








# David Rice

Partner

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**“I enjoy drawing from my 25 years’ experience in privacy, security, and information technology to help clients find creative solutions. I am passionate about the intersection between technology and the law, the fast-paced nature of this industry, and how to support my clients’ success.”**

David Rice has more than 25 years of experience representing clients on data privacy and security issues, data breaches, technology transactions, and cloud services and infrastructure. He advises clients on privacy compliance, handles incident response, conducts employee cybersecurity training, and formulates responses to data subject requests.

David has negotiated hundreds of complex information technology contracts, including agreements involving cloud services, data and marketing, data centers, networking, the General Data Protection Regulation (GDPR), the California Consumer Privacy Act (CCPA), databases, colocation, SaaS, IoT, content delivery networks, dark fiber, IP transit, communications services and equipment, wireless networks, equipment leases, device trials, the Health Insurance Portability and Accountability Act (HIPAA), the Family Educational Rights and Privacy Act (FERPA) and spectrum leases.

David’s clients include Fortune 100 and international companies in highly-regulated sectors, including internet & telecommunications, software & cloud services, social media, gaming, as well as government and educational institutions. David is known for his national and international experience, helping to close transactions for services in the United States and 35 other countries in North America, South America, Africa, Europe, and Asia.

A leader in the field, David regularly speaks at conferences, trade organizations, and in-house for companies on emerging issues related to data security and privacy.

## Professional Activities

- CIPP-US certified by the International Association of Privacy Professionals
- Federal Communications Bar Association, member
  - Pacific Northwest Chapter, cochair

## Education

J.D., Catholic University of America, *cum laude*, Columbus School of Law, 1995

- Lead articles editor, *Journal of Communications Law and Policy*
- Graduate of the Columbus School of Law’s Institute for Communications Law Studies

B.A., George Washington University, political science, 1991

International Association of Privacy Professionals, Certified Information Privacy Professional—United States (CIPP-US)

## Bar Admissions

Washington, 1999

## Court Admissions

U.S. District Court, Western District of Washington

- International Association of Privacy Professionals, member
  - KnowledgeNet chapter, cochair, 2018-2019
- Washington State Bar Association, member

## Representative Experience

### Privacy, Data Security & Incident Response

- Handled GDPR vendor data processing agreement implementation for a Fortune 1000 company, for one of the largest video game companies, among other large entities.
- Assisted numerous clients with international, federal, and state regulatory compliance involving data, marketing and sales strategies, privacy policies, and privacy impact assessments.
- Advised numerous clients on data security incidents, including with issues related to forensic investigators, reporting obligations, and notifications to consumers, regulators, and data protection authorities under the GDPR.
- Prepared CCPA compliance plans with emphasis on third-party and vendor management.
- Represented global internet company in implementing responses to Edward Snowden leaks regarding government monitoring of internet traffic.
- Advised state port authority on its information security & incident response program, including compliance with homeland security requirements.
- Assisted a global manufacturing and marketing company on a data breach that included social security numbers and other sensitive employee data.
- Represented nonprofit in response to hacking of a human resources database that resulted in fraudulent tax returns, including preparing consumer notices and developing press strategy.
- Represented a client in connection with a fraudulent wire transfer, including working with the U.S. Secret Service.
- Assisted national franchise manage a data breach caused by an IT software vendor, including compliance with state law data breach reporting obligations.
- Represented multiple nonprofit entities whose data was compromised by ransomware attack on a third-party vendor (a company known as having the largest international donor database).
- Performed a data security audit for an educational institution, which uncovered data processing irregularities, and advised the institution on best practices and compliance.
- Trained legal and IT staff at major utilities and a government transportation entity regarding data security.
- Advised a regional bank on compliance with Federal Financial Institutions Examination Council's (FFIEC) data security standards and on preparation for regulatory audits.

### Technology Transactions, Cloud Computing, Networking, Data Centers, and Database Transactions

- Advised one of the largest global internet companies on domestic and international internet backbone issues, data centers, content delivery networks, almost all of which had data security implications. Advised in-house legal, engineers, and other corporate channels.
- Negotiated hundreds of complex vendor contracts involving technology issues, including agreements involving cloud and SaaS, data centers, networking, content streaming, colocation, dark fiber, IP transit, communications services and equipment, wireless networks, equipment leases, device trials, spectrum leases, cell tower leases, among others.
- Negotiated the sale of a major data center for a Fortune 500 company.
- Managed a team of ten attorneys and a paralegal in handling technology transactions.
- Advised online clients regarding social networking issues, content moderation on social media sites, retail sales, terms and conditions, privacy policies, and mobile marketing.

## Intellectual Property

- Negotiated a wide range of intellectual property related contracts, including software development agreements, end user licensing agreements, and trademark licensing agreements.
- Assisted clients with Digital Millennium Copyright Act issues, including takedown notices and interaction with internet service providers and law enforcement.

## Publications

- “SCOTUS Issues Long-Awaited TCPA Ruling Narrowing The Definition Of An Autodialer,” Miller Nash Graham & Dunn, *IP Law Trends*, coauthor (Apr. 2021)
- “Text Message Marketing Can Cost You Millions,” Miller Nash Graham & Dunn, *IP Law Trends*, coauthor (Feb. 2021)
- “Washington - Data Protection in the Financial Sector,” OneTrust DataGuidance, coauthor (Jan. 2021)
- “Know how to balance student privacy, health in pandemic,” *Campus Legal Advisor*, coauthor (Dec. 2020)
- “California Is at It Again: The California Privacy Rights Act Makes November Ballot,” Miller Nash Graham & Dunn, *IP Law Trends*, coauthor (July 2020)
- “Electronic Signatures in Washington: New State Law Should Prompt Employer Best Practices Review,” Miller Nash Graham & Dunn, *Employment Law & Labor Relations News You Can Use* (June 2020)
- “Managing Data Security and Privacy Issues with Remote Learning Technology,” Miller Nash Graham & Dunn, *K-12 Education: News You Can Use* (Apr. 2020)
- “CCPA Enforcement Will Not Be Delayed Due to COVID-19: Is Your Business in Compliance?,” Miller Nash Graham & Dunn, *IP Law Trends*, coauthor (Apr. 2020)
- “Companies Must Evaluate and Respond to Data Security and Privacy Issues Raised by COVID-19,” Miller Nash Graham & Dunn, *IP Law Trends*, coauthor (Mar. 2020)
- “Washington State Legislature Passes Bill With Major Revisions to Data Breach Notification Statute,” Miller Nash Graham & Dunn, *IP Law Trends* (May 2019)
- “Follow Six Critical Steps to Manage Privacy, Security Risks in Ed Tech,” *Campus Legal Advisor* (Dec. 2018)
- “California Enacts First Law Regulating Internet Of Things Devices,” Miller Nash Graham & Dunn, *IP Law Trends* (Oct. 2018)
- “And Away We Go...UK Information Commissioner’s Office Issues First Formal Notice Under the GDPR,” Miller Nash Graham & Dunn, *IP Law Trends* (Sept. 2018)
- “FBI Calls Out Data Privacy and Security Risks with Educational Technology,” Miller Nash Graham & Dunn, *IP Law Trends* (Sept. 2018)
- “The EU’s General Data Protection Regulation (GDPR), Effective May 25, 2018, Will Impact Many United States Businesses,” Miller Nash Graham & Dunn, *IP Law Trends* (Apr. 2018)
- “Hacked,” Miller Nash Graham & Dunn, *Cyber-Graham* (June 2015)
- “Take a Proactive Approach to Protect Your Institution From Data Breaches,” *Campus Legal Advisor* (Jan. 2015)

## Presentations

- “Data Security & Data Privacy,” National Federation of Paralegal Associations, 2021 Convention: Continuing Legal Education (Oct. 2021)
- “Industry Survey Chat,” Federal Communications Bar Association, The Converging Communications and Technology Sectors: Industry Regulatory & Legal Issues – An FCBA All-Chapter Event, moderator (Apr. 2021)
- “What IP Lawyers Need To Know About Data Privacy,” King County Bar Association Intellectual Property Section, section meeting (Dec. 2020)
- “Data Security and Privacy: Managing Risks of Remote Work,” Oregon Bioscience Association, Bio, Business and Good Beans, webinar series (June 2020)

- “Dancing Through the Minefield: Addressing Risks in Vendor Contracting,” Washington State Bar Association, Cut Your Losses: Managing Risk as the Stakes Get Higher Seminar (Nov. 2019)
- “Offensive Cyber Security—A New and Shifting Landscape,” Federal Communications Bar Association and International Association of Privacy Professionals, moderator (Oct. 2019)
- “Managing Privacy and Security Risks With Vendors and Suppliers: How Companies are Meeting the Challenge,” Federal Communications Bar Association and International Association of Privacy Professionals (Aug. 2019)
- “The Data Ethics of Emerging Technologies,” DAMA Puget Sound, DAMA Day 2019, panelist (May 2019)
- “Vendor Agreements—Understanding and Managing Privacy and Security Risks,” Oregon State Bar, Technology Law Section Lunch and Learn CLE (Mar. 2019)
- “Advising Clients in a Rapidly Evolving Area of Law: GDPR, CCPA, and Beyond,” Seattle University School of Law, “The GDPR—It Came, We Saw, But Did It Conquer?” CLE (Feb. 2019)
- “Vendor Agreements—Understanding and Managing Privacy and Security Risks,” Cybersecurity Collaborative (Jan. 2019)
- “Big Data: Who Owns It (If Anyone) And What Can You Do with It Once You Have It?” Copyright Society of the USA, Northwest Chapter CLE (Nov. 2018)
- “Data Privacy and Security,” TIE Seattle, Entrepreneur Institute (Nov. 2018)
- “Data Breaches and Government Surveillance,” Cellular Telecommunications Industry Association/Federal Communications Bar Association, Wireless Legal Seminar for the West (Oct. 2018)
- “Internet of Things—Hype or Reality,” Federal Communications Bar Association and International Association of Privacy Professionals (June 2018)
- “Yes: The GDPR Will Apply to U.S. Companies Without a Physical Presence in the EU,” Miller Nash Graham & Dunn (Apr. 2018)
- “Internet & Wireless Infrastructure, Municipal Siting, and Tower Company Trends,” CTIA Wireless Legal Seminar for the West (Nov. 2016)
- “Cyber Security and Cyber Insurance Panel,” Miller Nash Graham & Dunn CEO Brainstorming Meeting (June 2016)
- “Latest Trends in Security,” Society for Information Management Seattle Technology Leadership Summit (May 2016)
- “Legal Quick-Fire,” Entrepreneurs Organization Meeting (Feb. 2016)
- “Understand Your Universe: Know Your Data-Privacy Obligations,” Miller Nash Graham & Dunn Employment Law Half-Day Seminar (Oct. 2014)
- “Emerging Legal Issues in Mobile Communications,” MobileNorthwest 2011 Conference (May 2011)
- “Data Privacy,” Federal Communications Bar Association Pacific Northwest Chapter Meeting (Dec. 2010)
- “Latest Developments in Privacy,” Federal Communications Bar Association Seminar West (Oct. 2010)

## Recognition & Honors

- Selected for inclusion as a Washington Super Lawyer—Rising Star, 2007-2008

## Personal Activities

David enjoys playing and collecting guitars and is a Seattle Sounders FC season ticket holder.