

# HOGE ■ FENTON



## **STEPHANIE O. SPARKS**

SHAREHOLDER, CHAIR – PRIVACY & DATA SECURITY AND IP

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### **PRACTICE OVERVIEW**

Stephanie O. Sparks is a shareholder at Hoge Fenton, and chairs the firm's Privacy & Data Security and Intellectual Property practice groups. She counsels companies on privacy laws and helps them create and implement administrative, technical, and physical safeguards for data security.

Stephanie also conducts onsite data security and compliance assessments; provides privacy and data security awareness training; prepares record management policies, record retention/destruction schedules, and data breach incident response plans; negotiates business associate agreements mandated by HIPAA, and other agreements involving privacy and data protection, hosting, migration and transfer.

Stephanie manages an online service provider's responses to government requests for information, including search warrants, pen register trap & trace orders, and Title III electronic surveillance orders. She helps firm clients prepare for, and she manages all aspects of, the inevitable data breach, whether resulting from the ubiquitous stolen laptop, phishing scams, the hacking of servers, or otherwise.

Stephanie was accepted as a member of the 2016 Hipower program, a network of select women professionals who are considered at the top of their fields. Stephanie was named a "Northern California Super Lawyer" in 2009-2015, 2017-2018, and 2020 as chosen by her peers and through the independent research of *Law & Politics* and *San Francisco Magazine*.

### **RECENT MATTERS**

- Guided client companies through the aftermath of data breach crises due to theft of laptops and servers, hackers, phishing, etc., including investigation and computer forensics, notification processes, public relations, internal employee relations, insurance coverage, dispute resolution, and litigation
- Secured a jury verdict for \$6 million in liability and punitive damages, attorneys' fees, and costs after a five-month jury trial involving trade secrets and unfair competition. Was responsible for key electronic evidence against the defendants through computer forensics. Also was responsible for the display of evidence in the courtroom using state-of-the-art technology, and successfully recovered those costs at the end of the trial
- Negotiated a favorable settlement in a lawsuit against her client, an electronic component manufacturing company, for misappropriation of trade secrets
- Prosecuted copyright infringement lawsuit to a favorable settlement for a commercial real estate mapping company
- Successfully defended copyright infringement lawsuit to a favorable settlement for a business broker
- Negotiated favorable resolution arising from complex patent license agreement
- Successfully prosecuted and defended over 50 trademark opposition and cancellation proceedings before the Trademark Trial and Appeal Board of the United States Patent and Trademark Office, and abroad in over 10 countries
- Prosecuted domain name disputes through the Uniform Domain Name Resolution Process (UDRP) on behalf of large, international private school and international skincare company, among others
- Manages trademark portfolios of firm clients in the U.S. and in over 30 foreign jurisdictions

## PROFESSIONAL ACTIVITIES & SPEAKING ENGAGEMENTS

Stephanie is an active member of the International Association of Privacy Professionals (IAPP) and International Trademark Association (INTA). She was recently selected to INTA Leadership for the 2020-2021 two-year term, and is currently serving on its Data Protection Committee. Stephanie has facilitated INTA monthly roundtables and has volunteered for INTA's Unreal Campaign, teaching local high school students about counterfeit goods. Stephanie is also a member of the William A. Ingram Inn of the American Inns of Court.

Stephanie routinely presents seminars on privacy and data security issues and intellectual property to businesses, accountants, lawyers and special interest groups, and has been a guest lecturer at Santa Clara University School of Law. She recently presented at the following seminars:

- Presenter, *"CCPA: What You Need to Do,"* ISACA Silicon Valley, January 16, 2020
- Co-Presenter, *"Don't Leave Money on the Table!, IP Strategies to Grow Profits and Maximize Value,"* Hoge Fenton, October 23, 2019

She also participated in a panel presentation to members of the Association of Certified Fraud Examiners entitled, The Virtual Trip Wire: Litigation Holds & the Duty to Preserve Data in Security Breaches. Other upcoming speaking engagements include:

- Co-Presenter, *"Co-Privacy Regulations: The New Litigation Battleground,"* Exterro/Jordan Lawrence, March 2020
- Presenter, *"California Consumer Privacy Act: What You Need to Know,"* Hoge Fenton, Spring 2020

## SPEAKING ENGAGEMENTS & ARTICLES

- Co-Presenter, *Women in Technology Panel Discussion*, CharmHealth, April 17, 2021
- Co-Presenter, [Election Outcomes and Actions to Take](#), November 12, 2020
- Co-Presenter, *Data Protection, Privacy & Cybersecurity in the Age of COVID*, Mackrell International, November 4, 2020
- Co-Presenter, [Best Practices for Managing a Remote Workforce](#), September 2, 2020
- Presenter, [CCPA Enforcement Begins on July 1st - Will Your Business Be Ready?](#), June 24, 2020
- Presenter, [California Consumer Privacy Act - What you need to know before July 1, 2020](#), March 11, 2020
- Co-Presenter, CLE EVENT - *"Bridge The Gap Between Legal And Data,"* The Master's Conference, April 23, 2019
- Moderator, ["GDPR Webinar: DPA Departure & Alternatives to GDPR"](#), January 23, 2018
- Moderator, ["GDPR Webinar: Compliance for Non-EU Companies"](#), December 7, 2017
- Moderator, ["GDPR Webinar: What does it require?"](#), October 31, 2017
- Moderator, *"New Developments in Intellectual Property,"* co-hosted with Santa Clara County Bar Association's High Technology Section, June 10, 2014
- *"What Would You Do if Someone Hacked Into Your Computer or Stole Your Laptop?"* presented at the Tri-Valley Estate Planning Council, November 7, 2013
- *"Privacy, Data Security, and the Inevitable Breach,"* at The Estate Planning Council of Southern Alameda County, Fremont, California, September 12, 2013
- Panelist for Internal Revenue Service/San Jose State University MST Program, sponsored by CalCPA Silicon Valley-San Jose Chapter and the California Bar Taxation Section Young Tax Lawyers Committee, June 19, 2013
- *"E-Discovery in the Data Breach Context"* for Women in E-Discovery, November 14, 2012
- *"The Virtual Office: Managing Information of a Remote Workforce"* at ARMA (Association of Records Managers and Administrators) in Silicon Valley, November 8, 2012
- Panelist with the Honorable Matthew Sciarrino, Jr., New York City, on *"E-Discovery, Privacy and Data Security Issues for Social Networking Web Sites"*, and Moderator for expert-deposition boot camp at Paraben's Forensic Innovations Conference, November 3-4, 2012
- *"Take a Bite out of Data Security,"* Abbott, Stringham & Lynch CPAs in San Jose, September 26, 2012
- Panelist with VISA, Oracle and others at San Jose State University, Edward Oates Symposium, *"Security in the Cyber Age,"* September 14, 2012
- Author, [Can you quickly put your hands on a critical business record?](#), June 26, 2011

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## **PRACTICE AREAS**

Privacy & Data Security  
Trademark Counseling and Protection  
Intellectual Property

## **EDUCATION**

J.D., University of the Pacific, McGeorge School of Law, *with distinction*  
B.A., Journalism / Advertising, University of Nevada, Reno

## **ADMISSIONS**

California  
Nevada