

**David Bender**  
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### **Practice Areas**

- Privacy and Data Protection Law
- Information Technology Law
- Intellectual Property Law

### **Legal Experience**

David Bender has had an extensive career that has involved litigation, counseling, and transactional work. He retired in 2007 from White & Case LLP, where he was chair of the firm's global Privacy practice. In that position he headed numerous global data protection projects, and also counseled extensively on compliance with various US data protection laws such as the Gramm-Leach-Bliley Act, the CAN-SPAM Act, as well as state data protection laws. Before practicing in the Privacy area, he drafted, negotiated, and advised in connection with various types of information technology transactions, including outsourcing, Internet, and many kinds of software-related projects. A founder of White & Case's Intellectual Property practice, he also handled many IP matters, ranging from patent, copyright, and trade secret litigation to due diligence inquiries and the negotiation and drafting of various types of IP-related agreements.

Mr. Bender served in-house at AT&T (mostly before its divestiture) for ten years, and during the latter half of that period was the General Attorney responsible for all IP litigation brought by or against any Bell System company. Prior to that, he litigated antitrust cases.

### **Publications**

Mr. Bender is the author of **Computer Law**, a five-volume treatise published by Lexis-Nexis Matthew Bender in 1978 and updated twice annually. He writes a Privacy Law column that appears bimonthly in the New York Law Journal, and has also written several dozen law review articles and CLE papers on diverse topics in the fields of Privacy, Information Technology, IP, and Antitrust. His article "Computer Programs: Should They Be Patentable," 68 Colum. L. Rev. 241 (1968) was one of the first law review articles on that topic, and his "Trade Secret Protection of Computer Programs," 38 Geo. Wash. L. Rev. 909 (1970), was the first law review article on the title topic. His NY Law Journal columns include: "FACT Act Red Flag Rules," (Dec. 2, 1008); "Data Protection: The Importance of Choosing a Global Paradigm," (Oct. 7, 2008); "NY Freedom of Information Law: Scope of the Privacy Exception," (Aug. 5, 2008); and "Whistleblower Debate," (with Suzanne Innes-Stubb, Apr. 11, 2006).

### **Presentations and Seminars**

Mr. Bender has made over 250 presentations on topics in the fields described above across the United States and in some 18 foreign countries. He has spoken at programs sponsored by Practising Law Institute, the American Bar Association, the Association of the Bar of the City of New York, the New York State Bar Association, the International Technology Law Association (formerly known as Computer Law Association), several law schools (including the University of Houston Law Center), and many other sponsors.

### **Education**

- S.J.D. (Dissertation: Computer Evidence and Procedure), George Washington University (1975)
- LL.M. in Patent Law, George Washington University (1969)  
Research Assistant to Professor Irving Kayton
- LL.B., University of Pennsylvania (1968)
- Sc.B. in Applied Mathematics, Brown University (1961)

### **Admissions**

- New York
- District of Columbia (currently inactive)
- U.S. Patent and Trademark Office

### **Professional Memberships**

International Technology Law Association (President, 1999-2000); Association of the Bar of the City of New York.

### **Previous Professional Experience**

Before turning to the law, Mr. Bender served as an engineer with Ford Aerospace working on trajectory analysis of intercontinental ballistic missiles, and as a mathematician with Hughes Aircraft working on orbit dynamics and rigid body analysis of spacecraft.