

SQUIRE Advertising, Media and Brands Newsletter

Global Hot Topics for Advertising, Media and Consumer Brands Executives

June 2022

Welcome

We are delighted to welcome you to our quarterly newsletter focusing on the global hot topics for advertising, media and consumer brands executives. To support you as we progress through 2022 and beyond, we want to highlight some key trends, legislation updates and best practices from across the globe to protect and enhance your business.



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Blogs

To keep up to date with our latest news, please sign up to our useful blogs:

Our Global IP & Technology Law Blog is a source for news and insights into international legal issues involving intellectual property and technology, such as trademark and brand protection; patent prosecution and protection; trade secrets, data protection and privacy; and advertising and media issues.

Consumer Privacy World is a source of news and insights on cybersecurity, privacy and data protection regulations and developments impacting businesses around the globe.





The Top 10 (Internet of) Things to Consider

The Internet of Things (IoT) has increased the amount of information organizations handle and has changed the way this information is collected, stored and used.

The collection, storage and use of IoT information also requires organizations to comply with a host of legal and regulatory obligations, which vary around the world.

While the IoT is designed to make a user's life simpler by providing devices that react and adapt to the user – whether a smart refrigerator, thermostat or home hub – to accomplish this, companies that provide these devices need detailed and specific information on the habits of the users. This information can be very personal in nature.

To find out more, <u>access our guide</u> or contact <u>Alan L. Friel</u>, <u>Francesco Liberatore</u> or <u>David Naylor</u>.

Google to Require Apps to Display "Data Safety" Information by July 20, 2022

Google announced it will be rolling out a "Data Safety" section for apps listed on its app marketplace, Google Play, similar to Apple's Privacy Nutrition Labels. The Data Safety section will provide consumers with a summary of an app's privacy and security practices, including, but not limited to, what user data an app "collects" or "shares." App developers must complete the Data Safety form by July 20, 2022.

To find out more, <u>access our blog post</u> or contact <u>Alan Friel</u>, <u>Kyle Fath</u> or <u>Gicel Tomimbang</u>.

<u>"Dark Patterns" Are a Focus of Regulatory</u> Scrutiny in the United States and Europe

Dark patterns are top of mind for regulators on both sides of the Atlantic. In the US, federal and state regulators are targeting dark patterns as part of both their privacy and traditional consumer protection remits. Meanwhile, the European Data Protection Board (EDPB) is conducting a consultation on proposed guidelines for assessing and avoiding dark pattern practices that violate the EU General Data Protection Directive (GDPR) in the context of social media platforms. In practice, the guidelines are likely to have broader application to other types of digital platforms as well.

To find out more, <u>access our blog post</u> or contact <u>Ann J.</u> <u>LaFrance</u> or <u>Kyle Dull</u>.

Upcoming webinar: Navigating Opportunities and Challenges: Cross-border Data, the Cookiepocalypse and Standard Contractual Clauses

European and UK data protection laws present significant challenges to organizations whose business model depends on the international flow of personal data. Along with multimillion-dollar fines, supervisory authorities have the power to impose a mandatory "stop order," requiring non-compliant data flows to cease.

Join us on May 23, 2022, at 12:30 p.m. EDT, to learn how your organization can most effectively navigate these challenges.

Find out more and sign up here.



Hear partner <u>Scott Warren</u> discuss the latest data privacy and cybersecurity issues in Asia as part of Global Privacy Podcast's four-part series hosted by Nadia Ishaq.

The Data Privacy Continuum

In Episode 1, Scott provides ways to break down data privacy laws into similar themes and concepts, which help to create a strategy for dealing with their complexity across regions.

Data Privacy Laws in China

In Episode 2, Scott discusses the latest developments in China's new data privacy and related laws, how it is like and unlike GDPR and the challenges you may face in moving personal data out of China.

To follow this podcast series, <u>sign up to our *Consumer Privacy World* blog</u> for the latest episodes.







<u>Be Prepared: The New UAE Labor Law – A</u> Milestone Development for the UAE

The Federal Decree Law No. 33 of 2021 (the New Labor Law) came into force on February 2, 2022, and is a new decree law that regulates labor relations and employment practice in the private sector within the UAE. The New Labor Law represents a milestone development for the private sector and is the most substantial change to the existing UAE Federal Law No. 8 of 1980 (the Previous Labor Law) since its inception, and replaces the Previous Labor Law in its entirety.

This new law has important implications for businesses operating in the region. Our helpful document compares the previous and current employer position and offers practical advice on how to ensure you are compliant with the new law.

To find out more, <u>access our guide</u> or contact <u>Sarah</u> <u>Lawrence</u>.



Sustainability Outlook European Union

(April 2022)

Our European Public Policy team is pleased to share with you our monthly newsletter, Sustainability Outlook European Union, which looks at key developments in EU sustainability law and policy. This newsletter will be a valuable resource to businesses operating in Europe as we navigate their EU roadmap to net-zero carbon by 2050

To find out more, <u>access our newsletter</u> or contact <u>Ken</u> <u>Huestebeck or Anita Lloyd</u>.

EU Comes Forward With Industrial Data Access and Sharing Framework Through the Proposed European Data Act Regulation

Earlier this year, the European Commission (EC) published the proposal for an EU Data Act Regulation, with the aim of ensuring fairness in the allocation of value from data among actors in the data economy and to foster access to, and use of, data.

The proposed EU Data Act would establish an ambitious and far-reaching framework for the use of industrial and other non-personal data within the EU economy. The EC's proposal seeks a balance between the significance of data as a source of new innovation and competitiveness as the EU's digital market develops, and the risks of market distortions and barriers to market entry that could arise if data becomes too concentrated in a small number of powerful economic actors.

To find out more, <u>access our insight</u> or contact <u>Wolfgang A. Maschek, Matthew Kirk, Francesco</u> <u>Liberatore, Georg Serentschy, Christina Economides</u> or <u>Francesca Zuccarello Cimino</u>.





Is It Time for an Online Sales Tax in the UK?

HMRC has published a policy consultation to assess the case for and against implementing an online sales tax (OST) as a means to rebalance the taxation of the retail sector between online and in-store retail. We are collating comments from our clients in order to submit a response to the consultation on their behalf. We welcome any comments, observations or ideas to help inform our response, and would be delighted to discuss any experiences or concerns at any time as we continue to track the progress of this potentially crucial development.

We have prepared an alert, <u>Is It Time for an Online Sales</u> <u>Tax in the UK?</u> which summarizes the policy considerations that permeate HM Treasury's consultation. We welcome you to get in touch with our tax advisers for further guidance. For further information, contact Robert O'Hare.

End of the Five Star Burnt Lasagne?

The Competition and Markets Authority (CMA) published proposals to protect consumers from fake online reviews and to give full legal status to the CMA's guidance published earlier this year regarding goods and services supplied via a subscription model.

For further information, <u>access our blog</u> or contact <u>Paul Jinks</u> or <u>Carlton Daniel</u>.

UK Plastic Packaging Tax

The plastic packaging tax (the Tax) came into force on April 1, 2022, with UK businesses that produce or import plastic packaging components in quantities of 10 or more tons per year affected.

To manage increased costs and to ensure compliance with the law, businesses should pay close attention to the rules of the Tax. See our <u>Frequently Asked Questions</u> document or contact <u>Anita Lloyd</u> for key details about the Tax and what you need to know.

Upcoming event: Retail Debate 2022

Our new Retail Experience Economy Report is due to be published in June. Written in conjunction with Retail Economics, to launch the report, we are delighted to be hosting this Retail Debate in partnership with Retail Trust.

Featuring a keynote address from Richard Lim, CEO at Retail Economics, and a panel discussion with leading industry experts, this half-day conference intends to bring together the decision-makers, movers and shakers of the industry, to learn about the future of the experience economy and network with like-minded individuals.

To reserve your place, sign up here.





Preparing for 2023: State Privacy Law Compliance

On May 10, 2022, Connecticut Governor Ned Lamont signed SB 6, "An Act Concerning Personal Data Privacy and Online Monitoring" (known as the CT Privacy Act (CTPA)), into law, effective from July 1, 2023.

Like laws enacted in California, Colorado, Virginia and Utah, the CTPA will add new business obligations and consumer rights in 2023 that go far beyond what has been required by the California Consumer Privacy Act (CCPA), which started the US trend toward a more European approach to data privacy. The laws differ materially not only from the CCPA forerunner, but also from the UK and Europe's General Data Protection Regulation (GDPR).

Download our <u>comprehensive comparison</u> of these laws and our recommendations for how to prepare for them or contact <u>Alan L. Friel</u> or <u>Kyle R. Fath</u>.

<u>US-based Multinationals Face a Double Tax</u> <u>Whammy</u>

To date, there are ongoing discussions about the type of automated decision-making activities that should be regulated, consumer rights in relation to this use of AI, and alignment with GDPR and regulatory schemes. Final regulations are anticipated to come into force from early 2023.

Read our <u>article</u> or contact <u>Jeff VanderWolk</u> for further information.

Upcoming webinar: <u>Kyle Fath and Kristin</u> Bryan to Discuss Artificial Intelligence and Biometrics in New IAPP Virtual Event

In a new IAPP web conference on Thursday, June 2, 2022, at 11 a.m. EST, data privacy thought leaders Kyle Fath and Kristin Bryan will take a look at key developments and trends in the developing areas of artificial intelligence (AI) and biometrics.

The IAPP is the largest and most comprehensive global information privacy community and resource that helps define, promote and improve the privacy profession globally.

Find out more and sign up here.

The ABC's of ESG

What and how significant is it? With "proxy season" kicking into high gear, issuers are already beginning to think about how to address concepts that are both complex and amoeba-like: environmental, social and governance (ESG) matters.

Let our <u>comprehensive brochure</u> be your guide or contact James Maiwurm for further information.

Updates to Automatic Renewal Laws with New Consent, Notice, and Cancellation Requirements in the United States and Germany

Legislatures, regulators, and enforcement agencies across the United States and in Germany have turned up the heat on subscription plans within the past year by updating their automatic renewal law (ARL), beginning July 1, 2022.

Generally, an automatic renewal or negative option is a paid subscription plan that automatically renews at the end of the term for a subsequent term, until the subscribing consumer cancels. Many US states and the US Federal Trade Commission (FTC) require businesses offering subscription plans to obtain from the consumer affirmative consent to subscription plan terms, send confirmation emails with the subscription terms, send renewal notices within a set number of days prior to the plan automatically renewing, and allow consumers to easily cancel their subscriptions, among other requirements.

Learn more at our Consumer Privacy World Blog.



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