YOUR COMPANY JUST EXPERIENCED A CYBER INCIDENT. NOW WHAT?

Your first call should be to your cybersecurity attorney.

Jason Kravitz
Partner, Boston
Practice Leader
Cybersecurity & Privacy
617.345.1318
jkravitz@nixonpeabody.com

This will ensure that everything that follows will be privileged. Working closely with your IT team, your attorney will quarterback the response and make sure the right people are doing the right things – all with an eye towards protecting your company and its data.

A forensic investigation may be appropriate to determine if personally identifiable information (PII) or personal health information (PHI) has been compromised and whether notification obligations have been triggered. Heed your lawyer's advice to avoid fines and to minimize risk of litigation.

Remediation is important after any cyberattack. Don't assume the problem has been eliminated; allow security vendor to do its job thoroughly. Educate your employees to minimize risk of recurrence, and consider investing in more sophisticated defensive tools. Going forward, take steps to back up your data to a secure environment.

Jason Kravitz is a Certified Information Privacy Professional (CIPP/US) and leads Nixon Peabody's cybersecurity and privacy practice and advises clients on breach responses. Jason is also a trial lawyer focusing on patent, trademark, copyright, trade secret, privacy, false advertising, and software implementation disputes. He has litigated cases involving a broad array of technologies, including software and hardware, personal care products, wireless devices, footwear, dental implants, Nobel Prize-winning chemistry, and ad tech.

NIXON PEABODY