Privacy Policies and Laws

Ryan Coon

CYB-630

Dr. Hermano Jorge De Queiroz

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Part 1:

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| Law | GDPR(EU) | CCPA(USA) | CPRA(USA) | LGPD(Brazil) | PIPEDA(Canada |
| Scope | Applies to all EU residents and businesses processing their data | Applies to businesses collecting data from California residents | Expands CCPA protections, applies to businesses with more than 100,000 consumers | Applies to any data processing in Brazil, regardless of where the processor is located | Applies to private sector organizations collecting personal data in Canada |
| Consent Requirement | Requires explicit consent for data processing | Implied consent; consumers can opt-out | Requires explicit consent for sensitive data | Requires consent for data processing, but allows for exceptions | Requires consent for data collection, but can be implied in some cases |
| Consumer Rights | Right to access, rectify, erase, and restrict processing | Right to know, delete, and opt-out of sale of personal data | Right to access, delete, and correct personal data, and limit use | Right to access, rectify, and delete personal data | Right to access, correct, and withdraw consent for personal data |
| Penalties for Non-Compliance | Fines up to €20 million or 4% of global revenue | Fines up to $7,500 per violation | Fines up to $7,500 per violation | Fines up to 2% of revenue or R$50 million | Fines up to $100,000 for serious violations |
| Data Protection Officer (DPO) | Mandatory for certain organizations | Not required | Not required | Mandatory for certain organizations | Not mandatory, but recommended for larger organizations |
| Data Breach Notification | Must notify authorities within 72 hours | Must notify consumers within 45 days | Must notify consumers within 12 months | Must notify authorities and affected individuals within 72 hours | Must notify individuals and authorities if there is a risk of harm |

General Data Protection Regulation (GDPR) - a comprehensive data protection law enacted by the European Union (EU) that aims to enhance individuals' control over their personal data and to unify data protection regulations across Europe(Wolford, 2025).

California Consumer Privacy Act (CCPA) - a landmark piece of legislation that enhances privacy rights and consumer protection for residents of California. It aims to give consumers more control over their personal information that businesses collect and use(State of California Department of Justice, 2024).

California Privacy Rights Act (CPRA) - enhances the privacy protections established by the California Consumer Privacy Act (CCPA). The CPRA aims to provide California residents with greater control over their personal information and introduces additional rights and obligations for businesses(Orrick, n.d.).

Lei Geral de Proteção de Dados (LGPD), is Brazil's comprehensive data protection legislation. It aims to regulate the processing of personal data, ensuring the privacy and protection of individuals' personal information(Ecomply, n.d.).

Personal Information Protection and Electronic Documents Act (PIPEDA) - a federal law in Canada that governs how private-sector organizations collect, use, and disclose personal information in the course of commercial activities(Office of the Privacy Commissioner of Canada, 2024).

Part 2:

**Evaluating the Implications of Internet Use in Small to Medium-Sized Businesses**

The rise of the internet has transformed the landscape for small to medium-sized businesses (SMBs), creating both opportunities and challenges. As these businesses increasingly rely on online platforms for operations, marketing, and customer engagement, they face significant implications concerning privacy, policies, research, and website presence. One of the most pressing concerns for SMBs is the protection of intellectual property (IP), which is essential to maintaining competitive advantage and fostering innovation(CMIT, 2022).

Privacy Concerns

The use of the internet has heightened privacy concerns for SMBs and their customers. Businesses often collect and store vast amounts of personal data, such as customer names, email addresses, and payment information. According to a report by the Ponemon Institute, 60% of small businesses experienced a data breach in the last year, which underscores the critical need for robust privacy practices(Brandt, 2024). SMBs must navigate complex privacy laws, such as the General Data Protection Regulation (GDPR) in Europe and the California Consumer Privacy Act (CCPA) in the United States. These regulations impose strict requirements on how businesses can collect, use, and share personal data(Fortis Law, 2021). Non-compliance can lead to significant fines and damage to reputation, making it imperative for SMBs to adopt comprehensive privacy policies and training programs.

Policies and Compliance

Developing clear policies regarding internet use is crucial for SMBs. This includes policies on data collection, employee internet usage, and social media engagement. A well-defined internet policy can help mitigate risks associated with data breaches and cyber-attacks(Dragutinovic, 2024). For instance, businesses should establish protocols for securely handling sensitive information and guidelines for social media interactions to protect brand integrity. Furthermore, regular audits and employee training on cybersecurity measures can enhance compliance with relevant regulations and improve data security.

Research and Online Presence

An effective online presence is vital for SMBs to compete in today's digital marketplace. Research indicates that 70% of consumers conduct online research before making a purchase, highlighting the importance of a well-optimized website and strong digital marketing strategies(Snow, 2022). SMBs can leverage tools like search engine optimization (SEO) and social media marketing to enhance visibility and reach potential customers. However, the challenge lies in balancing the investment in online presence with the need for data protection. SMBs must ensure that their websites are secure, using encryption and regular security updates to protect user information. Additionally, they should have clear terms of service and privacy notices to inform users about how their data will be used.

Intellectual Property Protection

The internet has made it easier for SMBs to share and promote their intellectual property, but it has also increased the risk of infringement and theft. Protecting IP is essential for maintaining competitive advantage and driving innovation. SMBs should consider registering trademarks, copyrights, and patents to safeguard their creations(Wadsworth, 2021). Moreover, conducting regular audits to identify potential IP vulnerabilities is essential. In a digital environment, businesses also need to be proactive in monitoring online platforms for unauthorized use of their intellectual property, which may require employing legal counsel specializing in IP law.

In conclusion, the implications of internet use for small to medium-sized businesses are multifaceted, encompassing privacy, compliance, online presence, and intellectual property protection. By proactively addressing these challenges, SMBs can harness the power of the internet to drive growth and engagement while safeguarding their data and intellectual assets. Establishing comprehensive policies, investing in cybersecurity measures, and remaining vigilant about IP protection are crucial strategies for navigating the complexities of the digital landscape. As the online environment continues to evolve, SMBs must stay informed about emerging trends and regulations to ensure their long-term success in an increasingly competitive market. The journey may be complex, but with the right approaches, SMBs can thrive in the digital age.

References:

Bradley, T. (2024). *Understanding Data Privacy Laws and How They Impact Small Businesses*. Bizee. https://bizee.com/articles/data-privacy-laws-small-businesses

Brandt, K. (2024, November 13). *Entrepreneurs Need to Stay Aware: Cybersecurity Threats May Directly Impact the Bottom Line - Jewett City Savings Bank*. Jewett City Savings Bank. https://www.jcsbank.com/entrepreneurs-need-to-stay-aware-cybersecurity-threats-may-directly-impact-the-bottom-line/

CMIT. (2022, October 11). *The Importance of Data Protection for Small Businesses | CMIT Solutions Tribeca*. Tribeca, NY 1166 | CMIT Solutions. https://cmitsolutions.com/tribeca-ny-1166/blog/the-importance-of-data-protection-for-small-businesses/

Dragutinovic, M. (2024, May 30). *How Businesses Feel About Data Privacy [2024 Survey]*. Termly. https://termly.io/resources/data-lab/how-businesses-feel-about-data-privacy/

Ecomply. (n.d.). *LGPD Brazil - General Personal Data Protection Act*. Lgpd-Brazil.info. https://lgpd-brazil.info

Fortis Law. (2021, June 16). *Data Privacy for All Sizes: How small to mid-sized businesses can protect their business and customers — Fortis Law Partners LLC*. Fortis Law Partners LLC. https://www.fortislawpartners.com/blog/data-privacy-for-all-sizes-how-small-to-mid-sized-businesses-can-protect-their-business-and-customers/

IAPP. (2025). *Starting-up privacy: How to facilitate privacy in smaller companies*. Iapp.org. https://iapp.org/news/a/starting-up-privacy-how-to-facilitate-privacy-in-smaller-companies/

Office of the Privacy Commissioner of Canada. (2024, May 1). *PIPEDA in brief*. Priv.gc.ca; Office of the Privacy Commissioner of Canada. https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/pipeda\_brief/

Orrick. (n.d.). *The California Privacy Rights Act (CPRA)*. Www.orrick.com. https://www.orrick.com/Solutions/CPRA

Quach, S., Thaichon, P., Martin, K. D., Weaven, S., & Palmatier, R. W. (2022). Digital technologies: Tensions in Privacy and Data. *Journal of the Academy of Marketing Science*, *50*(1), 1299–1323. Springer. https://doi.org/10.1007/s11747-022-00845-y

Snow, H. (2022, August 2). *Biggest Intellectual Property Issues Facing Small Businesses Today - Hackstaff, Snow, Atkinson & Griess, LLC*. Hackstaff, Snow, Atkinson & Griess, LLC. https://www.hsaglaw.com/biggest-intellectual-property-issues-facing-small-businesses-today/

State of California Department of Justice. (2024, March 13). *California Consumer Privacy Act (CCPA)*. State of California - Department of Justice - Office of the Attorney General. https://oag.ca.gov/privacy/ccpa

Wadsworth, P. (2021). *Key IP considerations for smaller enterprises*. Wipo.int. https://www.wipo.int/web/wipo-magazine/articles/key-ip-considerations-for-smaller-enterprises-42093

Wolford, B. (2025). *What Is GDPR, the EU’s New Data Protection law?* GDPR.EU. https://gdpr.eu/what-is-gdpr/