

**DATA PRIVACY AND
INFORMATION
TECHNOLOGY**





Data Privacy and Information Technology

Since the enactment of the Federal Data Protection Law, its Regulations and further guidelines, our team at Sanchez Devanny has developed easy-to-follow procedures to identify the legal compliance model that fits best each client needs, according to the sector or industry involved. In the beginning, the legal advice for compliance with data protection provisions was focused in the drafting of privacy and information security policies, and the development of protocols for the exercise of ARCO rights. Now, with the recent amendments to related law and regulations, that require a compliance model according to the best practices in each economic sector, and the technological evolution of the means for accessing and processing information, the offer of services at Sánchez Devanny includes the technical component that enables the immediate identification of risks and contingencies, as well as the advice to find the best technological solution that mitigates risks and related liability.

Our specialists in Data Protection are qualified to provide legal assistance with the following: Data protection audits, in particular, the identification of personal data and sensitive personal data processing activities, analysis for the detection and control of risks, definition of strategies for data management, as well as applicable data transfer rules for local and foreign companies, with specialization in automotive, healthcare, services, software development, education and financial industries.

Likewise, our attorneys provide legal advice for the management of inquiries, requests and claims of any kind, including recording, modification and suppression of elements that contain personal data; advice and representation in infringement procedures before the Mexican Data Protection Office (INAI); drafting and implementation of privacy and information security policies; negotiation of data assignment agreements; data processing agreements; technical consulting for risk assessment and contingencies, and the selection of solutions that guarantee safe processing of information, and consequently, reduce associated risks.

Our practice group has extensive experience in internal investigations of corporate governance, in compliance with privacy aspects, where the complexity of technical components and implied data transfers, have a critical role; both for the development of preventive strategies and models, and the proper handling of contingencies and data breach.

In this context, our specialists provide legal advice to data controllers and other entities responsible for the processing of information and personal data, by designing a tailor-made compliance model, taking into account the distinctive features of each industry.



Industries we serve

Data Privacy team has experience providing services to companies in the following industries: Information Technologies, Entertainment, FinTech, Advertising and Media, Manufacturing, Automotive and Autoparts, Life Sciences and Health care, Food and drink, Retail, Leisure and Tourism, Energy, among others.

REPRESENTATIVE EXPERIENCE

- » Our firm advised one of the major telecomm companies from the U.S. in the analysis, design and implementation of information security and privacy policies, to comply with Mexican law; in particular, regarding profile and position requirements for a local data privacy officer, as well as related internal implications, and procedures for the attention inquiries by data subjects and possible verification visits by the authority.
- » We advised one of the main U.S. banks, in a multi-jurisdiction project to analyze regulatory compliance measures for data protection and information security, arising from the launch of financial products in Mexico.
- » Our practice group provides legal advice, on a regular basis, to one of the major commercial data base and credit risk assessment company, for compliance with Mexican law in regards to confidentiality and data protection provisions, in different day-to-day transactions.
- » Our firm advised one of the main business management consulting companies, in the analysis, design and implementation of compliance model for personal data protection under Mexican law standards.
- » We advised one of the main cosmetics company worldwide, by auditing developing and implementing a data protection compliance model for its operations in Mexico.
- » Our practice group advised one of the main technology providers for manufacturing processes in the food industry, in the development and implementation of the legal strategy for compliance with personal data protection law, as result of the launching of its global HR platform - in which the personal information of more than 17,000 employees and contractors worldwide, is daily processed and transferred.
- » We advised one of the main companies in inkjet coding and laser marking, with operations in more than 135 countries, in the development of data protection measures, to ensure legal effectiveness of its internal investigation and corporate governance procedures, in the event of any data breach scenario.
- » Our practice group successfully advised and represented one of the main shipping supplies company of the U.S., in an infringement procedure before the Mexican Data Protection Office (INAI) for the alleged use of personal information for marketing purposes; generating an important precedent on the scope and effects of data obtained from public access sources.
- » We advised a major insurance company, with more than 100 offices worldwide, in the analysis of risks and compliance measures required for the centralization of its HR information, through a IT platform based on a Oracle cloud application.
- » We advised one of the largest chemical manufacturer in the U.S., in the analysis and implementation of compliance measures for personal data protection, for the launching of a global payroll processing platform.
- » Our firm advised one of the main producers of chemical and supplies for the biotechnology industry, in the analysis and development of a legal structure for the processing and transfer of personal information among the group affiliates.



Our Experts in Data Privacy and Information Technology

Our team in Data Privacy is conformed by attorneys with extensive experience and with the relationships and contacts in several governmental offices and public associations related with Data Privacy matters such as the National Institute of Access to Public Information, Economy Secretariat, PROFECO, COFEMER among others.

Juan Luis Serrano-Leets

Juan Luis heads our firm's Intellectual Property and Data Privacy Practice groups at our firm. He has more than 14 years of experience working on a combination of Intellectual Property, Data Privacy and Life Sciences cases, both in top law firms and as the former legal director/Privacy officer of the Mexican division for a multinational pharmaceutical company. Juan Luis has acted as counsel in cases which have shaped the current landscape regulating interactions between IP and Regulatory authorities in Mexico, on issues such as linkage and regulatory exclusivity.

Juan Luis also has broad experience advising companies and industry associations on compliance to Data Privacy regulations, focused mainly in the health sector. He has also led efforts to harmonize global data privacy policies with local law requirements, and provides general advisory on these issues.

With Data Privacy being a recent and evolving area of law in Mexico, Juan Luis has overseen close interactions and participation from the attorneys in our team in trainings and events hosted by our National Privacy Authority (the INAI).

Contact

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Who we are

Sánchez Devanny is a leading Mexican law firm that provides full-service legal advice both to Mexican and international clients.

More than attorney-client services

We build enduring client relationships that go beyond individual service contracts because we make every effort to understand our clients' businesses and expectations, to serve as an ally, and to provide complete, accessible and personalized advice. As a testament to these efforts, we continue to advise clients today who have trusted us with their legal matters since the firm was founded in 1996.

Experience and creativity

Throughout the firm, we take pride in serving our clients with a combined approach of experience and creativity because we recognize that when you know how things are done it is easier to think outside the box. Our partners offer a wealth of experience, including in prior roles as in-house counsels at global companies and government agencies, and key roles within international law firms.

With offices in Mexico City, Monterrey, and Querétaro, as well as several strategic alliances worldwide, the firm is well-positioned to quickly and efficiently represent and respond to clients' needs, shortening the distance between us and our clients. Our services are delivered in an efficient, professional, cost effective and timely manner, keeping always in mind that, as lawyers, we are business facilitators for our clients and must maintain a proactive and preventive approach.

Location

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Sánchez Devanny provides legal services in the areas of Corporate and M&A; Corporate and Project Finance; International Trade and Customs; Real Estate, Infrastructure and Hospitality; Tax; Labor, Social Security and Immigration; Corporate Governance and Regulatory Compliance; Energy and Natural Resources; Environmental; Life Sciences; Intellectual Property, Entertainment and Sports Law; Litigation and Alternative Dispute Resolution; Antitrust; Capital Markets; Private Wealth Management and Estate Planning; Administrative Strategic Litigation and Data Privacy and Information Technology to both public and private clients, especially in the automotive, retail, pharmaceutical, manufacturing, real estate and energy industries among others.