

James Koenig

Partner

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OVERVIEW

With a background combining business experience, legal expertise, and technology, Jim takes a unique, integrated approach to meet his clients' needs relating to global privacy compliance, innovative data uses, artificial intelligence, cybersecurity, breach response, litigation, and regulatory enforcements.

Drawing on his experience and reputation with regulators, Jim also regularly advises companies on compliance practices and through regulatory investigations. His work has included serving as the lead subject matter expert designing security, privacy, and business solutions in several high-profile U.S. Federal Trade Commission (FTC) and U.S. Department of Health and Human Services' Office of Civil Rights (OCR) enforcement proceedings involving social media, mobile, and health care companies. Among them are several cases that are the first of their kind, including:

- The first two FTC privacy consent decrees
- The first FTC "Comprehensive Information Security Program" case
- The first four FTC "Comprehensive Privacy Program" cases
- The first FTC mobile security and interactive TV cases
- The first FTC Dark Patterns enforcement
- The first health care AdTech enforcement
- The two largest OCR HIPAA enforcements
- The largest COPPA Enforcement

Before joining the firm, Jim led the privacy and cybersecurity practices of two *Am Law* 100 firms. In 2022, he was recognized by BTI as a "Client Service All-Star." He also built and led the privacy, and co-led the cybersecurity practices at PricewaterhouseCoopers and Booz Allen. Jim has also held senior marketing, management, and legal positions at QVC and MaMaMedia.com (a children's education internet startup) and was named inventor or co-inventor on six patent applications, relating to security and privacy-enhancing technologies.

AWARDS

- *Chambers Global USA*: Privacy & Data Security, Nationwide (2020-2025)
- *Chambers USA*: Privacy and Data Security, Nationwide (2019-2025)
- *Legal 500 United States*: Cyber Law (including Data Privacy and Data Protection) (2017-2022, 2024-2025)
- *BTI Consulting*: Privacy and Cybersecurity Client Service All-Star (2022)
- *National Law Journal*, inaugural list of Cybersecurity Trailblazers

TOP AREAS OF FOCUS

- Class Action
- Consumer Financial Protection Bureau (CFPB)
- Consumer Financial Services
- Data + Privacy
- Enforcement Actions + Investigations
- Federal Trade Commission (FTC)
- Government + Regulatory
- Incidents + Investigations
- Privacy + Cyber
- Securities Investigations + Enforcement
- State Attorneys General

ALL AREAS OF FOCUS

- Artificial Intelligence
- Automotive
- Class Action
- Construction
- Consumer Financial Protection Bureau (CFPB)
- Consumer Financial Services
- Corporate Espionage Response Team
- Data + Privacy
- Digital Assets + Blockchain
- Emerging Companies + Venture Capital
- Energy
- Enforcement Actions + Investigations
- Federal Trade Commission (FTC)
- Financial Services
- Government + Regulatory
- Health Care + Life Sciences
- Incidents + Investigations
- Insurance + Reinsurance
- Investment Funds + Investment Management Services
- Life Sciences Transactions

- Marketing + Advertising
- Privacy + Cyber
- Private Equity
- Retail
- Securities Investigations + Enforcement
- State Attorneys General
- Technology

PROFESSIONAL EXPERIENCE

- Co-founder, International Association of Privacy Professionals (IAPP); Certified Information Privacy Professional

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of Miami School of Law, J.D.
- Massachusetts Institute of Technology, B.A.

BAR ADMISSIONS

- New York

SPEAKING ENGAGEMENTS

- Speaker, "Privacy for Children and Teens Is Not Kid's Play – Best Practices from Leaders to Avoid an FTC or State AG 'Time Out'!" Privacy + Security Forum: Spring Academy, May 8, 2025.
- Speaker, "Power, Privacy, and Protection: Unpacking Security Challenges in the Energy Sector," *Energy Law Insights*, July 31, 2024.
- Speaker, "Privacy Issues in the US and International," Reinsurance Association of America's "Re Contracts: The Art of Designing Reinsurance Contracts and Programs" Conference, July 25, 2024.
- Co-panelist, "Cybersecurity Legal Incident Response Preparedness in Today's Threat Landscape," University of Texas Law CLE 2024 Technology Law Conference, May 23, 2024.
- Moderator, "Updates on Lead Generation Activities, Expanded Definition of Data Brokers, Daniel's Law and the Slew of Resulting Litigation," Privacy + Security Forum: Spring Academy, May 9, 2024.
- Speaker, "Buckle Up for a Wild Ride: Privacy, Security, and AI's Whirlwind Year!" Troutman Pepper Webinar, March 15, 2024.
- Speaker, "FTC Privacy Enforcement," Georgia Bar Association's 38th Annual Privacy & Technology Law Conference, March 6, 2024.
- Moderator, "Navigating the Generative AI Landscape in Health Care and Life Sciences," ACC GP – Health, Biotech & Pharma CLE Webinar, March 5, 2024.
- Speaker, "Will Generative AI, Including ChatGPT, Transform Businesses and Law Firms?," Practising Law Institute, November 13, 2023.
- Speaker, "Managing AI – Risk, Reward & Regulation! – AI Discrimination and Emerging Best Practices," Troutman Pepper, November 7, 2023.
- Speaker, "Regulatory Approaches to AI," State Bar of Michigan IT Law Section's Annual Summit, September 21, 2023.

- Speaker, “[Navigating the AI Landscape: Privacy, IP, Policies and More – An Industry Expert Roundtable](#),” Troutman Pepper webinar, July 20, 2023.
- Speaker, “[Navigating the Critical Differences Between the CCPA and the CPRA](#),” Troutman Pepper, May 26, 2022.
- Speaker, “Ten Essential Privacy & Security for High-Tech Founders,” StartX Stanford University Accelerator Founder Summit, July 21, 2021.
- Speaker, “Five U.S. Privacy & Security Trends You Need to Know Now to Conduct Business in the U.S.,” Croatia Law Institute Privacy Law Summit, June 17, 2021.
- Speaker, “Privacy & Security Frameworks,” TrustArc Privacy Risk Summit, March 10, 2021.
- Speaker, “Cybersecurity Fireside Chat with Jim Koenig – Lessons Learned from the Front-Lines of Brazil’s Largest Cyber-Attack,” December 9, 2020.
- Speaker, “Transferring Data Across a Schrems-Muddled Pond,” Bloomberg Law Webinar, September 2, 2020.
- Speaker, “In a World ... of Connected and Self-Driving Vehicles,” Jason Calcanis’s Inside Transportation Podcast (Ep. 15), July 27, 2020.
- Panelist, “COVID-19: Return-to-Work and Track-and-Trace: CDC and Global Privacy Guidance and Benchmarking,” Privacy + Security Special Encore Webinar, June 9, 2020.
- Speaker, “Managing Data Privacy Risk in an Unstable M&A Market,” Bloomberg Law Leadership Forum, June 8, 2020.
- Speaker, “Pandemic Pandemonium: 10 Critical Actions for Companies to Balance Safety and Data Protection in a Chaotic World,” Privacy + Security Forum, May 7, 2020.
- Speaker, “COVID-19 Response Communication Planning and Regulatory Guidance,” Industry Webinar, March 25, 2020.
- Panelist, “Understanding the Current Landscape of Statewide Privacy Regulations in Order to Prepare,” The Legal Forum on Statewide Privacy Compliance, February 4, 2020.
- Panelist, “Top Ten Privacy Law Chances You Need to Know Now, Corporate Counsel Roundtable,” January 23, 2020.
- Speaker, “GDPR Extraterritoriality – Industry Perspectives and Best Practices for Operationalizing Global Compliance,” Privacy + Security Forum, October 16, 2019.
- Speaker, “Seven Privacy & Security Trends Auditors Need to Know Now,” Internal Audit & Third-Party Risk Summit for Life Science, October 4, 2019.
- Speaker, “GDPR and CCPA Aftermath – Operationalizing Incident Response & Reasonable Security,” Privacy + Security Forum, October 15, 2019.
- Panelist, “CCPA Workshop and Ask an Expert Special Session,” Wolters Kluwer Webinar, June 13, 2019.
- Panelist, “Using Privacy as a Competitive Advantage – 5 Mistakes CEOs Make,” The Outpost LA Tech CEO Summit, March 27, 2019.
- Panelist, “The GDPR After Six Months – Lessons Learned and Global Data Governance,” TechLaw Melbourne Australia, November 9, 2018.
- Panelist, “IoT and Other Innovations and Impact in Digital Health Privacy,” IAPP Privacy-Security-Risk Conference, October 2018.
- Panelist, “Managing Creative Genius – Balancing Innovation with Respect for Consumer Privacy,” In-House Counsel Summit on Privacy & Security, September 2018.
- Speaker, “GDPR: Analysis of Forecast Data Privacy Authority Enforcement Actions Impacting Healthcare,” Life Science Data Privacy Governance & GDPR Alignment Conference, July
- Speaker, “The Autonomous Turtle Wins the Race – Managing Privacy and Security in Faced-Paced.”
- Speaker, “The Autonomous Turtle Wins the Race Managing Privacy and Security in Faced Paced Technology Development and Innovation,” TechGC NY Meeting, January 2018.
- Panelist, “Talking Tech about EU General Data Protection Regulation (GDPR),” Bloomberg eDiscovery Live

Event, November 2017.

- Speaker, “Convenient or Creepy? – Navigating Privacy to Realize the Promise of Connected Cars,” TEDx Talk, October 2017.
- Panelist, “Privacy Shield and GDPR – A World of Difference,” TechLaw Brazil Conference, October 2017.
- Panelist, “General Data Protection Regulation – One Stop Shop ... Really?,” Privacy + Security Forum, October 2017.
- Panelist, “The Countdown is On – Tips to Quickly Address GDPR’s Toughest Areas,” CBI’s Data Privacy for Life Sciences Summit, October 2017.
- Panelist, “General Data Protection Regulation – A Roadmap to Quick GDPR Compliance,” Bloomberg Law, Inside Counsel and ALM Webinar, October 2017.
- Panelist, “RegTech for Privacy and the Envisioned Future,” The Alliance of Global Privacy Solution Providers GDPR Compliance Conference, October 2017.
- Panelist, “The Ins and Outs of Cloud Computing for the Legal Industry,” ALM Webinar, August 2017.
- Speaker, “TEDx: Navigating Privacy to Realize the Promise and Value of Connected Cars,” TEDx Talk, December 21, 2017.

PUBLICATIONS

- Co-author, “[DOJ’s Data Security Program Is Blurry on Audits, Recordkeeping](#),” *Bloomberg Law*, May 22, 2025.
- Co-author, “[DOJ’s Latest Guidance on the Data Security Program – What’s New?](#),” *Troutman Pepper Locke*, April 16, 2025.
- Co-author, “[New DOJ National Security Division Data Security Rules Take Effect on April 8: Is Your Organization Exposed?](#),” *Troutman Pepper Locke*, April 3, 2025.
- Co-author, “[Do You Know Where Your Data Is Going? On April 8, New National Security Rules Take Effect](#),” *Troutman Pepper Locke*, February 18, 2025.
- Co-author, “[2024 Privacy, AI & Cybersecurity Year in Review](#),” *Troutman Pepper Locke*, February 12, 2025.
- Podcast, “[AI Discrimination and Emerging Best Practices – Part 2](#),” *The Good Bot: Artificial Intelligence, Health Care, and the Law*, November 7, 2024.
- Podcast, “[AI Discrimination and Emerging Best Practices – Part 1](#),” *The Good Bot: Artificial Intelligence, Health Care, and the Law*, October 9, 2024.
- Co-author, “[Charging Ahead: Legal, Regulatory, and Operational Considerations for EV Infrastructure Development](#),” *Troutman Pepper*, October 1, 2024.
- Co-author, “[AI and HR: Navigating Legal Challenges in Recruiting and Hiring](#),” *Troutman Pepper*, September 16, 2024.
- Co-author, “[Cybersecurity: The New PE Firm Team Sport](#),” *ACG Middle Market Dealmaker Magazine | Spring 2024*, May 6, 2024.
- Co-author, “[New Hampshire Enacts Comprehensive Privacy Law – SB 225](#),” *Troutman Pepper*, March 11, 2024.
- Co-author, “[California AG Announces Second CCPA Settlement. Asserting DoorDash Failed to Deliver Privacy](#),” *Troutman Pepper*, February 29, 2024.
- Co-author, “[2023 Privacy Year in Review](#),” *Troutman Pepper*, February 1, 2024.
- Co-author, “[The Garden State Joins the Privacy Party](#),” *Troutman Pepper*, January 24, 2024.
- Co-author, “[FTC’s Sensitive Location Privacy Collection and Sale Expectations: Insights From Data Broker Settlements \(and 10 Action Items to Take Now\)](#),” *Troutman Pepper*, January 16, 2024.
- Co-author, “[Artificial Intelligence — From Risk to Reward: Key Questions to Address When Crafting Generative AI Usage Policies](#),” *Troutman Pepper*, August 21, 2023.
- Co-author, “[SEC Adopts Final Cybersecurity Rules — Requires Companies to Focus on their Security and Disclosure Plans](#),” *Troutman Pepper*, July 31, 2023.

- Co-author, “CPRA Shuffle: Two Steps Forward, One Step Back: Court Temporarily Halts CPRA Regulation Enforcement as CPRA Enforcements Begins,” *Troutman Pepper*, July 21, 2023.
- Co-author, “Teaching Active M&A Dogs New Privacy and Cybersecurity Tricks: 5 New Approaches for Serial Acquirers,” *Middle Market DealMaker*, Winter 2023, March 6, 2023.
- Co-author, “Storm Clouds Form Offshore Under Updated Florida Electronic Health Records Exchange Act,” *Troutman Pepper*, June 28, 2023.
- Co-author, “Cookies and Online Tracking of Health Signals: An OCR Prescription for Potential Peril,” *Troutman Pepper*, May 4, 2023.
- Podcast, “AI: Technology, Opportunities, Risks, and Best Practices (Part Two),” *Regulatory Oversight*, April 19, 2023.
- Co-author, “Washington Legislature Goes Big With ‘My Health My Data Act’,” *Troutman Pepper*, May 2, 2023.
- Co-author, “Patient Privacy and Security Resource: Business Associate Agreement Checklist and Considerations,” *Corporate Healthcare Compliance Manual*, April 21, 2023.
- Co-author, “Iowa on Cusp of Enacting Privacy Legislation,” *Troutman Pepper*, March 22, 2023.
- Co-author, “Preparing for an Era of Regulated Artificial Intelligence,” *Law360*, January 25, 2023.
- Co-author, “California Age-Appropriate Design Code Is Not Child’s Play – Five Practical Tips to Comply and Protect Kids’ Privacy,” *Pratt’s Privacy & Cybersecurity Law Report*, January 2023.
- Co-author, “Silver Lining for Cos. in Proposed Calif. Privacy Law Changes,” *Law360*, November 23, 2022.
- Co-author, “Ad Technology Compliance Tips From Video Privacy Claims,” *Law360*, October 19, 2022.
- Co-author, “California Age-Appropriate Design Code Is Not Child’s Play – Five Practical Tips to Comply and Protect Kids’ Privacy,” *Troutman Pepper*, October 4, 2022.
- Co-author, “Deadline for New UK Contract Requirements for Personal Data Transfers Is Here (EU and California Deadlines Looming!),” *Troutman Pepper*, September 27, 2022.
- Co-author, “Compliance Lessons From Sephora CCPA Settlement,” *Law360*, September 13, 2022.
- Co-author, “CCPA/CPRA Will Apply to Employee AND B2B Data — Five Steps to Prepare for the January 1, 2023 Effective Date,” *Troutman Pepper*, September 6, 2022.
- Co-author, “Not So Pretty: Five Takeaways from New CCPA Settlement with Sephora and Other Enforcements,” *Troutman Pepper*, August 30, 2022.
- Co-author, “CPRA Draft Regulations: Essential Takeaways and Ten Actions to Take Now,” *Hedge Fund Law Report*, August 25, 2022.
- Co-author, “Simplifying a Complicated Process — Four Steps to Comply with China’s PIPL New Security Assessment Requirements for Cross-Border Data Transfers September 1, 2022,” *Troutman Pepper*, August 9, 2022.
- Co-author, “CPRA Draft Regulations: Essential Takeaways and 10 Actions to Take Now,” *Cybersecurity Law Report*, July 13, 2022.
- Co-author, “California Privacy Protection Agency Publishes Draft Rules,” *Troutman Pepper*, June 6, 2022.
- Co-author, “CPRA Series: Part Four – Data Processing Obligation,” *Daily Journal*, May 23, 2022.
- Co-author, “Connecticut Legislature Passes Comprehensive Privacy Legislation, Awaiting Governor’s Signature,” *Troutman Pepper*, May 4, 2022.
- Co-author, “The EU Is Throwing Stones in the Data Lake by Regulating AI – What Global Companies Need to Do Now to Prepare,” *IPWatchdog*, May 3, 2022.

MEDIA COMMENTARY

- Quoted, “AI Transforms HR Hiring With Speed and Legal Concerns,” *Rochester Business Journal*, April 24, 2025.
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Quoted, "[Top Privacy & Cybersecurity Developments Of 2024](#)," *Law360*, December 20, 2024.

- Panelist, "[Why Cyber Best Practice and Data Governance Is Not a One-Time Exercise](#)," *Nasdaq Trade Talks*, October 15, 2024.
- Quoted, "[7 Tips for Managing Cross-Border Data Transfers](#)," *InformationWeek*, March 22, 2024.