

Chiara Portner

Shareholder

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- **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 a member of Hopkins & Carley's Corporate Practice in the Palo Alto office. Chiara advises private and public company clients on:

- 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. The CIPP/US certification demonstrates a strong knowledge of U.S. private-sector privacy laws and requirements for global transfers of data. Chiara's clients include B2B and B2C companies that range from small software, mobile app, IoT and SaaS startups to e-tailers and clothing brands to large public companies.

Prior to joining Hopkins & Carley, Chiara had a corporate transaction practice with Paradigm Counsel. Previously, she was with 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.
- 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.

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- Drafted and negotiated numerous nondisclosure and proprietary information agreements.
- Drafted sweepstakes and contest rules.

Insights

Publications

- *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

- The Women's CLUB of Silicon Valley
- Women's Intellectual Property Lawyer's Association
- Plug and Play, Mentor

Bar Admissions

- State Bar of California (2002)

Education

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