



VLP Partner Michael Whitener Sits Down with Inside Counsel to Discuss Cyber Attacks and Litigation Risks for 2016

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VLP Partner Michael Whitener was interviewed for the *Inside Counsel* article “Cyber Attacks and Litigation Expected to Jump in 2016.”

2015 seemed to be the year of the data breach. According to the predictions of cybersecurity experts at Raytheon|Websense, we could see an increase in cyber breaches in 2016, with U.S. presidential election cyber-antics; cybercriminals pickpocketing phone wallets; and an increase in vulnerabilities from the aging Internet, among other security challenges.

In addition to an increase in data breaches, privacy attorneys expect that large-scale breaches, along with companies' handling of personal information, will cause a large wave of cybersecurity litigation moving forward, even as the heightened publicity of some attacks hasn't yet translated into a larger number of suits or more successful results for plaintiffs in class actions.

“When Willie Sutton was asked why he robs banks, he famously replied, ‘Because that’s where the money is,’” said Michael. “Today, the money is in the vast amounts of data being collected, both personal and corporate, so naturally this data is targeted by modern-day criminals.”

In the next five years, he suspects we’ll see more huge data breaches, more suits for damages, and more legislation at the state, national and international level expanding the rights of individuals to bring claims when their personal data is compromised. With the advent of the “Internet of Things” era, there will be more data collection, transfer, storage and processing than ever before, and more opportunities for criminals to seize and monetize that data.

[Click here](#) to view the entire article.

Michael L. Whitener is a Partner in VLP’s technology transactions group. Michael’s practice focuses on drafting and negotiating software licenses, software as a service agreements and other technology related agreements, and advising on data privacy and security issues, including conducting privacy audits, drafting privacy policies and helping clients comply with U.S. and foreign privacy laws.