

# Third-Party Tracking Technologies Service Package

## The Real Exposure

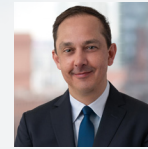
California plaintiffs' attorneys have sent tens of thousands of demand letters, and filed more than 1,800 class action lawsuits against businesses across the U.S. under the California Invasion of Privacy Act (CIPA) and similar wiretapping laws. They claim data transfers via third-party cookies, pixels, and trackers without consent are illegal "interceptions" under these laws. CIPA provides for up to \$5,000 in damages per violation — this is not hypothetical as new lawsuits are filed each week. They are settling for tens of thousands of dollars or resulting in litigation costing hundreds of thousands or millions of dollars. **Any website or app using pixels, SDKs, cookies, or tracking technologies is at risk.**

## The Value Proposition

Troutman's Privacy + Cyber team has teamed up with LOKKER to offer a comprehensive and integrated solution that helps companies address litigation exposure while achieving business goals, which includes:

- **Cost-Certainty and Value:** The package includes fixed-fee pricing and a clear scope of services and activities. It is cost-effective and designed to help companies avoid much more costly claims and litigation.
- **Real-time Risk Detection:** Provides a full understanding of exposure and issues associated with the use of tracking technologies, and helps assess the functionality of consent management solutions.
- **Balancing Legal Risk and Business Impact:** Troutman's Privacy + Cyber team will work with legal and business stakeholders to strike an appropriate balance between compliance and business results, including marketing, R&D, and product development teams.
- **Ongoing assessment and risk mitigation:** Tracking technology risks are not static — technology, plaintiff strategies, services, marketing plans, and court rulings change over time. The package helps companies monitor this risk continuously and implement tracking technology governance to reduce exposure.

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## The Package Approach

1. **Starter Package –** LOKKER scan under attorney-client privilege; meetings and legal advice for addressing this risk; and delivery of a Troutman written guidance and roadmap for balancing legal and business risks of tracking technologies.
2. **Remediation + Governance –** Troutman provides a Tracking Technology governance program and updates privacy, cookie, and other policies. LOKKER consulting on tracking technology classification, remediation steps, and configuring consent management tools.
3. **Ongoing Scanning + Risk Assessment –** Continuous monitoring by LOKKER's scanner, monthly updates on findings, quarterly reviews and legal advice, and prioritized remediation efforts.
4. **Additional Assistance –** Discounted blocks of legal and consulting time for deeper engagement outside of the fixed-fee structure.

## Division of Labor

- **Troutman's Role:** Our privacy and cybersecurity attorneys craft legal strategies that balance compliance with business needs, providing governance policies, privacy notices, and frameworks for consent and disclosure.
- **LOKKER's Role:** Their sophisticated tool provides tracker scanning to identify third-party technologies, map data flows, test privacy tools, and monitor changes. The consulting team collaborates with client IT and marketing to enhance governance and implement solutions.
- **Your Role:** The Package lets our clients take on as much, or as little, of the work as they would like.