



## 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, and is an active member of its Global Fintech and Payments National Security practices. 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 has advised some of the world's most innovative fintech and financial services businesses, the largest and most prominent social media and tech companies, and a bevy of internet gambling and gaming operators and other market participants. His experience includes gaming and gambling regulation, digital advertising, data analytics, privacy and cybersecurity concerns, fintech and financial services regulation, sanctions and export regulation of high technology and other products, 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 some of the world's largest and most sophisticated companies on data privacy, cybersecurity, and investigations, including in the technology, consumer products, retail, financial services, and healthcare sectors.
- Advises clients on legal and ethical considerations surrounding data analytics and the use of artificial intelligence in a variety of applications.
- 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.

### Washington, D.C.

T: 1(202) 551-1737

F: 1(202) 551-0237

### Practice Areas

Impact and Sustainability  
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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- 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).
- 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.

### **Gambling and Gaming**

- Regularly counsels clients on the applicability of federal and state laws governing internet gambling, sports-betting, 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.
- Represents clients before gaming authorities and has conducted independent and other internal investigations of regulated gambling companies.
- Has advised in connection with some of the industry's largest acquisitions, partnerships and public offerings.
- Has represented gambling and non-gambling gaming companies (social casino, subscription, skill and others) in litigations and government investigations, including negotiations of non-prosecution agreements with the U.S. Department of Justice on behalf of PartyGaming Plc and Optimal Group, as well as consumer class action litigations implicating a range of gambling and consumer protection considerations.

### **Fintech and Payments Regulation**

- Provides regulatory advice and counseling on electronic payments and related financial services, including issues relating to digital wallets, prepaid cards, consumer finance, e-authentication, international/cross-border transfers and

## Behnam Dayanim (Continued)

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.

### **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.

### **National Security, 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. Mr. Dayanim 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,

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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 Chambers USA (2019-2020)
- Named a top gaming and gambling lawyer by Chambers Global and Chambers USA (2013-2020)
- Named Best Lawyers’ Gaming Law “Lawyer of the Year” in Washington, DC, in 2015 and 2020
- Cited for his work in privacy and data protection in Legal 500 (2009, 2010, 2013, 2014 & 2016)
- Honored as a BTI Client Service “All-Star” (2009)
- 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 Party Gaming’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

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- “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 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 01, 2020

Paul Hastings Practices and Lawyers Score Top Rankings in Chambers USA 2020

#### April 24, 2020

DraftKings Closes Business Combination with Diamond Eagle Acquisition Corporation and SBTech

#### January 24, 2020

Moody's Corporation to Acquire Regulatory DataCorp

#### August 08, 2019

## Behnam Dayanim (Continued)

Francisco Partners to Sell ClickSoftware to Salesforce for \$1.4 Billion

**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**

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

## Behnam Dayanim (Continued)

**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

**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

## Behnam Dayanim (Continued)

### **October 08, 2020**

January 1, 2022, Extension of CCPA's HR and B2B Carve-Outs Signed into Law

### **October 05, 2020**

U.S. Government Publishes White Paper Following Schrems II Decision

### **August 31, 2020**

CCPA's HR and B2B Carve-Outs Extended Until January 1, 2022

### **August 19, 2020**

Commerce Simplifies—but Expands—the Foreign Direct Product Rule for Huawei

### **August 18, 2020**

CCPA Final Regulations: California Attorney General Announces Approved CCPA Regulations for Immediate Effect

### **August 11, 2020**

US-EU Joint Statement: Privacy Shield

### **August 10, 2020**

Nine Things You Need to Know About the Trump Administration Sanctions Against TikTok and WeChat

### **August 03, 2020**

U.S. Department of Commerce Issues Final Rule Suspending Certain Preferential License Exceptions for Hong Kong

### **June 08, 2020**

Commerce Department Adds Thirty Three Companies to the Entity List as Trade Tensions with China Escalate

### **May 19, 2020**

U.S. Department of Commerce Imposes Further Restrictions Directed at Huawei

### **May 08, 2020**

Seventh Circuit Lowers the Federal Standing Threshold for Illinois Biometric Privacy Act Claimants

### **April 29, 2020**

Commerce Department Increases Restrictions on Exports to China, Russia, and



## Behnam Dayanim (Continued)

Venezuela

### **April 08, 2020**

COVID 19: Best Practices for Videoconferences – Protecting the Privacy of Confidential Conversations

### **March 13, 2020**

Updated Proposed Rules: California Attorney General Releases Revised Set of CCPA Regulations

### **February 19, 2020**

Proposed Rules: California Releases Much Anticipated Revisions to CCPA Regulations

### **February 05, 2020**

Harvard Professor Arrested for Allegedly Hiding Ties to China: What Universities Can Do to Protect National Security While Promoting an Open Academic Environment

### **January 08, 2020**

New Export Regulations on AI Software Could Signal Narrow Approach to Pending “Emerging Technology” Controls

### **January 08, 2020**

New Export Regulations on AI Software Could Signal Narrow Approach to Pending “Emerging Technology” Controls

### **December 02, 2019**

Federal Regulators Propose Madden Fix

### **November 11, 2019**

CCPA: My Business Isn't Based In California – Should I Be Taking Action?

### **September 10, 2019**

The CCPA and COPPA: Looking for the “Betwixt and Between”

### **July 29, 2019**

New York Senate Considers Sweeping New Privacy Bill That Would Create a Fiduciary Duty to Consumers

### **June 05, 2019**

## **Behnam Dayanim** (Continued)

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

**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?

## Behnam Dayanim (Continued)

**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

**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**

## **Behnam Dayanim** (Continued)

**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**

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**

## Behnam Dayanim (Continued)

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**

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

## **Behnam Dayanim** (Continued)

**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**

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**

## **Behnam Dayanim** (Continued)

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

**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

## **Behnam Dayanim** (Continued)

**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

**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



## Behnam Dayanim (Continued)

### Rankings & Awards

**May 01, 2020**

Recognized by Chambers USA 2020

**April 26, 2019**

Ranked by Chambers USA 2019

**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