

In The News

Akerman Lawyers Melissa Koch and Talia Boiangin Advise How to Avert Data-Risk Missteps in M&A Proceedings

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Chair of Akerman's Technology Transactions Team, [Melissa Koch](#), and associate Talia Boiangin authored an article in *Law360*, providing valuable insight for averting data-risk missteps in M&A proceedings. The Orlando-based pair discuss data privacy, data security, and IT systems – the three areas where unwanted surprises lurk. These areas, they explain, are often misunderstood, or even overlooked, in sell-side readiness and buy-side diligence. Failure to properly prepare for and provide such information during the diligence process has been known to negatively affect sales price, particularly in recent months when the M&A landscape has changed.

The authors wrote: “When it comes to cybersecurity incidents, the question for most companies is not if they will be a victim of cybercrime, but when.

“Having proper information security safeguards in place to prevent unauthorized access to the seller's systems and data is important to determine during the due diligence process.

“Buyers should focus on whether the seller has implemented industry-standard procedures or performed regular internal audits designed to protect personal information and sensitive data. Such consideration is a good indicator that the buyer

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does not have to spend extensive time and resources securing the seller's systems post-purchase.”

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