

Litigation and Legislative Update: The Biometric Information Privacy Act (BIPA)

Date & Time

Start Date: 04/14/2021

Start Time: 1:00 p.m. EDT

End Time: 2:00 p.m. EDT

Speakers

As the privacy landscape evolves, the Illinois Biometric Information Privacy Act (BIPA) remains the basis of significant class action activity in federal and state courts. It is one of the most popular privacy laws among the plaintiffs' bar with "mini-BIPAs" being contemplated in other states. Unfavorable rulings, including the *Rosenbach* decision from the Illinois Supreme Court, paved the way for a considerable number of putative class actions against good faith businesses across industries with operations, employees, and/or consumers in the state. These cases challenging biometric employee timekeeping systems, asset protection finger or palm printing tools, facial recognition technology, temperature/wellness check technology, health monitors, and iris and retina scans have flooded the courts and subjected companies to crushing aggregate exposure (statutory damages of \$1000 up to \$5000 per violation plus attorneys' fees and costs).

There are key pending appellate-level cases that should provide clarity on key issues related to the statutes. There are also active legislative developments poised to put much-needed measures in place to rein in the minefield of litigation risk.

Our speakers are at the forefront of the litigation and legislative developments and will provide a valuable update on the state of play and what companies should be aware of as they navigate the current — and future — BIPA environment.

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