

NIKOLINAKOS & PARTNERS

LAW FIRM

# Data Protection, Privacy & Cybersecurity Practice



## ABSOLUTE SPECIALIZATION

**Ranked #1 in Greece for the 10th consecutive year**

in

Telecoms, Media, Technology (TMT) & Digital Business

Data Protection & Cybersecurity

Dispute Resolution - Competition Law - Intellectual Property

**Ranked #1  
in Greece**  
for the 10th  
consecutive year



# ABSOLUTE SPECIALIZATION

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## STRATEGIC GUIDANCE – POWERFUL LITIGATION

“The leading experts in data privacy & cybersecurity, telecommunications, technology & digital business”

“A practice with **top talent, deep sector-specific expertise** and **vast experience** ..., providing **data protection advice of the highest quality**”.

**Legal500, EMEA, 2021**

“**Expertise in GDPR compliance** matters. ... Particular **experience in data protection law**”.

**Chambers & Partners, Europe, 2021**

“Nikolinakos & Partners Law Firm is **at the forefront of the telecoms, data protection and technology sectors**”.

**Legal500, EMEA, 2020**

“Nikolinakos & Partners Law Firm offers an **impressive combination of telecoms regulatory and data protection / cybersecurity expertise**”.

**Legal500, EMEA, 2020**

“The team is known as a **key player in the telecoms market**, frequently acting on litigation as well as regulatory and competition proceedings ... **considerable expertise in GDPR compliance matters**”.

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“The practice **excels** on the dispute resolution, **GDPR**, licensing and **data protection** fronts”.

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“Lawyers at Nikolinakos & Partners Law Firm are hailed as **leaders in regulatory litigation** and are also **strongly recommended for TMT, antitrust and data protection disputes**”.

**Legal500, EMEA, 2020**

“Nikolinakos & Partners LLP has a **top-notch practice for data privacy and cybersecurity matters**”.

**Legal500, EMEA, 2019**

“**Well known to handle GDPR compliance matters**, as well as digital media and e-commerce issues”.

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“**Prominent practice with deep knowledge on data protection matters**”.

**Legal500, EMEA, 2018**

“**Strong on data privacy and cybersecurity**”.

**Legal500, EMEA, 2017**

“Nikolinakos & Partners LLP is **recommended for data protection advice**”.

**Legal500, EMEA, 2017**

“**Well known for advising on data protection, privacy and IT security**”.

**Chambers & Partners, 2016**

# OUR LAWYERS

Our lawyers are highly recommended as **leading experts** by prestigious international legal directories. Indicatively:

"**Dina Kouvelou** provides **helpful, clear and expert advice on GDPR matters**. ... Her focus lies on **information technology matters**, with her practice covering **data protection, cybersecurity and electronic payment services issues**".

Chambers & Partners, Europe, 2021

"**Dina Kouvelou** is a **top technology, telecoms and antitrust counsel**".

Legal500, EMEA, 2020

"**Nikos Nikolinakos** is a **top regulatory legal counsel in the TMT sector in Greece**".

Legal500, EMEA, 2020

"The **partners** at Nikolinakos & Partners Law Firm are **hands-on and deliver personalised tailor-made and to-the-point advice**".

Chambers & Partners, 2019

"**Nikos Nikolinakos** is **outstanding and particularly effective in complex regulatory issues**. He has an impressive amount of experience, is forward-thinking and tactically astute. He is knowledgeable in a range of **IT, telecoms and data protection topics**".

Chambers & Partners, 2019

"**Dina Kouvelou** has **outstanding expert knowledge and practical experience**".

Legal500, EMEA, 2017

"**Dina Kouvelou** is 'an **outstanding counsel** who 'provides a **hard-to-find combination of technical and practical legal advice**".

Legal500, 2014

"**Dina Kouvelou** is a **top-notch data privacy lawyer** in relation to her technical skills, business acumen, and practical solutions".

Legal500, EMEA, 2021

"**Dina Kouvelou** assists **technology and IT companies** with **data protection** issues. She has **deep knowledge in regulatory matters**,...she makes recommendations based on practical solutions".

Chambers & Partners, 2020

"**Dina Kouvelou** is 'an **excellent strategist** and an '**impressive agency litigator, with vast experience**".

Legal500, EMEA, 2019

"**Nikos Nikolinakos** is a **standout figure in the field of technology law**".

Legal500, EMEA, 2018

"**Alexis Spyropoulos** is **strong on data privacy and cybersecurity**".

Legal500, EMEA, 2017

"**Dina Kouvelou** has a reputation for being **extremely business-oriented, proactive and an effective strategist**. The clients **value her experience of the regulatory aspects of TMT law**".

Chambers & Partners, 2016

"The '**efficient, reliable**' **Dina Kouvelou** '**consistently delivers a high-calibre service**".

Legal500, 2014



# EXPERIENCE & EXPERTISE – OVERVIEW

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Our Cybersecurity, Privacy & Data Protection Practice (which belongs to our TMT & Digital Practice Group) is top ranked in legal directories. Our leading data protection specialists have long standing practical expertise including working at relevant Regulatory Authorities.

The collection and use of information, including personal data, lies at the heart of the operations of many companies and institutions. We can advise on the **full scope of legal and regulatory issues that affect companies' use of data, including data protection, privacy, confidentiality, information sharing, data and cyber security**, and information access regimes.

We can support our clients on the **development of data protection strategies** through to strategy execution, analysis of risk and risk mitigation. We are also adept at handling troublesome regulatory problems, disputes and litigation.

We can also assist our clients in **responding to data security breaches**, as well as in **developing programs to avoid such breaches**.

We provide exceptional coverage of all of the substantive areas of privacy and data security, including telecoms, IT/technology, data security, financial privacy, health privacy, employment privacy, litigation and transactions.

**We have concluded more than fifty (50) GDPR projects.**

Our **client list** contains a broad range of companies across numerous sectors, including telecommunications, internet, e-commerce, consumer products and retail services, financial services, health care, leisure, hospitality and tourism, pharmaceutical companies, hospitals, diagnostic labs, data centers, insurance companies.



# EU GENERAL DATA PROTECTION REGULATION (GDPR)

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Our team provides, inter alia, the following services/deliverables:

- Development of Processing activities inventory covering all items required under the GDPR (including legal basis of processing) – "**Record of Processing activities**".
- "**Compliance gap analysis & proposed roadmap specification**".

Furthermore, we support our clients in **implementing their GDPR compliance programs** (roadmap compliance implementation) by, inter alia: drafting Data Protection Impact Assessment, drafting/reviewing privacy policies, consent forms, privacy notices and contractual clauses to ensure compliance with GDPR requirements and appropriate liability provisions.

Members of our team are assigned as **Data Protection Officer (DPO as a service)** or we provide **DPO support** (for companies with internal DPOs).

We file complaints or defend clients in formal **Hearings before the Data Protection Authority (DPA) or ADAE (Authority for Assurance of Communications Privacy)**. In addition, we represent our clients before the relevant Administrative Courts.



## COUNSELING & COMPLIANCE

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We regularly counsel clients regarding compliance with laws, regulations, and best practices involving the privacy and security of personal information. We not only evaluate our clients' existing practices, but also offer forward-thinking strategies to maximize new business opportunities within applicable privacy and security standards.

Our counseling and compliance work ranges from assisting clients in conducting privacy and security audits – to assess the ways in which they collect, handle, and protect their customers' personal information – to **advising on potential liability** arising out of business practices, human resources procedures, marketing plans, and online activities.

We have been involved in **developing information security policies** and **conducting assessments of data security practices** to comply with legal requirements, regulatory obligations, best practices, and specific agreements with third parties and governmental agencies. Apart from **conducting data security audits** on behalf of our clients, our expertise also includes refining their **information security** policies and incident response plans.

Furthermore, our lawyers have helped numerous clients understand and comply with the increasingly complex set of rules governing **privacy in the workplace**. On a range of issues such as the **privacy of employment records and employee monitoring**, our lawyers provide valuable advice to help our clients manage human resources and other workplace operations.





# AUDITS AND COMPLIANCE PROGRAMS

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Any business that collects, uses and/or transfers or discloses personal data (of employees, customers, targets etc) must consider privacy and data protection issues. That includes compliance not only with privacy laws, but also with the company's privacy policies and marketing materials.

We develop compliance programs aiming to ensure that our clients can effectively monitor compliance with all applicable statutory and internal rules on data protection, allowing them to prevent or promptly react and mitigate risks arising from violations or incidents of security breach.

We conduct **privacy and data security audits** on behalf of our clients, **assessing** their **existing data security practices** and **refining** their **information security policies and incident response plans**.

A privacy audit helps companies eliminate the potential areas of liability. As part of our **privacy audits** we:

- Ensure the client collects and utilizes personally identifiable information in a manner that complies with applicable legal requirements as well as statements it has made to customers and employees;
- Ensure the company is in compliance with any data use restrictions imposed by third parties.
- Establish internal processes and create policies to ensure compliance with applicable legal requirements and external and internal disclosures;
- Establish a data map of how information is collected, used, accessed, managed, stored and distributed internally and externally that can be updated and monitored on a regular basis.
- Establish a process for ensuring local law compliance and for interacting with applicable data protection authorities;
- Establish ongoing training and monitoring programs; and
- Review and/or create all necessary policies and procedures.



# DATA BREACH ISSUES & RESPONSE

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**In addition to proactive counseling**, we contribute our strategic insight when **responding to crises**.

The effects of a catastrophic data breach can be far reaching, potentially impacting a company's operations, reputation and bottom line. Our team assists our clients in **preventing and managing cyber events**, from security planning and prevention of cyber intrusions, to incident response and handling of litigation and disputes arising from such events.

We provide strategic counsel on substantive issues of privacy and cybersecurity; address corporate governance and director responsibility concerns; navigate any concurrent civil, criminal and/or administrative proceedings; and help manage cyber insurance claims.

Our regulatory lawyers assist clients in **navigating breach notification and disclosure requirements**, including evaluating whether such requirements apply and drafting appropriate notices where needed. **We co-operate with data security IT experts and conduct internal investigations** for clients that suspect a breach has occurred, provide advice to clients **interfacing with law enforcement officials** and furnish **dispute resolution / litigation services** as needed.

Our team also assists clients in the normal course of business, and in the wake of a breach, in developing and **improving data breach preparedness and risk management plans**.

Therefore, we respond to data security incidents involving the stolen personal information of customers, including: i) preparing notices to consumers and regulators; ii) establishing fraud monitoring and tailored customer service; iii) working with officials to ensure compliance with applicable requirements and best practices (and to avoid lawsuits or enforcement actions).

We also provide **legal support to insurance companies** that offer insurance policies for data breach incidents.





# LITIGATION

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Our senior lawyers have substantial **in-house industry experience** and have **filled senior positions in Government and Regulatory Authorities**.

Furthermore, we have an exceptional capacity to **represent clients before Regulatory Commissions and Administrative Courts**. In particular:

**We regularly appear before Agencies and relevant Regulatory Authorities, such as the Hellenic Data Protection Authority (DPA) and the Hellenic Authority for Communication Security and Privacy (ADAE)**, successfully representing our clients in numerous investigations involving their privacy and data security practices. We handle, on a regular basis, a large number of formal proceedings before DPA and ADAE (such as prosecution/defense in complaints and dispute resolution Hearings).

Drawing upon our extensive experience before agencies and regulatory authorities, we are able to guide our clients through this process, and to achieve favorable outcomes in enforcement actions.

Moreover, we have an exceptional capacity to **handle judicial disputes before the relevant Administrative Courts (e.g. appeals against decisions of the DPA and other relevant Regulatory Authorities)**. This broad experience with government litigation matters includes regular appearances in administrative courts and before administrative/regulatory agencies. Furthermore, our lawyers handle a variety of other agency-related matters on a daily basis, seeking variances, exemptions, approvals, and opinions in connection with existing regulations. In these and countless other regulatory matters, our familiarity with administrative/regulatory agencies – and our expertise in specific industry sectors – are often decisive.

Furthermore, we regularly represent numerous clients in **lawsuits** involving a broad spectrum of related issues.



# ADVERTISING AND MARKETING / HUMAN RESOURCES PRIVACY / HEALTH INFORMATION

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## **Advertising & Marketing – Privacy & Data Security:**

We advise on collecting and using customers' data and on complying with marketing rules. For instance: a) **sales promotions**, including price claims, prize draws and prize competitions; b) **data protection**: data protection legislation impacts the ways and means by which consumer information is collected and we can advise on legislation governing unsolicited direct marketing initiatives, rights of access and the collection and usage of data.

## **Human Resources Privacy – Privacy & Data Security:**

We assist our clients to comply with the increasingly complex set of rules governing privacy in the workplace. We regularly advise our clients on:

- conducting detailed **review of the human resources operations** to assess compliance with data protection and privacy laws and regulations
- **proper methods for collecting and processing employee personal information**
- on the **use of CCTV systems and collection and use of the employees' biometric information**
- **drafting acceptable use policies for Internet, e-mail, blogging, and other network activities** in accordance with existing laws and practices regarding workplace monitoring.

## **Health Information – Privacy & Data Security:**

There are many data privacy issues relating to **privacy of medical records** and other individually identifiable health information.

For instance, we serve a broad client base of healthcare providers, pharmaceutical companies, insurance companies, benefit managers, group health plans, clinical laboratories, medical equipment manufacturers, and others whose businesses involve the handling of personal health information.

We can counsel the abovementioned clients on laws and regulations affecting the privacy of certain types of medical records, including **genetic information and pharmacy records**.



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**In sum:** our Data Protection, Privacy and Cybersecurity Practice works across all sectors offering a full complement of counseling and advice, regulatory and litigation services, such as:

- GDPR projects – implementation and DPO support
- Regularly appearing before agencies and relevant regulatory authorities (such as the Hellenic Data Protection Authority “DPA” and the Hellenic Authority for Communication Security and Privacy – “ADAE”)
- Conducting privacy and data security audits
- Privacy impact assessments and risk management
- Developing information security policies
- Refining incident response plans
- Data breach incident preparedness, response, investigation, and communication
- Information governance and records management
- Workplace Privacy - Employee data privacy
- Outsourcing and HR solutions
- Critical infrastructure cybersecurity
- Health information privacy and security
- Consumer data privacy
- Advertising, Marketing and Sales
- Financial data privacy
- Communications and information technology
- Government and law enforcement data requests
- Public sector issues and freedom of information
- Digital media privacy and CRM strategy
- Corporate and Commercial Transactions



RECENT DISTINCTIONS  
**AWARD WINNING**

*Client satisfaction is the real measure of success for the work we do. But we also value the external recognition gained through the awards we have won.*



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Chambers & Partners, 2016

"This law firm combines **tremendous legal expertise with thoughtful business advice**".

Legal500, EMEA, 2016

"The lawyers at Nikolinakos & Partners LLP have **'excellent legal knowledge**, deliver a **personalised service** and are regularly **first choice for complex deals**".

Legal500, EMEA, 2015

"**Experienced in representing both domestic and international clients** before courts and **regulatory authorities**".

Chambers & Partners, 2014

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"**Prominent practice** with **deep knowledge on data protection matters**".

Legal500, EMEA, 2018

"The team is **extremely effective, detail oriented** and provides **excellent strategic advice**".

Legal500, EMEA, 2017

"Nikolinakos & Partners Law Firm provides **guidance on complex matters in an efficient and convincing manner. Its quality and client service are exceptional**".

Chambers & Partners, 2016

"The overall level of their service is **impressive – solution oriented** and very **customer focused**. The team handles complicated and demanding cases **skillfully**, providing guidance in an **efficient and convincing manner**".

Chambers & Partners, 2015

"Nikolinakos & Partners' **'level of service is very high'** and **'industry knowledge is deep'**, particularly for **regulatory or disputes advice**".

Legal500, EMEA, 2015

"This Firm **continues to impress with its regulatory expertise**".

Chambers & Partners, 2013

# contacts

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## **Nikolinakos & Partners LLP**

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