LEGALLY YOURS

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2019 LEGAL SEMINAR

• Format
• Issues covered
  • Data breach preparedness, copyright infringement, state privacy initiatives, antitrust and discovery, class certification, NAR policy proposal, offer of compensation publication, unauthorized data use, MLS system functionality and competition, class action suits…
• Today’s discussion
DATA BREACH PREPAREDNESS

NOT IF, BUT WHEN
DATA BREACH PREPAREDNESS

• Prepare and prevent
• Respond
• Legal considerations
STATE CONSUMER PRIVACY INITIATIVES

WHAT DOES IT MEAN FOR MLS
STATE CONSUMER PRIVACY INITIATIVES

• Several states pending legislation
• Common themes of the initiatives
• Call to action
MLS SYSTEM FUNCTIONALITY AND COMPETITION

A CRMLS CASE STUDY
MLS SYSTEM FUNCTIONALITY AND COMPETITION

• CRMLS conducted analysis of its data
• Questions
  • Is searching based on compensation prevalent?
  • Does lower compensation mean longer DOM?
• Results are positive!
DISCOVERY
LESSONS LEARNED

CONFIDENTIALITY IS A MYTH
DISCOVERY LESSONS LEARNED

• Confidentiality is a myth
• Communications are discoverable
• Antitrust claims are not intuitive
COPYRIGHT INFRINGEMENT RISK MITIGATION

EDUCATION IS KEY!
COPYRIGHT INFRINGEMENT RISK MITIGATION

• How it happens
• Case study
• Takeaways
  • Content in – strong agreements are critical
  • Content out – ready for claims, assess licenses
  • Education – this is key!
WHAT’S NEXT?