

## Jane E. Brown

Seattle, Washington  
Special Counsel

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### Areas of Practice & Industry Specialties

Intellectual Property Law; Privacy & Data Security Law; Corporate Law; Internet Law, E-Commerce & Social Media



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Jane E. Brown advises not-for-profit, government, brick-and-mortar, technology and start-up, mobile, and e-commerce clients across numerous industries on data privacy, regulatory, and security issues. She is certified in U.S. (CIPP/US) and European (CIPP/E) privacy laws by the International Association of Privacy Professionals (IAPP).\*

Representative areas of expertise include the European Union's General Data Protection Regulation (GDPR), California's Consumer Privacy Act of 2018 (CCPA of 2018), the Telephone Consumer Protection Act (TCPA), the Controlling the Assault of Non-Solicited Pornography and Marketing (CAN-SPAM) Act, facial recognition and biometrics, direct marketing via email, SMS, online behavioral targeting and advertising, geolocation tracking, data breach response and notification, online privacy statements and terms of use, and privacy by design (PbD).

Ms. Brown assists GLBA-regulated clients identify and comply with the carve outs in the GDPR and CCPA. She has presented an internal CLE on the CCPA and Washington's statute regulating the use of electronic monitoring equipment in assisted living facilities.

Ms. Brown protects the trade dress, trademark, and copyright interests of the Firm's clients. She advises on the Digital Millennium Copyright Act (DMCA), trade secrets, and the transfer of intellectual property in corporate transactions.

Ms. Brown represents businesses disputes including mediations and litigation. Recently, she represented a national bank in a class action lawsuit and has over a decade of experience in mortgage banking and real estate litigation.

### Community Involvement

- International Association of Privacy Professionals, Member
- Seattle KnowledgeNet Privacy Group, Chapter Co-Chair
- King County Bar Association, Member
- Loren Miller Bar Association, Member
- Denise Louie Education Center, Volunteer

*\* The Supreme Court of Washington does not recognize certification of specialties in the practice of law and certification by the International Association of Privacy Professionals is not a requirement to practice law in the state of Washington.*

## Representative Matters

- Advise data processors and controllers on documenting risk allocation in written contracts to reflect stratified statutory penalties
- Identify Asian and Central and Southern American countries favorable to the collection of biometric data from multiple generations of family members to train artificial intelligence
- Revise documents and processes to ensure consistent data management policies throughout social media, employee, and vendor agreements
- Conduct data inventories and data processing impact assessments
- Develop data processing programs, including internal training and table-top response exercises
- Draft and manage processor and sub-processor contracts to incorporate definitions from multiple governing regulations
- Notify data subjects and consumers of their rights and respond to inquiries and complaints, including requests for erasure
- Direct establishment of operations in European member state to minimize costs of reporting and responding to supervisory authorities under the GDPR
- Revise contracts for SaaS location sharing applications to reflect new policies of limited and minimized use, retention, and encryption

## Publications

- 2020 Check List: Update Noncompete Agreements to Comply with New Restrictions in Washington and Revisit IP and Arbitration Provisions in Employment and Independent Contractor Agreements, *Buchalter Client Alert*, January 8, 2020
- Proposed Regulations and Recent Amendments Clarify Compliance with the California Consumer Privacy Act as Effective Date Looms, *Buchalter Client Alert*, November 12, 2019
- The Next Chapter in US Consumer Privacy starts with the California Consumer Privacy Act (“CCPA”). The CCPA has broad application, strict compliance requirements, penalties for non-compliance, and takes effect January 1, 2020., *Buchalter Client Alert*, April 8, 2019

## Education

Ms. Brown received her J.D. at the University of Michigan Law School where she was a recipient of Oscar W. Baker, Sr. Academic Scholarship and represented indigent clients in the Advanced Legal Advocacy Clinic. She received her B.A. at Yale College in Philosophy and Psychology.

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## Bar Admissions

- Washington
- Texas (Inactive)

## Court Admissions

- U.S. District Court for the Eastern District of Washington
- U.S. District Court for the Western District of Washington
- U.S. District Court for the Northern District of Texas

## Languages

- Spanish

