



Behnam Dayanim

Partner

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Behnam Dayanim is a partner in the Paul Hastings Washington, D.C. office, where he chairs both the firm's Advertising, Gaming, and Promotions practice and its Privacy and Cybersecurity practice. Mr. Dayanim counsels clients on regulatory compliance, handles internal and regulatory investigations, and is an experienced litigator. He also works extensively in transactional matters, negotiating payment processing, marketing, IT services, and other types of commercial agreements.

Mr. Dayanim's practice concentrates on six substantive areas: privacy and cybersecurity, advertising and marketing, gambling and gaming, fintech and payments regulation, trade controls and sanctions, and information technology licensing and outsourcing. He has advised some of the world's most innovative fintech and financial services businesses and the largest internet gambling and gaming companies. He also has extensive experience advising on digital advertising, data analytics, privacy and cybersecurity concerns, as well as in export regulation of high technology and other products, including encryption, international money transfers, and money-laundering issues. Mr. Dayanim has been invited to speak throughout the United States, Europe, and South America, and is regularly interviewed or cited by national mainstream and industry publications.

Recent Representations

Privacy and Cybersecurity

- Advises companies responding to incidents of data breach.
- Represents companies in federal court litigations and in state attorney general or Federal Trade Commission investigations of privacy practices, including spyware, e-health, and other areas.
- Advises on workplace privacy, privacy in advertising and promotions, the Fair Credit Reporting Act, HIPAA, and the Electronic Communications Privacy Act (Wiretap Act and Stored Communications Act).

Washington, D.C.

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Practice Areas

Artificial Intelligence
Life Sciences and Healthcare
Global Trade Controls
Investigations and White Collar Defense
Internet of Things
Gaming and Gambling
Fintech and Payments
Payment Systems
Privacy and Cybersecurity
National Security Regulation and Investigations
Advertising and Promotions
Data Centers

Admissions

District of Columbia Bar
Maryland Bar

Languages

Hebrew

Education

Harvard Law School, J.D.
1993

Yeshiva University, B.A. 1989

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- Formulates consumer and employee-directed privacy, security, and electronic-use policies and advice on addressing complaints or problems.
- Advises on compliance with the Children's Online Privacy Protection Act.
- Has advised a number of major financial services institutions—in the insurance, securities, and other arenas—in establishing and maintaining compliance with federal (Gramm-Leach-Bliley) and state privacy and information-security regimes.
- Has advised multinational enterprises, ranging from pharmaceuticals to market research, on compliance with often-conflicting global privacy restrictions, including most prominently the U.S. European Union Safe Harbor Agreement.
- Has represented clients before congressional and regulatory policy-makers in connection with the formulation or consideration of new regulatory or legislative initiatives.

Advertising Counseling and Litigation

- Advises clients on advertising claims, development and implementation of ad review, multi-jurisdictional approaches, and regulatory requirements.
- Negotiates digital marketing and related advertising, audience matching, and similar agreements
- Represents companies in litigation involving the federal Lanham Act and unfair or deceptive practices in state and federal courts and before alternative dispute resolution bodies, such as the National Advertising Division of the Council of Better Business Bureaus and the television networks.
- Represents companies in investigations by regulatory agencies, including the Federal Trade Commission and state attorneys general.
- Advises on compliance with and defends class action and other lawsuits involving direct marketing and telemarketing requirements, including the Telephone Consumer Protection Act, the Telemarketing Sales Rule, and CAN-SPAM.

Gambling and Gaming

- Regularly counsels clients on the applicability of federal and state laws governing internet gambling, fantasy sports, social and mobile gaming, and e-sports.
- Advises with respect to payment processing, marketing, and related due diligence concerns that arise in connection with gambling and gaming.
- Advises clients in other industries on the “gamification” of their non-gaming products and services and advises with respect to the laws governing contests, sweepstakes, and other types of promotions.

Fintech and Payments Regulation

- Provides regulatory advice and counseling on electronic payments and related

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financial services, including issues relating to digital wallets, prepaid cards, consumer finance, e-authentication, international/cross-border transfers, and card-scheme compliance.

- Negotiates commercial processing, issuing, acquiring, gateway, and related services agreements.
- Possesses extensive experience in advising the financial services industry with respect to issues relating to electronic commerce, electronic payment mechanisms, consumer finance (including the rules governing credit card payments and electronic fund transfers), and e-authentication issues.
- Advises on privacy, cybersecurity (including PCI), and data ownership issues in connection with payment processing and related relationships.
- Represents processors and fintech providers in processing and similar disputes, including in FTC investigations, bankruptcy-related litigations, and other matters.
- Heavily involved in the creation and passage of the Electronic Signatures in Global and National Commerce Act (“E-SIGN”) and was asked by the Federal Trade Commission to testify regarding the implementation of its consumer consent provisions.

Trade Controls and Sanctions

- Advises clients on the full range of export controls and sanctions, including high-tech (with a particular focus on encryption), defense, telecommunications, and aerospace. He advises on technology transfer and “deemed export” controls, the International Traffic in Arms Regulations (encompassing defense articles and services), U.S. sanctions administered by the Office of Foreign Assets Control, and anti-boycott regulations.
- Represents clients in voluntary disclosures and enforcement investigations, helping clients in many cases to avoid potentially severe fines or other penalties.
- His counseling, compliance, and enforcement work has spanned industries from high-tech to energy to international shipping and transportation and other areas and has included export, sanctions, financial services, and related anti-money laundering and “know your customer” compliance.

Information Technology Licensing and Outsourcing

- Represents clients in negotiating and drafting IT licensing and outsourcing agreements, with a particular focus on hospitals and the health care sector.

Accolades and Recognitions

- Named a leading fintech data protection & cybersecurity lawyer by ChambersUSA (Band 1– 2019)

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- Named a top gaming and gambling lawyer by Chambers Global and Chambers USA (2013-2018)
- Honored as a BTI Client Service “All-Star” (2009)
- Cited for his work in privacy and data protection in Legal 500 (2009, 2010, 2013, 2014 & 2016)
- Recognized among the International Who's Who of Internet, e-Commerce and Data Protection Lawyers (2010)
- Named a top technology lawyer in Legal 500 (2007–2009)
- Named as one of the nation's leading lawyers in trade controls, according to Chambers USA 2005 and 2006, and by Chambers Global in 2007

Speaking Engagements and Publications

Mr. Dayanim has spoken on a variety of matters and issues, including:

- Comments to Forbes.com on PartyGaming's Exit from U.S. Online Gambling Industry and its Vindication
- Speaks to The New York Times about Federal Authorities' Bid to Shut Down Online Gambling Sites and the Investigation of Full Tilt Poker
- Comments to The Wall Street Journal, Reuters, and Poker News Report as counsel to Groupe Bernard Tapie in a Bid to Acquire Full Tilt Poker
- Interviewed by All Things Considered, National Public Radio
- Consulted in The Washington Post and PC Magazine

Mr. Dayanim has authored many articles and newsletters, including:

- “NAD Decisions: A Roadmap To Class Action Litigation?”, Law360, July 18, 2011
- “Where Are Your Products— and Why Does It Matter?”, IndustryWeek.com, June 28, 2011
- Authored articles that have appeared in, among others, the Stanford Journal of International Law, Arizona Journal of International and Comparative Law, the Journal of Commodities and Securities Regulation, Gaming Law Review, Journal of Internet Law (cover story), Journal of E-Commerce Law, Computer Litigation Journal, IP Magazine (cover story), National Law Journal, Los Angeles and San Francisco Daily Journals, and International Litigation Quarterly, as well as in the newspapers Journal of Commerce and Jerusalem Post

Professional and Community Involvement

- Admitted to practice in the District of Columbia and Maryland
- Admitted to the U.S. Supreme Court, U.S. Court of Appeals for the D.C. Circuit, U.S. Court of Appeals for the Second Circuit, U.S. Court of Appeals for the

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Fourth Circuit, U.S. Court of Appeals for the Sixth Circuit, U.S. Court of Appeals for the Seventh Circuit, U.S. Court of Appeals for the Eleventh Circuit, U.S. District Court for the District of Columbia, and the U.S. District Court for the District of Maryland

- Serves on the editorial board of the Gaming Law Review and Economics
- Member, International Association of Gaming Advisors
- Actor, Renegades: The Requiem (Parts 1 and 2)

Education

- Harvard Law School, J.D., 1993 (cum laude)
- Yeshiva University, B.A., 1989 (summa cum laude)

News

May 10, 2019

FOX Sports Raises the Stakes with Launch of 'FOX Bet' Sports Wagering Venture with The Stars Group

May 01, 2019

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2019

November 30, 2018

Paul Hastings Secures Top Rankings in Chambers' FinTech Guide for 2019

June 14, 2018

Teleperformance Announces Acquisition of Intelenet from Blackstone

May 11, 2018

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2018

December 15, 2017

Fortune and FTSE Companies Underestimate GDPR Compliance by May 2018, New Research Shows

October 25, 2017

Fortune and FTSE Firms to Spend Millions Gearing up for GDPR Compliance, New Survey Shows

June 05, 2017

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Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA
2017

August 22, 2016

Teleperformance to Acquire LanguageLine Solutions for \$1.5 Billion

June 08, 2016

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA
2016

February 02, 2016

Paul Hastings Creates Collaborative Cross-Practice: Internet of Things

May 20, 2015

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA
2015

May 27, 2014

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA
2014

August 21, 2013

Paul Hastings Advises Skrill Group in 600 Million Acquisition by CVC Capital
Partners

June 05, 2013

Paul Hastings Extensive Practice Strength Highlighted in The Legal 500 United
States 2013

May 27, 2013

Paul Hastings Employment Practice Honored with Chambers "Award for
Excellence" and Firms Leading Practices and Lawyers Ranked in Chambers
USA 2013

October 15, 2012

Paul Hastings Further Strengthens Global Compliance & Disputes and Global
Banking & Payment Systems Practice Groups with Addition of New Partner

June 07, 2010

Paul Hastings Excels in 2010 Edition of Legal 500 US

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December 14, 2007

Paul Hastings Advises Iomega Corporation in Agreement to Acquire ExcelStor Group

December 13, 2006

Paul Hastings Earns Top Marks in Chambers 2007 Global Guide

June 05, 2006

Paul Hastings Practice Areas and Attorneys Earn Top Honors in Latest Edition of Chambers USA

Insights

June 05, 2019

Federal Court Delivers Stinging Rebuke to Justice Department, Declaring Wire Act Applies Only to Sports

June 03, 2019

Steps You Can Take Now To Reduce The Risk Of Litigation Under The New California Consumer Privacy Act

May 28, 2019

Married Bliss or Headed for Divorce? Happy Anniversary GDPR!

May 17, 2019

A One-Two Punch: The U.S. Government Hits China's Technology Sector

May 06, 2019

Something Familiar, Something New: OFAC's Compliance Program Framework

February 06, 2019

Rosenbach v. Six Flags Entertainment Corporation: The Illinois Supreme Court Clarifies BIPA's "Aggrieved" Pleading Requirement

November 30, 2018

The Blocking of Digital Currency: A New Phase of Sanctions Enforcement

July 11, 2018

California Consumer Privacy Act of 2018 Set to Dramatically Change Privacy Landscape Across the Country

Behnam Dayanim (Continued)

July 10, 2018

California to Europe: We Want To Be More Like You

June 22, 2018

Carpenter v. United States: A Watershed for Digital Privacy

June 11, 2018

11th Circuit to FTC: General Prescriptions of “Reasonableness” in Data Security
Are Unreasonably Vague

May 29, 2018

The EU Commission Aims Its “Blocking Statute” at Renewed U.S. Sanctions
Against Iran: What Will This Mean for EU Companies?

May 14, 2018

Supreme Court Opens Door To State-Authorized Sports Betting In Far-Reaching
Opinion

May 09, 2018

President Trump Withdraws From JCPOA; Reimposes Iran Sanctions—Six Key
Takeaways

March 30, 2018

CLOUD Act Implements Crucial Statutory Changes Affecting Law Enforcement
Access to Data

March 20, 2018

The D.C. Circuit Reins in the FCC on Robocalls and Texts

February 28, 2018

Recap: Oral Arguments in United States v. Microsoft Corp.

January 12, 2018

Key Takeaways from the FTC’s Latest Privacy Enforcement

January 12, 2018

Key Takeaways from the FTC’s Latest Privacy Enforcement

October 20, 2017

Less Biometric Security Is More Security: A Fifth Amendment Primer

Behnam Dayanim (Continued)

July 20, 2017

See You in Court: CFPB Final Arbitration Rule Opens the Door to Class Action Lawsuits

June 22, 2017

Complying with COPPA: FTC Releases Updated Six-Step Compliance Plan for Businesses

June 22, 2017

Complying with COPPA: FTC Releases Updated Six-Step Compliance Plan for Businesses

May 19, 2017

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May 19, 2017

Protecting Your Networks, and Your Brand: How to Avoid and Respond to Ransomware Attacks

April 19, 2017

China's New Cybersecurity Regime

April 03, 2017

New Privacy Training Requirements for Covered Federal Contractor Employees

March 16, 2017

International Travelers Beware—Digital Device Searches at the Border

February 22, 2017

New York's New Cybersecurity Rule for Financial Institutions & How It May Affect You

February 07, 2017

New York's New Cybersecurity Rule for Financial Institutions & How It May Affect You

December 19, 2016

Outlook for U.S. Internet Gambling Under President Trump: Rough Times Ahead?

November 30, 2016

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California's Menu Labeling Law Takes Effect December 1, 2016, Months Ahead of FDA Enforcement

July 14, 2016

Five Ways that Privacy Shield is Different from Safe Harbor and Five Simple Steps Companies Can Take to Prepare for Certification

May 26, 2016

Spokeo and Article III Standing: You May Be Particularized But Are You Concrete?

May 17, 2016

Privacy and Data Security Issues in M&A Transactions - A Checklist

November 10, 2015

6 Things Financial Institutions Are Doing In Response to New Regulator Cyber Audit Guidance - Other Industries Take Note!

September 01, 2015

Cybersecurity as a Global Concern in Need of Global Solutions: Some Recent Financial Regulatory Developments

August 10, 2015

Three Lessons Learned from a Data Breach Investigation

April 14, 2015

The Video Privacy Protection Act - Recent Decisions Further Narrow The Contours Of Liability

January 16, 2015

Acting on the President's December Announcement, OFAC Implements Changes to Cuba Sanctions Policy

December 09, 2014

What are the most pressing privacy and security issues facing tech companies today?

November 24, 2014

The US States Inching Ever Closer to Legalising I-Gaming

November 17, 2014

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The Video Privacy Protection Act: Is It the New TCPA (aka Class Action Bonanza)? A Summary of Recent Developments and Tips for Avoiding Successful Suit

September 15, 2014

High Stakes in Ukraine: U.S. and EU Ratchet Up Sanctions Against Russia as Fragile Peace Process Gets Underway

August 05, 2014

New Restrictions Curtail Use of U.S. Equipment or Technology for Oil & Gas Exploration and Production in Russia

August 01, 2014

Washington Perspectives

July 30, 2014

New Coordinated U.S. and EU Sanctions Target Russian Banks, Oil Industry

July 18, 2014

U.S. Issues Significant, Targeted Sanctions Against Designated Firms in Russian Financial and Energy Sectors

July 01, 2014

POM Wonderful LLC v. Coca Cola Company: Have the Tides Turned in the Legal Food Fight?

May 16, 2014

What privacy and data security trends will have the biggest impact on data centers over the next 12 months?

April 28, 2014

Social Gaming: Emerging Regulation

April 09, 2014

FTC Scores Key Victory in Challenge to its Authority to Enforce Data Security

March 28, 2014

More Fallout from Crimea: Commerce and State Departments Announce Holds on New Licenses for Exports to Russia

March 18, 2014

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U.S. Targets Russian Insiders President Obama Imposes Additional Sanctions in Response to Ukraine Crisis

March 07, 2014

Americas New Cybersecurity Framework: Help or New Source of Exposure?

November 20, 2013

Government Spying and Big Data - What are the Implications for Data Centers and their Customers?

November 11, 2013

California Privacy Law Developments with Potentially Far-Reaching Consequences

October 15, 2013

How the U.S. Government Shutdown and Debt Ceiling Could Affect Korean Companies

June 03, 2013

Virtual Currencies - Legal and Regulatory Challenges

May 13, 2013

Social Media and Data Privacy Concerns

March 11, 2013

Employers, Employees and Social Media

January 03, 2013

Federal Trade Commission Updates Childrens Online Privacy Protection Rules: First Update in 12 Years

July 19, 2010

United States Sanctions: General Considerations for Minority Investment

July 12, 2010

The Obama Administration Tightens the Screws on Iran, Adopts Far-Reaching New Measures

June 21, 2010

Electronic Gold Rush: Navigating Electronic Health Record Migration With Vendors and Suppliers

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July 09, 2009

European Privacy Directive Recent Review

April 21, 2009

Ensuring the Enforceability of Electronic Employee Arbitration Agreements:
Lessons Learned from Recent Case Law

March 17, 2009

Stronger Protections for Health Information are Part of the Fiscal Stimulus

January 05, 2009

Massachusetts Imposes Far-Reaching Obligations to Protect Personal
Information of its Residents

November 24, 2008

The Unlawful Internet Gambling Enforcement Acts Final Rule: Better Late Than
Never or Better Left Unsaid?

June 28, 2007

New Rules on China Exports

December 05, 2006

U.S. Court Ruling Invalidates Aspects of Presidential Authority to Designate
Global Terrorists; Limited Corporate Impact Expected

January 03, 2006

Ushering in 2006 - FTC Not Waiting for Congressional Action on Data Security

August 24, 2005

Data Protection Legislation Moves Forward in the Senate: Increased
Congressional Activity Expected this Fall

April 08, 2005

CMS Issues Complaint Procedures Under HIPAA

July 07, 2004

Californias Privacy Revolution Withstands Attack

December 26, 2003

Syria Accountability Act: Last-Minute Changes Make Impact on U.S.-Syria Trade
and Investment Uncertain

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October 01, 2001

Coping With New U.S. Terrorism Orders Barring Transactions With Entities That Support Terrorism

November 01, 2000

Export Control Update

July 01, 2000

Exporter Update: Court Rules Export Application Information Subject To Disclosure Under Foia

February 01, 2000

An Irreverent Primer On The New Encryption Export Rules

Rankings & Awards

February 14, 2019

Recognized by Chambers Global 2019

November 30, 2018

Recognized in the Chambers FinTech Guide

May 15, 2018

Recognized by Chambers USA 2018

June 05, 2017

Recognized by Chambers USA 2017

June 08, 2016

Recognized by Chambers USA 2016

December 03, 2014

Gaming Law Experts Selects Behnam Dayanim as Top DC Gaming Lawyer