

# Is the IoT the End of Privacy As We Know It?

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# Overview of Topics

- 1. IoT regulatory landscape**
  - A. Federal and state regulations
- 2. Regulatory enforcement actions**
- 3. Regulatory challenges**
- 4. Potential legal liabilities**
- 5. A look into the future – regulatory perspective**



# IoT Regulatory Landscape

- **Security**
- **Privacy**
- **Frequency/spectrum management**
- **Certification**



# Security of the IoT

- **Examples of IoT security issues**
  - DDoS attacks
- **Consequences of IoT security failures**
- **Obstacles to IoT security**



# Privacy and the IoT

- **Facilitating communication between devices**
- **Obstacles to encryption and data protection**
- **New standards and philosophies for privacy and the IoT**



## Practical Regulations of the IoT

- **Frequency/Spectrum Management**
- **Certifications**



# Federal Regulation of the IoT

- Federal Trade Commission
  - ASUSTeK Computer Inc.
  - D-Link Systems
  - Lenovo Group
  - Vizio
- COPPA compliance issues for children and toys
  - Vtech
- National Telecommunications and Information Association
- Pending federal legislation



## State Regulation of the IoT

- California SB 327
- California Consumer Privacy Act
- Pending state laws
  - Pennsylvania?





# The Future of Regulation and the IoT

- Potential regulatory liabilities
  - Device malfunctions
  - Cyberattacks and hacks
- The regulatory future for security, privacy and the internet of things
  - Unfair and deceptive practices
  - Minimization of vulnerabilities
  - Concreteness of alleged harms
  - Private causes of action





## Questions?

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