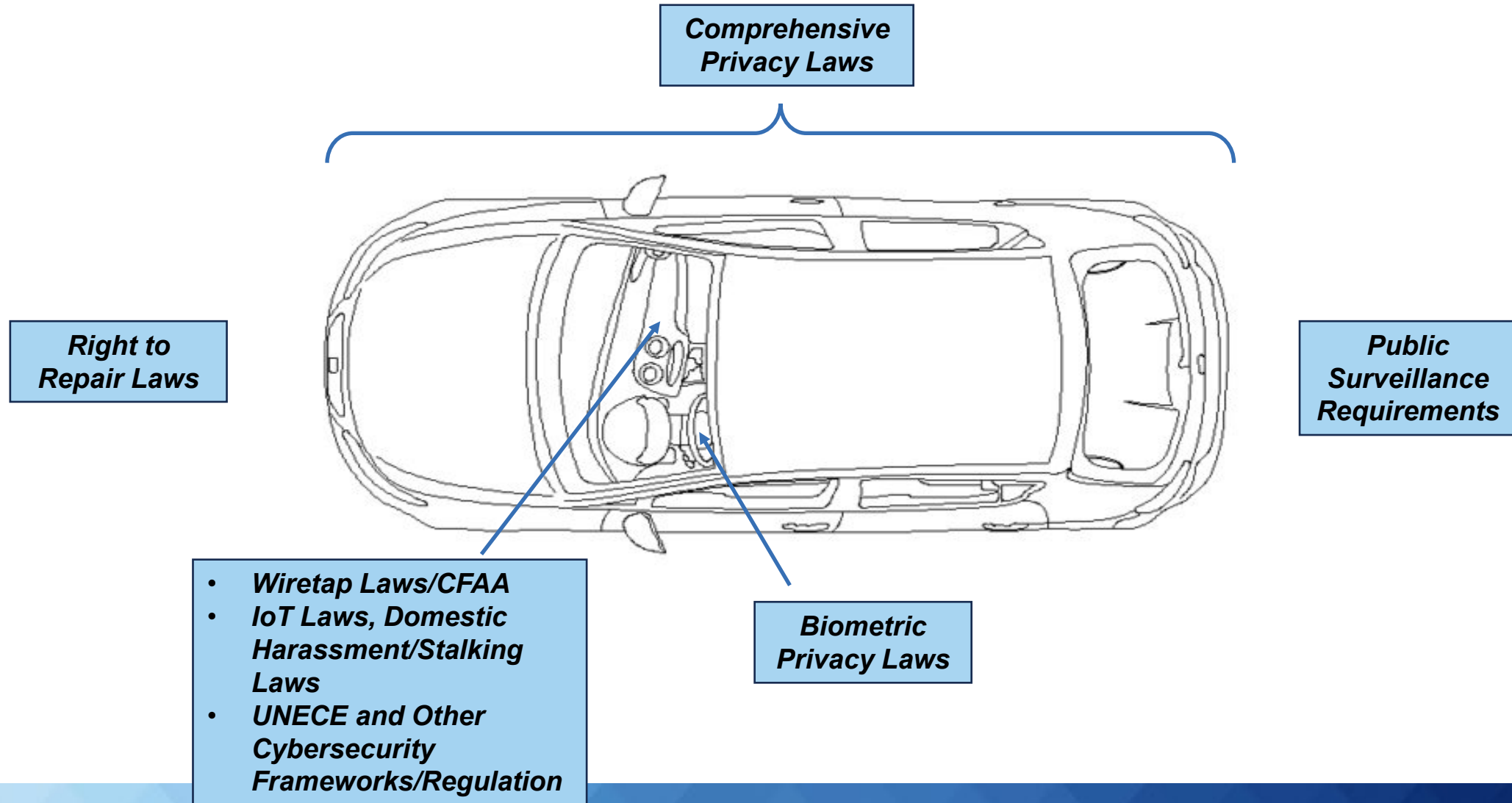
Collection of data from surrounding environment raises unique issues

Connectedness

Remote access to device heightens security, privacy risks

Legal Framework

Legal Framework



Effective Counseling

When to give
notice?

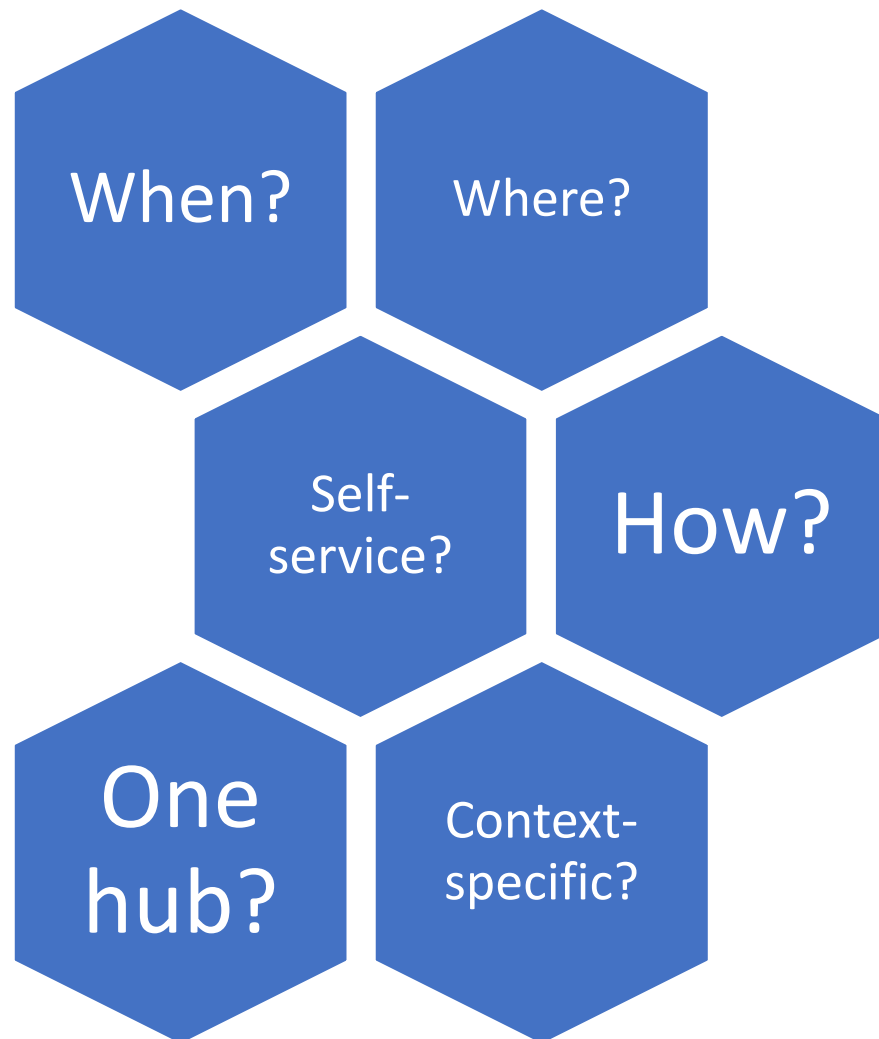
How much
information
to give?

What about
context-
specific
notices?

Does the
data
subject's role
matter?

How to give
notice?

What do you think?



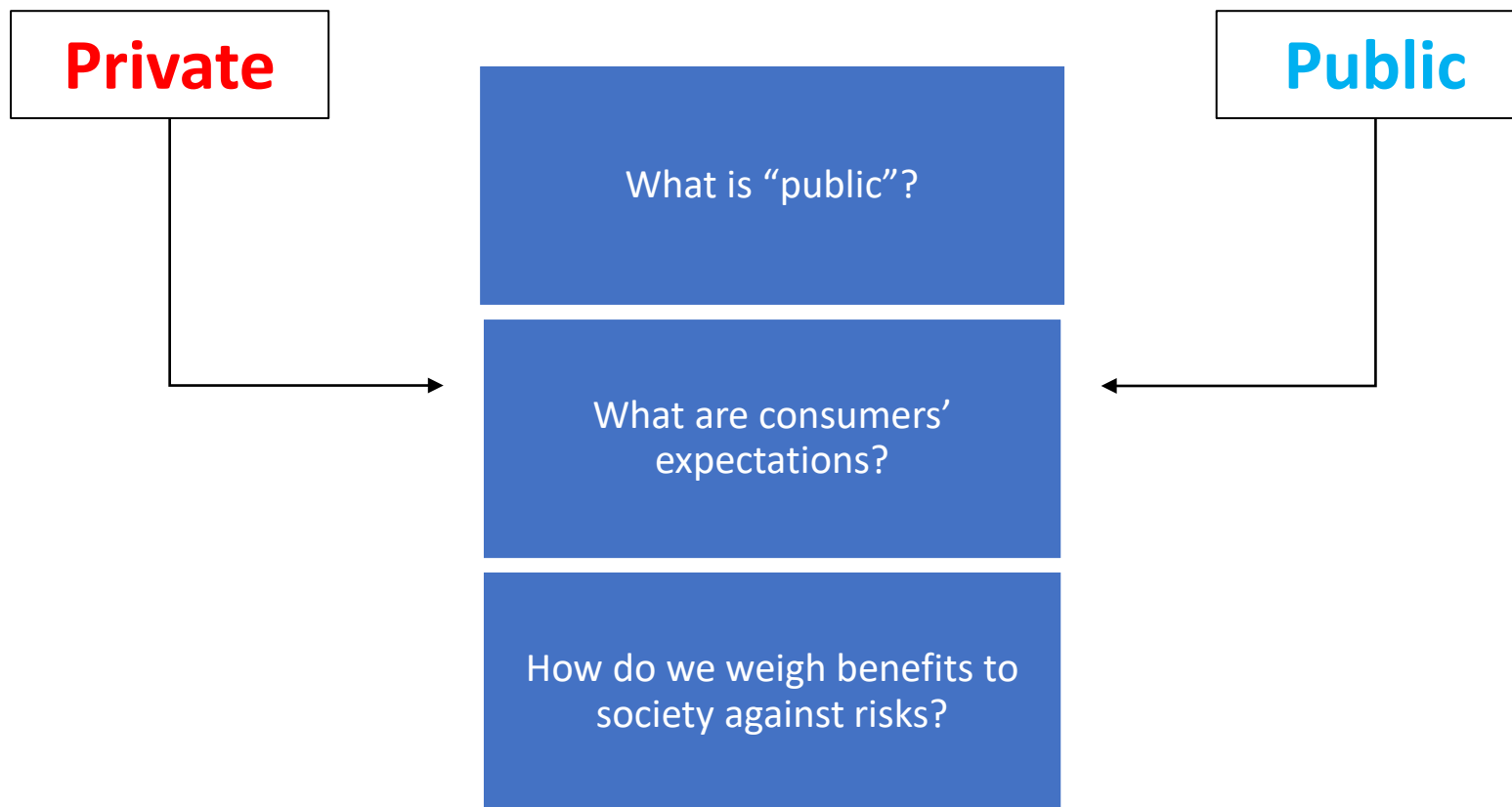
What do you think?

- What does it cover?
- How detailed should it be?
- How to withdraw consent?
- How to futureproof?

What do you think?

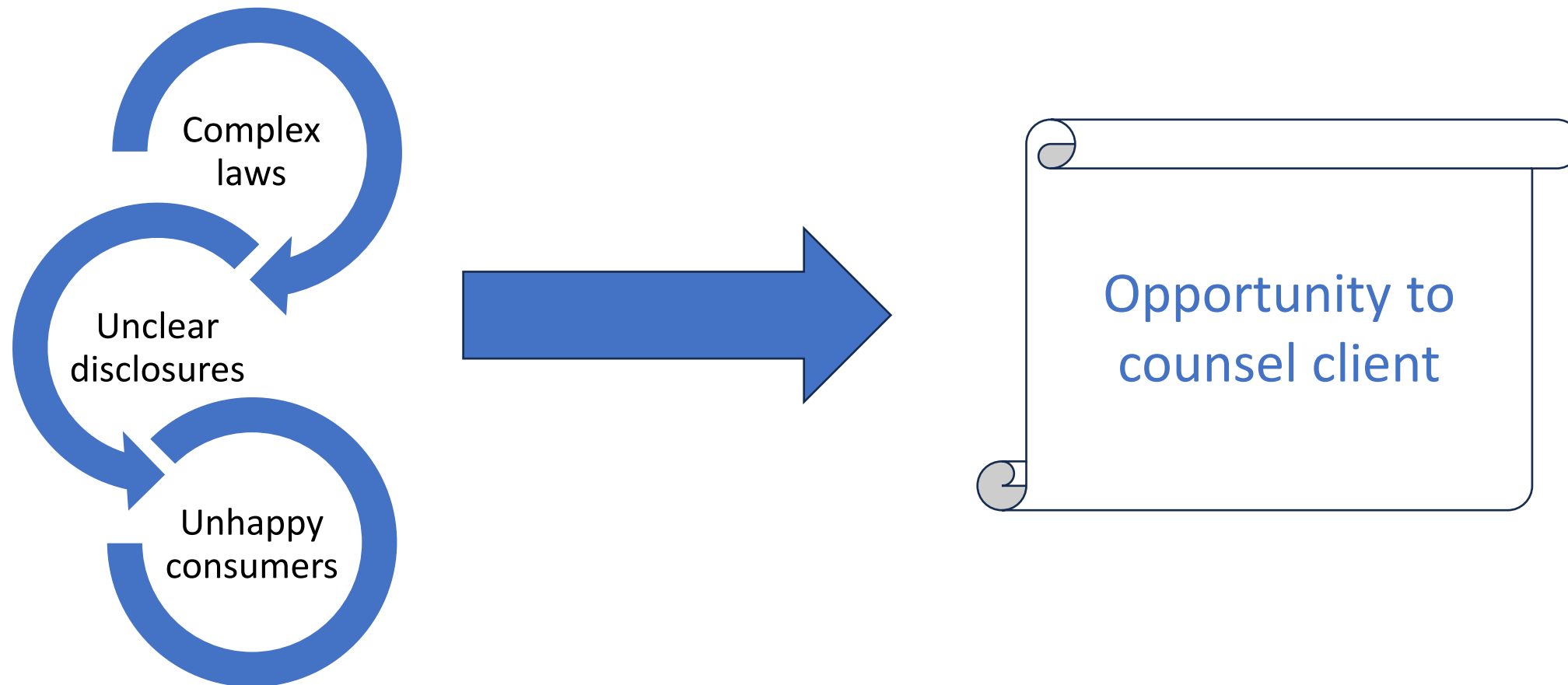


Public vs. Private Spaces



What do you think?

Reputational Issues



What do you think?

- Dense web of competing cybersecurity regimes
- How to explain security without compromising it
- Issues with “intermediaries” (e.g., safety operators and other administrators)

NIST Privacy Framework Version 1.0 to ISO/IEC 27701:2019 Crosswalk

NIST Privacy Framework Core	ISO/IEC 27701:2019 Provision
IDENTIFY-P (ID-P): Develop the organizational understanding to manage privacy risk for individuals arising from data processing.	
Inventory and Mapping (ID.IM-P): Data processing by systems, products, or services is understood and informs the management of privacy risk.	
ID.IM-P1: Systems/products/services that process data are inventoried.	ISO/IEC 27701:2019 7.2.8, 8.2.6
ID.IM-P2: Owners or operators (e.g., the organization or third parties such as service providers, partners, customers, and developers) and their roles with respect to the systems/products/services and components (e.g., internal or external) that process data are inventoried.	ISO/IEC 27701:2019 5.2.3, 7.2.8, 8.2.6

What do you think?

Questions & Contact



David Cox

Assistant General Counsel,
Privacy, Data Governance, & E-
Discovery
Volkswagen Group of America



Danielle Kehl

Principal Privacy Counsel
Cruise



**Jonathan
Ende**

Partner
McDermott Will & Emery