

# The Paley Rothman Blog

Paley Rothman shares this library of resources with clients and friends of the firm to help them stay ahead of legal and business developments and trends. Here, you will find helpful tips and tools written by our attorneys. The information in the blogs and articles is not a substitute for legal advice and should not be relied on as such. Should you have any questions or want legal advice, please contact the attorney who wrote the blog or article.

## **NEW PRIVACY SHIELD PACT APPROVED IN EU – NEW RULES PROVIDE NEEDED CLARITY, BUT FOR HOW LONG?**

Approval of a new Privacy Shield pact that requires companies engaged in the transfer of data from the EU to the US to update their data management procedures appears imminent. Companies no longer will be able to rely on previous Safe Harbor processes.

## **US BUSINESSES FACE CONTINUED UNCERTAINTY OVER PRIVACY SHIELD**

U.S. business leaders have voiced criticism of an opinion by the Article 29 Working Party, a European group of privacy experts comprised of data-protection commissioners from European countries. The WP29 expressed continued concerns about the E.U.-U.S. Privacy Shield, the latest proposed agreement to allow data to be transferred between the European Union and the United States.

## **DATA PRIVACY MOVES FRONT AND CENTER FOR INVESTORS AND MERGER PARTNERS**

Data privacy used to be back burner due diligence. That has changed. The Snowden leak made personal privacy Topic One for months. Since then, the OPM hack, the iCloud hack, and other well publicized data breaches have raised data privacy awareness both in M&A and investor due diligence.

## **TERRORISM RISK INSURANCE ACT EXPIRATION THREATENS COMMERCIAL PROPERTY LOANS**

Following 9/11, many lenders required property developers and owners to carry terrorism coverage. To facilitate that coverage the Terrorism Risk Insurance Act (TRIA) was established in 2002 as federal protection for insurers if an act of terrorism were to result in losses above \$100 million. It had been reauthorized twice, and the House voted to extend TRIA, but Congress, due to lack of agreement in the Senate, was unable to agree on terms to extend the act beyond 2014.

## **ICDR ENACTS NEW INTERNATIONAL ARBITRATION RULES**

Addressing concerns about the process and cost of international arbitration, the International Centre for Dispute Resolution (ICDR) of the American Arbitration Association (AAA) has issued new rules, effective June 1, 2014, which streamline and enhance international arbitration practice, and greatly limit US litigation-style discovery.