

# California Businesses Beware:

*The California Consumer Privacy Act (CCPA)  
Is Here and It Is Only the Beginning*



WOMBLE  
BOND  
DICKINSON



# Meet the Panelists



**Robert Taylor**  
Associate General Counsel  
J2 Global, Inc.



**Robert Kang**  
Professor, Loyola Law School  
rjk555@ymail.com



**Tara Cho**  
Partner, Privacy and Cybersecurity  
Womble Bond Dickinson (US) LLP  
Tara.Cho@wbd-us.com



**Nicole Su**  
Associate, Business Litigation  
Womble Bond Dickinson (US) LLP  
Nicole.Su@wbd-us.com



**Kristin Walker-Probst**  
Partner, Businesss Litigation  
Womble Bond Dickinson (US) LLP  
Kristin.Walker-Probst@wbd-us.com



# Agenda

*Our Discussion Will Cover:*

**1. Legislative  
Background – and What's  
Next**

**2. CCPA Enforcement  
and Litigation**

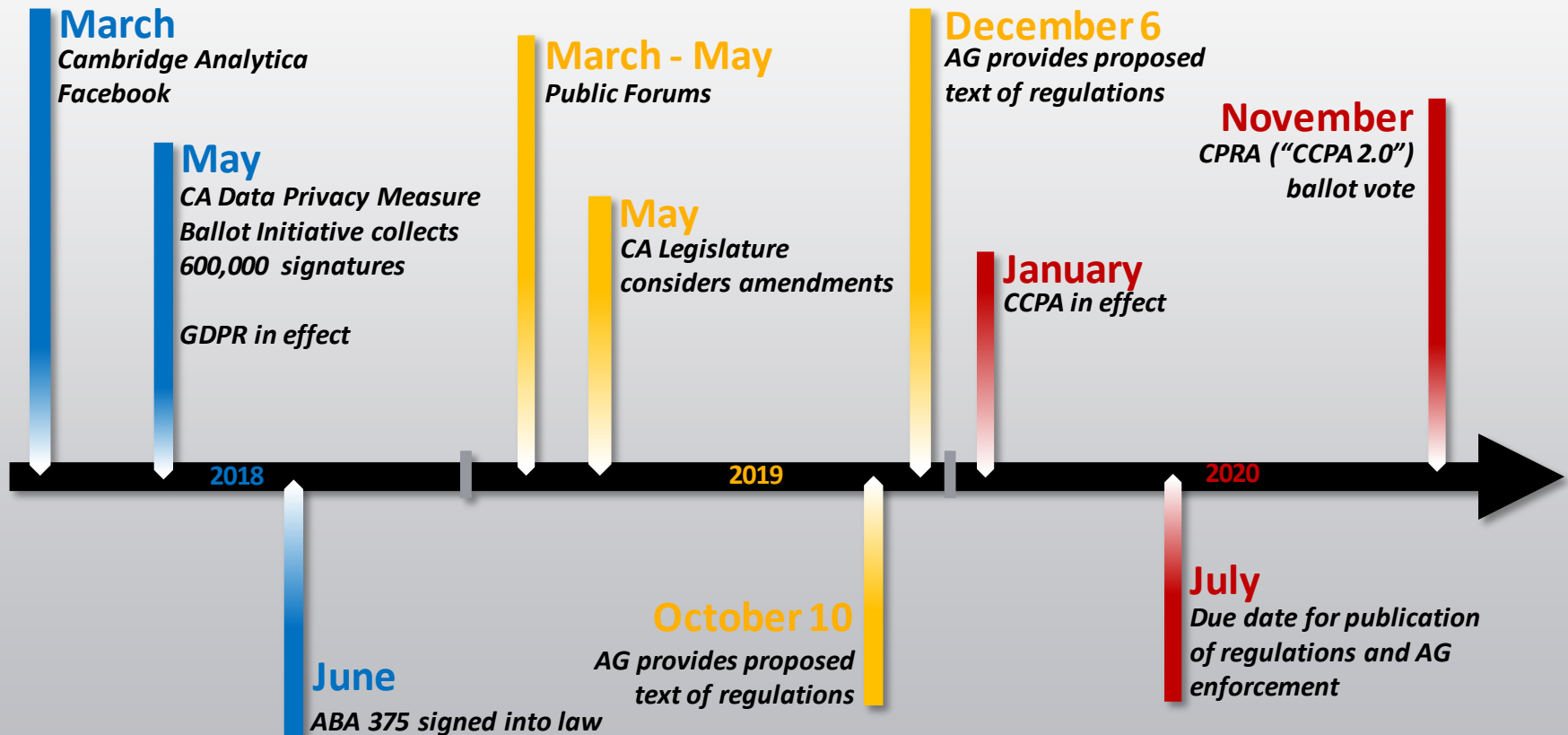
**3. Operational  
Challenges and Trends**

# **Legislative Background – and What's Next**



# California Consumer Privacy Act


## Timeline and Enforcement





# California Consumer Privacy Act

## *Who Does It Apply To?*



For-profit companies doing business in CA that collect personal information about CA residents AND:

Annual gross revenue >25M;

OR

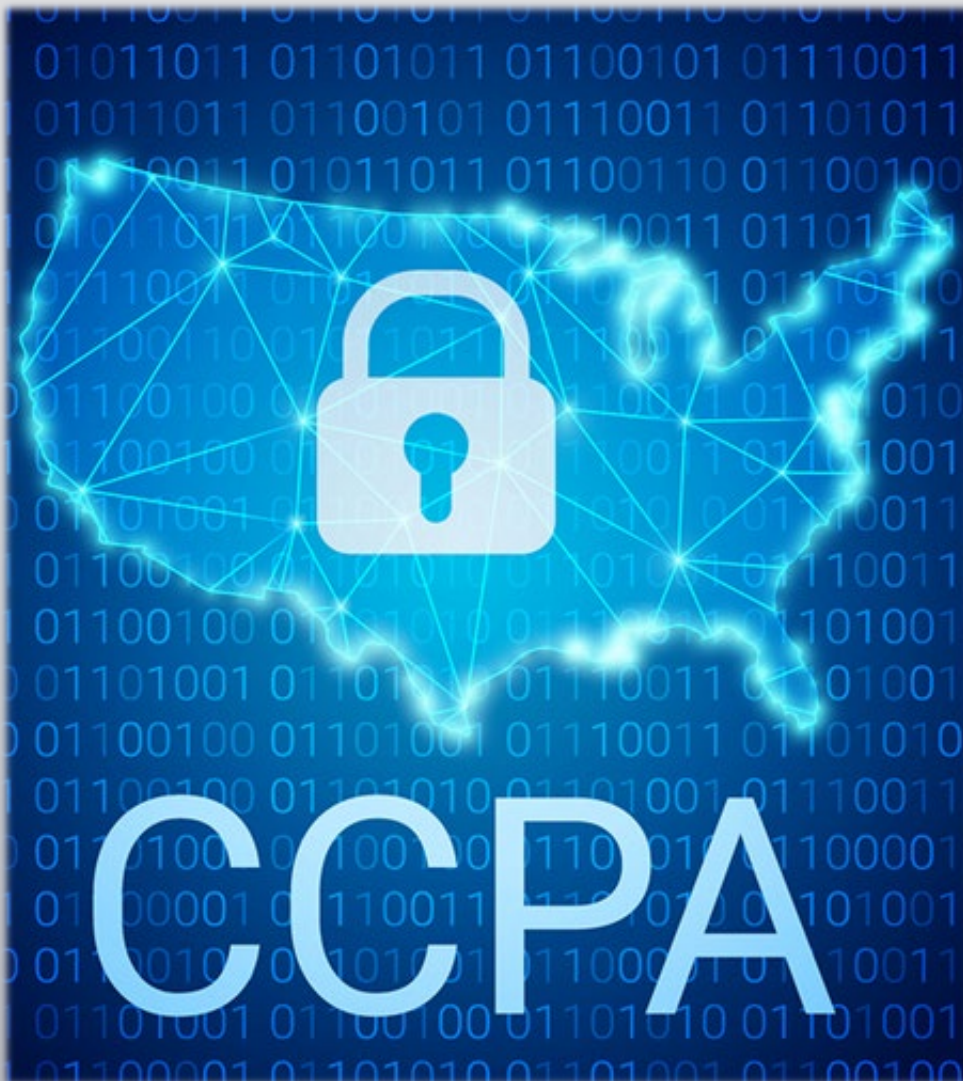
Buys, sells or shares data of  $\geq$  50K consumers, households or devices;

OR

Derives  $\geq$ 50% annual revenue from selling personal information.

# November 2020 Ballot

## *The CPRA Takes it Further*



- Removes 30-day cure period for breach and non-compliance
- Additional rights and restrictions for sensitive data
- Extends partial exemptions for B2B and employee data
- Stiffer fines relating to minors
- CA Privacy Protection Agency
- Right to restrict use and disclosure; extends lookback period



# **Enforcement and Litigation**





# CCPA Enforcement Process

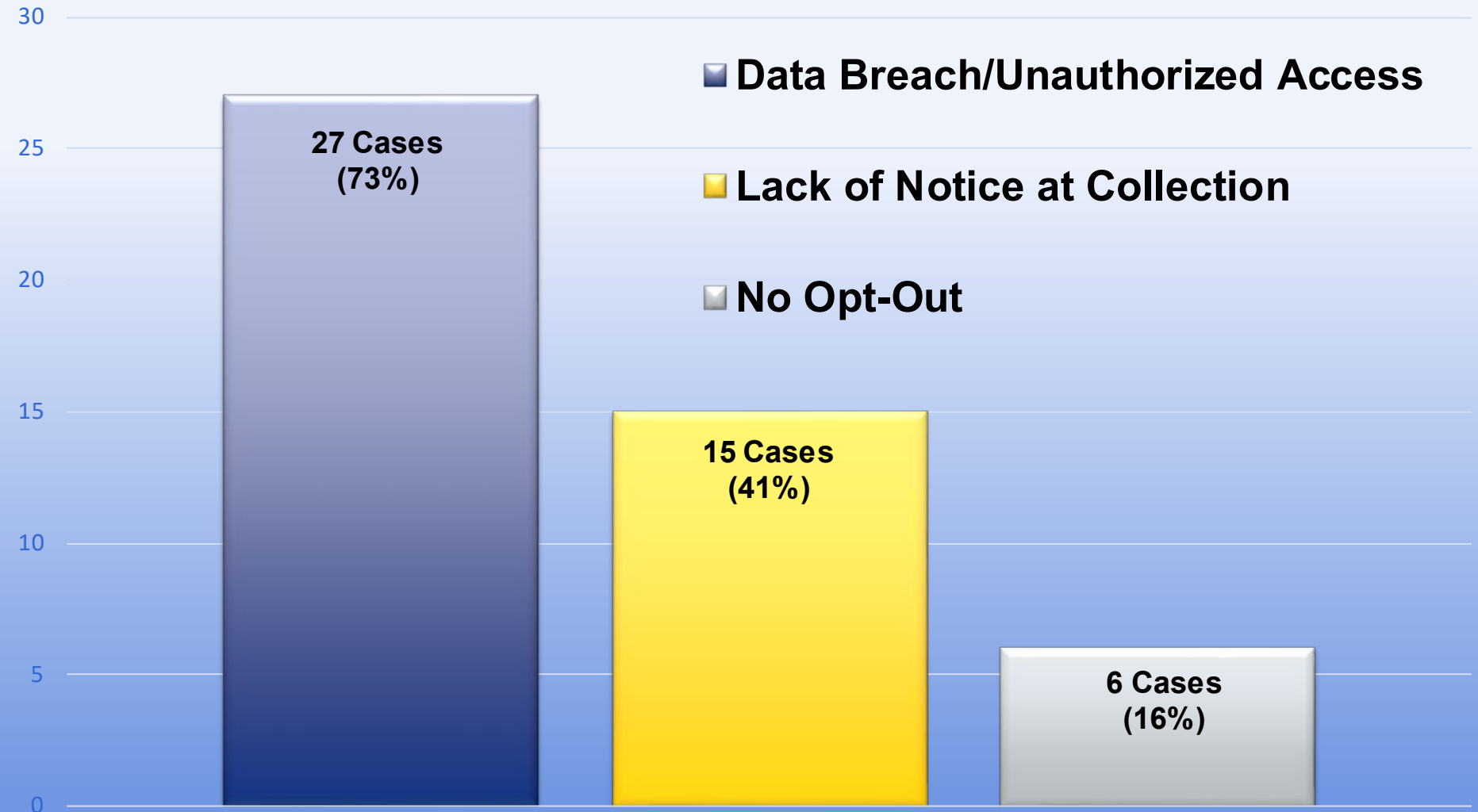
Beginning July 1, 2020



- Notification letters went out July 1
- AG did not disclose companies
- Complaints based on social media and other investigations
- Priority on data breaches affecting large populations, egregious conduct, vulnerable populations

# CCPA Litigation

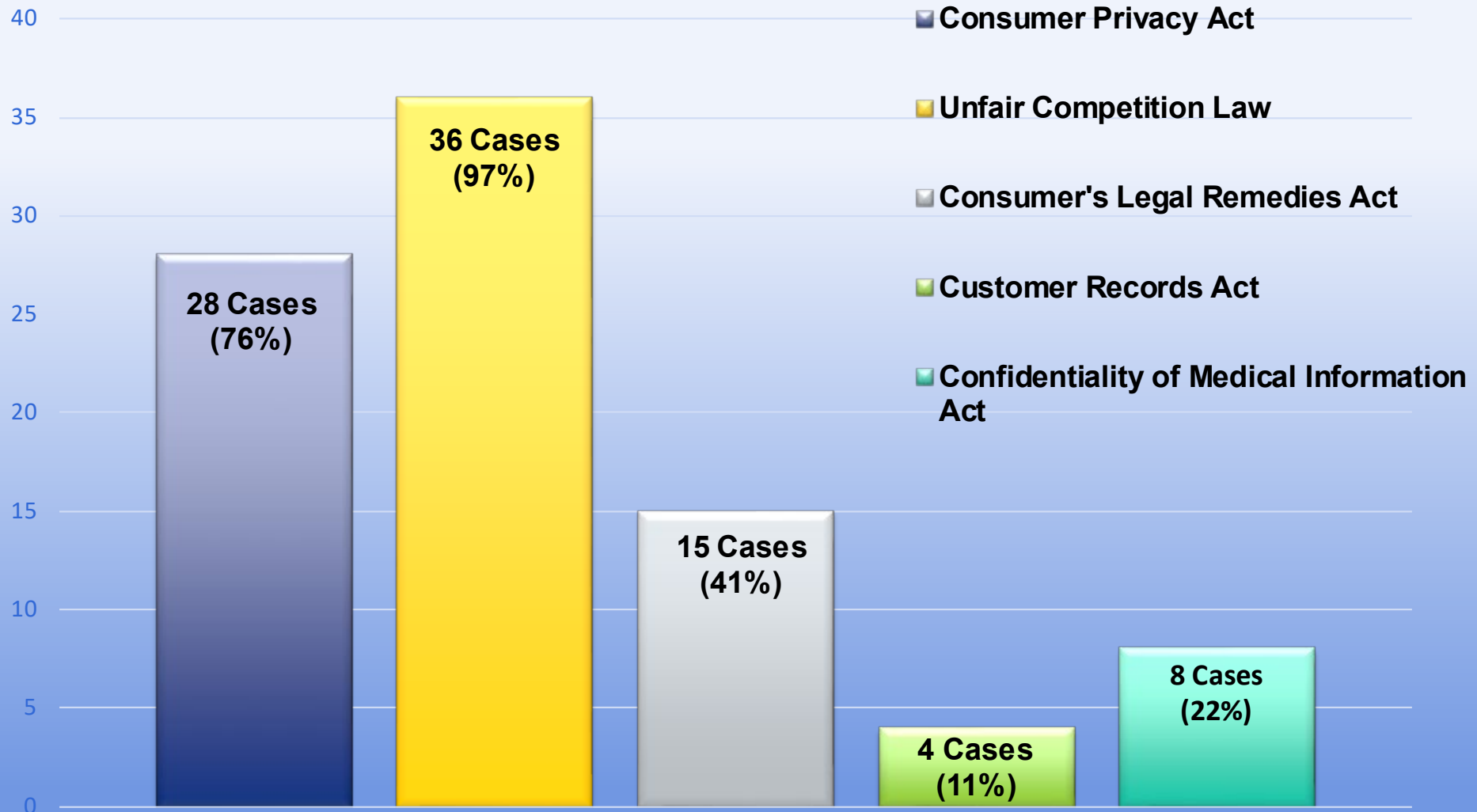
## *Alleged Conduct Violating the CCPA*



\*Data encompasses all cases filed in California since January 2020

# CCPA Litigation

## *Alleged Violations of CA Statutory Counts*



\*Data encompasses all cases filed in California since January 2020

# **What Keeps You Up At Night?**

## ***Operational Challenges and Trends***





# Questions?

<https://www.wombledonnickinson.com/us/insights/alerts/ccpa-task-force>

