

Chiara Portner

Shareholder

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Phone: 650.804.7672



- **Industries**

- eCommerce
- Food & Beverage
- Industrial & Manufacturing
- Retail
- Technology

- **Services**

- Corporate
- Data Privacy & Security
- Emerging Growth Companies
- Intellectual Property
- Licensing & Commercial Transactions
- Mergers & Acquisitions
- Trademark & Copyright

Overview

Chiara Portner is Co-chair of Hopkins & Carley's Intellectual Property Group and a member of the Corporate Practice in its Redwood Shores office.

Chiara acts as an outside general counsel and outsourced member of the legal team for businesses. She assists companies in monetizing and commercializing their technology, services and products, and advising on privacy compliance. Chiara represents start-up and emerging growth companies as well as mid-market and public companies. She drafts and negotiates their technology transactions and business contracts through multiple levels of the distribution chain.

Hopkins & Carley

70 South First Street

San Jose, CA 95113 | 408.286.9800

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555 Twin Dolphin Drive, Ste 200

Redwood City, CA 94065 | 650.804.7600

With more than 20 years of experience, Chiara has become a trusted advisor to executives who engage her to advise their companies. Chiara assists clients with various issues and agreements, including:

- Commercial and technology-based transactions
- Open source and dual license models
- Software, SaaS, content and music licensing
- Commercial and IP aspects of financing and acquisition transactions
- Privacy and data protection compliance matters

Chiara holds the certificate for CIPP/US for U.S. private-sector privacy from the International Association of Privacy Professionals (IAPP), the global standard in privacy certification. Her clients include B2B and B2C companies that range from small software, mobile app, IoT and SaaS startups, to e-tailers and clothing brands, as well as large public companies.

Prior to joining Hopkins & Carley, Chiara had a technology transaction practice with Paradigm Counsel. Previously, she was with the international business law firm DLA Piper.

Experience

- Drafted and negotiated agreements for software as a service (SaaS), OEM, system integrator/ partner, distributor, sales representative and reseller agreements, hardware purchases, end user and enterprise software and toolkit licenses, and various other commercial and technology based transactions. Representation has been for clients on either side of the transaction.
- Represented startup software clients in licensing their software to multinational telecom providers and large financial institutions.
- Prepared internal and consumer facing privacy and data security policies; and counseled clients regarding Children's Online Privacy Protection Act, the California Online Privacy Protection Act of 2003, California Consumer Privacy Act and other state, federal, and international privacy issues, including cross border data transfers and EU General Data Protection Regulation (GDPR) compliance.
- Represented various private and public companies (on company, investor and buy sides) on intellectual property issues for financings, mergers and acquisitions and asset transfers.
- Advised software and technology companies on open source licensing compliance and other open source or "free software" distribution and dual licensing models and compliance issues.
- Advised clients on sharing economy mobile apps, issues and terms.
- Advised clients on website, internet and e-commerce issues, including terms of service and use and automatic renewal legal requirements.
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Represented various clients on music licensing issues and music license agreements.

- Represented major motion picture producer in licensing content and trademarks for theme park and food and beverage concessions.
- Advised clients on both inbound and outbound content licensing, including, video, sports, radio and TV content and draft and negotiate agreements related to same.
- Represented and advised clients on outsourcing agreements and transactions.
- Represented mobile app developer on licensing white label versions to large licensees.
- Drafted and negotiated numerous nondisclosure and proprietary information agreements.
- Drafted sweepstakes and contest rules.

Insights

Publications

- "New privacy considerations under CCPA regulations", Daily Journal, January 2024
- *The Privacy Hacker*, Co-editor

Selected Speaking Engagements

- *CCPA: It's Go Time*, January 2019
- *Are you Prepared for All of the New Privacy Laws?*, September 2019

Professional Activities

- National Charity League, Philanthropy Liaison
- Women's Club of Silicon Valley
- International Association of Privacy Professionals
- SMC Area Chamber of Commerce Business Referral Network

Bar Admissions

- State Bar of California (2002)

Education

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- J.D., Santa Clara University School of Law
- B.A., University of California, San Diego

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