

Data Privacy, AI & Cybersecurity

Navigating Data, AI & Cyber Risk in a Shifting Digital Landscape

Businesses face mounting pressure to safeguard key assets, comply with evolving privacy, cyber and AI regulations, standards and judicial decisions, changing technology and increased threats. These needs are especially acute in industries such as financial services, healthcare, e-commerce, advertising, automotive, technology, and education, where data is both a critical asset and a source of legal exposure.

Hinshaw helps organizations navigate evolving regulatory, contractual, reputational and litigation risks, against a backdrop of evolving and changing technology and the increased use of data. Our lawyers work across disciplines to protect clients' critical assets, manage risk, and build trust. Our lawyers guide businesses at every stage of their privacy, cybersecurity, artificial intelligence and data life cycle as it is all connected. Grounded in a deep understanding of business operations and regulatory expectations, our team provides legal counsel that aligns with your corporate strategy.

Multidisciplinary Solutions: Our team of leading practitioners brings together leaders in privacy, cybersecurity, litigation, regulatory compliance, healthcare, corporate transactions, intellectual property and employment law to deliver end-to-end solutions that align with your business and risk management strategies. Our team is comprised litigators, former regulators, and former executive in-house counsel and technology-savvy attorneys who help clients achieve favorable results.

Litigation Strength with Regulatory Foresight: We offer extensive experience in privacy and cybersecurity litigation, including data breach, BIPA, TCPA, CIPA and state wiretapping laws and matters. We use those litigation insights to develop proactive regulatory guidance to help clients reduce exposure and defend reputations when challenged.

Multi-jurisdictional knowledge: Our team navigates compliance and litigation support within global jurisdictional requirements and industry best practices.

Practical, Business-Oriented Advice: Our lawyers focus on actionable, cost-effective strategies that reflect how risk impacts your operations, customers, and brand. We act as integrated advisors, helping you move from compliance to competitive advantage.

Areas of Focus

Artificial Intelligence Regulatory Compliance, Governance & Litigation

We counsel businesses on AI compliance, regulatory and risk management matters as both a developer of AI and as user of AI. Our lawyers support clients in the use of AI platforms across employment, healthcare, advertising, financial services, advertising, education, insurance, bankruptcy and other verticals. We design and develop AI compliance programs, provide guidance on procurement and contractual best practices, counsel on AI intellectual property risks, advise on AI-related regulatory issues for mergers and acquisitions, and advise Boards of Directors on AI risk. Whether launching an AI product, developing an AI internal use strategy, or auditing an existing system, we help clients align innovation with accountability and governance.

Biometric Information Privacy Act (BIPA)

We advise companies on compliance with Illinois' Biometric Information Privacy Act (BIPA), one of the most litigated privacy statutes in the U.S. Our team counsels on notice, consent, retention, and vendor requirements for the collection and use of biometric identifiers such as fingerprints, facial scans, and voice data. We also defend clients in high-stakes BIPA litigation, including consumer class actions, and help develop workplace and operational policies that reduce risk while enabling the responsible use of biometric technologies.

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Cybersecurity Prevention & Response

We take a proactive approach to cybersecurity, helping businesses prepare for, and respond to, data breaches and digital threats. We assist with incident response plans, regulatory compliance, cyber insurance reviews, and board-level risk training. In the event of a breach, we coordinate forensic investigations, notification protocols, and regulatory reporting to minimize reputational and legal impact.

Data Breach Class Action Defense

Data breaches frequently lead to class action lawsuits seeking statutory or liquidated damages under state and federal privacy laws. These cases can involve claims under statutes such as BIPA, CCPA, FCRA, and state breach notification laws, often paired with common law theories. Hinshaw defends companies across industries in these high-stakes matters, leveraging extensive experience in privacy and consumer protection litigation.

Our attorneys have handled hundreds of privacy class actions, including cases before federal appellate courts and state supreme courts. We focus on cost-effective strategies, from early motion practice to class certification challenges, and we tailor defense approaches to each client's business, risk profile, and reputational concerns. Drawing on our litigation strength and regulatory insight, we help companies navigate breach-related class actions efficiently and protect their brands in an evolving privacy landscape.

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Data Breach Prevention, Response & Remediation

We guide clients through every stage of a breach, from immediate containment to long-term remediation. Our lawyers coordinate forensic investigations, design notification strategies, and manage communications with regulators, customers, and business partners. We also defend companies in resulting litigation and regulatory actions, ensuring that both compliance obligations and reputational risks are addressed.

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Data Governance & Data Strategy

Hinshaw guides clients in designing data management policies and data strategies and building data driven products aligned with their legal obligations and operational risk. Our lawyers work across teams to help companies meet expectations from regulators, customers, and business partners in a data-driven economy.

Data Privacy and Advertising Laws Regulatory Compliance & Governance

We help companies create and maintain robust programs that meet domestic and global standards. Our team advises on a full range of 19 and counting state comprehensive privacy laws, regulations, and enforcement actions, as well as international frameworks such as the General Data Protection Regulation (GDPR). We also counsel on federal and state industry-specific laws such as GLBA, BIPA, FACTA, FCRA, VPPA, FERPA, HIPAA, TCPA, CAN-SPAM, and AI transparency acts. We support clients in building internal governance programs, managing regulatory concerns for programmatic advertising and across advertising's changing ecosystem, managing third-party data flows, and aligning marketing, HR, and customer operations with evolving privacy obligations.

Emerging Technologies & Data Transactions

While technology transformation creates opportunities for innovation, it also introduces significant legal risks to your business. At Hinshaw, we help clients stay compliant, secure, and prepared for what's next. If you're licensing a new technology or acquiring a new division, our lawyers deliver strategies that support trust and long-term resilience and can help support your data driven technology transactions.

Privacy Class Action Defense

Privacy and data protection class actions are among the fastest-growing areas of consumer litigation, with claims often tied to statutes such as BIPA, CCPA, TCPA, and California's Invasion of Privacy Act (CIPA), as well as wiretapping claims based on website session replay and similar technologies. Hinshaw defends companies in privacy class actions across industries, bringing deep experience in motion practice, class certification challenges,

settlement strategy, and trial defense. Our team combines litigation strength with regulatory knowledge to develop strategies that reduce exposure, resolve disputes efficiently, and protect client reputation in the courts and the marketplace.

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Telephone Consumer Protection Act (TCPA)

Hinshaw has decades of experience counseling on TCPA compliance and defending clients in high-stakes TCPA litigation, including nationwide class actions. We draft consent disclosures, policies, procedures, and training materials, and we advise on risk mitigation strategies for marketing, servicing, and collections activities. Our team also advocates before the FCC and courts on TCPA-related rulemaking and challenges.

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Video Privacy Protection Act (VPPA)

We defend media, streaming, retail, and technology companies in class actions and regulatory investigations brought under the VPPA. These claims often challenge the use of online tracking technologies—such as cookies, pixels, and analytics tools—alleging unauthorized disclosure of video viewing information. Our attorneys bring deep experience challenging standing, defeating class certification, and negotiating favorable resolutions. We also counsel clients on VPPA compliance strategies, including consent frameworks and vendor contracts, to reduce exposure in this fast-evolving area.

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Website Data Privacy

Websites and mobile platforms are under heightened scrutiny for how they collect and share consumer information. Plaintiffs' lawyers are targeting practices involving session replay, chat tools, cookies, and other tracking technologies through claims under state privacy and wiretapping statutes. Hinshaw counsels companies on disclosure and consent frameworks, vendor agreements, and privacy policies that meet regulatory expectations while supporting digital engagement. We also defend clients in class actions and enforcement actions tied to website data practices, helping businesses balance compliance, consumer trust, and operational needs.

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Managing Risk in a Digital World

Digital transformation creates opportunities for growth, but it also introduces complex legal risks. Hinshaw helps clients remain compliant, secure, and resilient. Whether adopting new technology, defending against a TCPA or BIPA class action, or responding to a data breach, we deliver strategies that protect digital trust and support long-term success.

Insights

In The News

Oct 8, 2025

Leslie Meredith and Vaishali Rao Author Expert Analysis on Emerging Enforcement Risks in Marketing and Advertising

Privacy, Cyber & AI Decoded Alert

Sep 30, 2025

Key Takeaways from FinCyber Femmes Meeting on Navigating AI and Cybersecurity Laws

Privacy, Cyber & AI Decoded Alert

Sep 23, 2025

Fall 2025 Regulatory Roundup: Top U.S. Privacy and AI Developments for Businesses to Track

Event

Sep 16, 2025

Cathy Mulrow-Peattie Moderates a Panel on Navigating AI and Cybersecurity Laws at the Q3 2025 FinCyber Femmes Meeting

Press Release

Aug 1, 2025

David Levitt Elected to the Board of Managers of The Decalogue Society of Lawyers

In The News

Jul 17, 2025

Cathy Mulrow-Peattie Outlines Seven Steps for Small and Mid-Sized Businesses to Protect Themselves From Cyberattacks

Privacy, Cyber & AI Decoded Alert

Jul 8, 2025

July 2025 Privacy Compliance Countdown: Key Deadlines for Five State Privacy Laws and DOJ's Bulk Sensitive Data Rule

In The News
Jun 30, 2025

Jason Oliveri Discusses the New York Child Data Protection Act Going into Effect

In The News
Jun 16, 2025

Anshuman Vaidya Comments on IRS-DHS Data Sharing Agreement and Taxpayer Privacy Concerns

In The News
Jun 10, 2025

Cathy Mulrow-Peattie Comments on Newly Formed Bipartisan State Privacy Regulators Consortium

Privacy, Cyber & AI Decoded Alert
Jun 4, 2025

AI Moratorium, Bulk Data Controls, and Enforcement Trends

In The News
May 29, 2025

Video Highlights from Scott Seaman's Panel on Navigating AI in the Insurance Industry

To Find Out More Contact



Cathy Mulrow-Peattie

Partner

New York

📞 212-655-3875



John P. Ryan

Partner

Chicago

📞 312-704-3464

Capabilities

Biometric Information Privacy Act (BIPA)

Data Breach

Video Privacy Protection Act (VPPA)

Website Data Privacy

Related Capabilities

Consumer & Class Action Defense

Consumer Financial Services

Corporate & Transactions

Education

Fair Credit Reporting Act (FCRA)

Financial Services

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Healthcare

Insurance

Regulatory & Compliance

Telephone Consumer Protection Act (TCPA)