



Cyber Liability

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Overview

Cyber Response Planning (Preventative Measures to reduce the impact of Cyber Incidents on your Business)

Now that we know that cyber incidents are only a matter of time and that privacy laws and contractual requirements can place heavy burdens on a company that has been breached, it is critical to be prepared in advance. Field Law can assist with:

- Developing and reviewing comprehensive cyber and privacy policies
- Identifying, building and training your internal cyber team
- Identifying and retaining third party experts to be on call if and when required
- Reviewing third party contracts to manage additional response and reporting obligations that might occur in the event of a breach, and
- Providing in-house customized training to your executive and management team on all aspects of cyber and privacy breach issues.

Emergency Response – Breach Coaching

In the event that you discover a breach or a cyber incident has occurred, it is imperative that you contact legal counsel immediately to assist you with navigating the breach. You need to maintain solicitor-client privilege over the investigation into the breach and relating to any third parties engaged to resolve the breach including forensic experts. You will also need counsel to communicate and assist with reports to your insurers, your employees, the media, and your clients. We will work with you to mitigate the situation with a well thought out plan including:

- Conducting internal investigations, including potential employee misconduct
- Public relations and media management
- Potential class action liability
- Data breach investigation, and
- Liaison with regulatory, law enforcement authorities and Privacy Commissioners.

Post-Breach Analysis and Cyber Litigation

If and when a breach occurs, it is extremely important that once the breach has been identified, contained and remedied that you understand where the vulnerability existed. Field Law’s cyber counsel have experience working with forensic experts to assist with:

- Representing you in bringing claims against parties for damages arising from a breach
- Defending any third party claims arising from the breach
- A comprehensive vulnerability assessment of your systems and procedures
- A review and update of any cyber and privacy policies, and

Industries

Construction
 Energy + Environment
 Manufacturing
 Media + Entertainment
 Technology
 Transportation

Services

Business
 Insurance
 Intellectual Property + Technology
 Emerging Technology

- Providing in-house customized training to understand how the breach occurred and what can be done to prevent it.

Experience

R v Shah, 2017 ABQB 144

People

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