



Mark G. McCreary, CIPP/US

Partner

Philadelphia, PA
Tel: 215.299.2010
Fax: 215.299.2150

mmccreary@foxrothschild.com

As Co-Chair of the Privacy & Data Security Practice, Mark focuses a segment of his practice on compliance with privacy-related laws, rules and regulations as well as responses in the event of a data breach. Because of the incredibly wide range of applicable laws, rules and regulations, Mark understands that advising on privacy-related issues is not an area of law that should be practiced “on the side,” and diligently stays up-to-date on this ever-changing field. Mark, who is CIPP/US certified by the International Association of Privacy Professionals, regularly prepares privacy policies (both intra-company and for customers), handles privacy issues under the Gramm-Leach-Bliley Act and related requirements for the privacy of consumer financial information (including the Fair Credit Reporting Act (FCRA), prepares data security plans and assists with data breach responses and notifications.

Mark’s [Privacy Desk Reference](#) is a concise set of guidelines for protecting your business from existing and future threats, and plugging existing data security holes. Download it here or contact Mark for a copy you can share with your Chief Privacy Officer.

Mark also practices intellectual property and the law of the Internet. He prosecutes various intellectual property matters, negotiates transactions, and provides counsel on a wide range of technology-related matters including:

- copyright application, analysis, protection, and enforcement
- trademark availability opinions, application preparation, and licensing
- patent licensing
- software licensing and digital data security protection
- Internet hosting, design agreements, and data-sharing agreements
- preparation and launch of Website e-commerce stores
- online transactions
- product and brand integration with operating systems and related advertising agreements
- administrative and federal domain name ownership challenge procedures involving the Internet Corporation for Assigned Names and Numbers (ICANN) domain name dispute resolution procedure, the Federal Anti-Cybersquatting Act, and anti-cybersquatting claims in general

In addition, Mark serves as the firm’s Corporate Administrative Partner in Philadelphia, and practices general corporate and mergers and acquisitions law, which includes:

- drafting confidentiality policies, employment agreements and non-competition agreements
- analyzing the exposure of prospects in potential acquisitions



- providing advice on venture capital offerings and securities filings

Mark also has significant experience handling bankruptcy matters for businesses, debtors and trustees. Mark has substantial experience prosecuting and defending avoidance actions. After more than fifteen years of experience managing avoidance action programs on behalf of trustees, Mark has streamlined these programs to be efficient and provide the maximum return to the applicable bankruptcy estates, including in the following cases:

- Winstar Communications, Inc.
- Dollarland, Inc.
- Pennsylvania Gear Corporation
- Cytometrics, Inc.
- Ultimate, Inc.
- Forest City Auto Parts
- Langston Corporation
- Automata International, Inc.
- Midland Steel Products
- The Gingiss Group, Inc.
- AM Communications
- Zoom Media Group, Inc.
- U.S. Wood Products, Inc.
- Phoenix Structures and Services, Inc., and C&S Fabricators, Inc.
- Channel Master Holdings, Inc.
- Breuners Home Furnishings Corp.
- American Remanufacturers, Inc.
- Joan Fabrics Corporation
- Hospital Partners of America, Inc.
- Sports Collectibles Acquisition Corp.
- Weisman Discount Home Centers, Inc.
- Downey Financial Corp.
- WBE, LLC f/k/a Everything But Water, LLC
- Axiant, LLC
- Bionol Clearfield, LLC
- Cycle World of Cherry Hill, Inc.
- Hess Industries
- Transvantage Solutions

Among his leadership roles, Mark serves as the firm's Hiring Partner, a member of the Firm's Finance Committee and a member of the Executive Committee. In addition, Mark spent four years as the firm's first Chief Privacy Officer, building a robust data security culture among 950+ lawyers and 1,000+ staff spread across 27 offices.

Beyond Fox Rothschild

Mark writes for numerous legal and technology publications and is a frequent media source on these issues.

Client Resources



U.S. Data Breach Statutes E-Book

Sensitive data. Gone. Stolen by faceless thieves who breached the company's seemingly secure network. But combating potential catastrophe and navigating proper response protocol has never been easier, thanks to Fox Rothschild's searchable *U.S. Data Breach Statutes* e-book and its companion iPhone app Data Breach 411. Mark was instrumental in developing both the e-book and app, which provide details of data breach notification statutes for all 50 states, the District of Columbia, Guam, Puerto Rico and the U.S. Virgin Islands.

[Download the free app](#)

[View the e-book](#)

State Data Privacy Law Tracker

Regularly updated by the Fox Privacy & Data Security team, [this informative guide](#) summarizes key components of state consumer data privacy laws that have been proposed and enacted across the United States, presenting the information in an easy-to-read chart format, as well as providing an update on the status of pending legislation.

CCPA Scope Adviser

The California Consumer Privacy Act (CCPA) takes effect in 2020, and will impose strict new data privacy requirements on many businesses with ties to California. However, determining an individual company's exposure can be complicated. This free, [easy-to-use online tool](#) helps businesses determine whether they will be subject to the law and provides tips on designing a compliance plan.

Data Privacy & Security Training for the Remote Workforce

Mark provides [customized, interactive training](#) via secure Webex® videoconference to help businesses maintain their employee data privacy and security training obligations when employees work remotely.

Cyber Academy: Data Privacy 101 for Students

As a public service, Mark offers [alively, school-based program](#) that provides students with real-world examples of the hazards they face online, useful tips they can use to identify risks and proactive steps they can take to protect themselves, their schools and their families from cyber threats.

GDPR Readiness Checklist

Compliance made simple. [GDPR Readiness Checklist](#) makes it easy for companies to gauge their compliance with the EU's General Data Protection Regulation – a complex set of data privacy rules governing the personal data of all EU individuals. The questionnaire maps an organization's data management practices and policies across 17 areas to help determine GDPR compliance. It's now easier for businesses to understand GDPR law and avoid heavy noncompliance penalties.

Privacy Compliance & Data Security Blog

Mark is an author of the firm's [Privacy Compliance & Data Security Blog](#). This blog helps readers navigate through the policies and best practices of data breach response and covers topics such as compliance with data protection laws and regulatory enforcement and litigation as well.

Honors & Awards

- Named a Pennsylvania Trailblazer by *The Legal Intelligencer* (2019)



- Selected to the "Trailblazers" list for Cyber Security Law by *The National Law Journal* (2016)*
- Selected to the "Super Lawyers - Rising Stars" list for Intellectual Property in Pennsylvania (2006-2008, 2010, 2013)*
- CIPP/US certified by the International Association of Privacy Professionals
- Named to the "Best Attorneys in Business" list by *Philly Biz* (2016)

[*Awards Methodology](#)

Practice Areas

- Corporate
- Privacy & Data Security
- California Consumer Privacy Act
- Technology
- Automotive
- Mergers & Acquisitions
- REITs
- Trade Secrets
- Trademarks

Bar Admissions

- Pennsylvania
- New Jersey

Education

- Southern Methodist University School of Law (J.D., 1998)
- Villanova University (B.A., 1995)

Memberships

- American Bar Association
- Pennsylvania Bar Association
- Philadelphia Bar Association
 - Co-Chair of the Risk Management Committee
- International Association of Privacy Professionals
- Villanova University Paralegal Studies Advisory Committee
- Fox Rothschild Executive Committee