

The internet presents a high-speed, low-friction way for companies to interact with the public. To streamline customer service and maximize sales, companies often employ sophisticated technologies that enable them to identify and monitor consumer behavior through their digital footprints. However, these technologies and indeed the websites themselves present legal implications on state and federal levels, including issues related to accessibility and privacy.

Disabled users often allege that they encounter barriers limiting their access to websites, or even preventing them from completing transactions. And as businesses devise targeted marketing and business development opportunities, users are more astute to consumer protection laws, especially as it relates to their electronic data and personal identifiable information.

Duane Morris attorneys regularly assist clients with the changing and expanding range of issues involving privacy, website accessibility and information security. We have extensive experience in representing clients across different sectors and industries in class action and related litigation arising from these emerging issues.

OUR SERVICES

- ▶ Develop strategies and proactive measures to minimize risk associated with consumer activity
- ▶ Review existing company policies and processes for consumer data on websites to ensure compliance with federal and state privacy statutes
- ▶ Defend against class action lawsuits
- ▶ Counsel and defend companies on issues related to wiretap and privacy laws and statutes, including:
 - Americans with Disabilities Act
 - Federal Wiretap Act
 - Electronic Communications Privacy Act
 - California Invasion of Privacy Act
 - Video Privacy Protection Act
 - Illinois Biometric Information Privacy Act
- ▶ Advise on establishing website standards, including the Web Accessibility Initiative's Web Content Accessibility Guidelines

THOUGHT LEADERSHIP

Our attorneys regularly author *Alerts* and articles on topics affecting the space. Previous articles include:

- ▶ Northern District of California Doubles Down on Dismissal of Wiretapping Claims Under State Privacy Law
- ▶ Federal District Court Denies Motion to Dismiss in Chat-Feature Wiretap Case
- ▶ Website Tracking Brings Class Action Risks for Companies
- ▶ Swell of Class Action Suits Alleging Wiretapping Violations Target Companies That Track User Activity of Their Websites
- ▶ Supreme Court Passes on Challenge to Extension of Title III to Websites and Mobile Apps
- ▶ Web accessibility: What e-retailers need to know

For the full listing of our *Alerts* and articles, visit dnmrs.co/p5115.



REPRESENTATIVE MATTERS

- ▶ Obtained a decision in the Central District of California defeating a highly contentious bid for preliminary injunction over the alleged violation of California wiretap and privacy laws, affirmed by the Ninth Circuit on appeal.
- ▶ Conducted internal investigation of possible violations of wiretapping laws for national healthcare company.
- ▶ Represent retailers, banks, energy companies and other public accommodations against both claims and lawsuits brought against them for failure to maintain accessible websites, allegedly in violation of the Americans with Disabilities Act (ADA).
- ▶ Obtained resolution for national retail chains against allegations of website accessibility issues under the ADA.
- ▶ Representing various retailers in putative class action claims brought against them for alleged failure to comply with the ADA for access to point-of-sale devices.
- ▶ Represented a national retailer in defense and resolution of a potential class action regarding alleged violations of the ADA, specifically that the company failed to reasonably accommodate disabled persons by failing to provide readily achievable means of access to eye examinations in their stores nationwide.
- ▶ Obtained dismissal of a class action lawsuit against a bank alleging the bank's ATMs failed to comply with the ADA standards. The Federal District Court held that plaintiff's claims were moot since the bank had upgraded its ATMs under a companywide plan.
- ▶ Represented numerous banks throughout the country in defense of putative class action claims brought against them for alleged failure to comply with ADA standards for access to ATMs.

OFFICE LOCATIONS & REACH



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> Leadership position with international network of independent law firms

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