

J. Christopher Erb

Counsel

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OVERVIEW

Chris Erb represents small and mid-sized international companies conducting business in the United States, particularly in the areas of computer, internet, and privacy/data security law. He assists with the structuring and formation of corporations, negotiating contracts and agreements, and mitigating risks associated with the U.S. market. Chris draws on his deep knowledge and understanding of European – and particularly German – business practices and law to help clients adapt and strategize from the European to U.S. business environment, including recognizing and avoiding the risks associated with the often litigious U.S. market.

Chris was previously an adjunct professor of law at Temple University School of Law and has been a frequent speaker on cybersquatting and internet law for the Pennsylvania Bar Association. Chris has also contributed articles to various publications including German American Trade and the Association of Chartered Certified Accountants (ACCA) Docket.

RECOGNITION AND INVOLVEMENT

Chris is an active member of the International Association of Privacy Professionals (IAPP), the American Bar Association Business and International Sections, and the German American Chamber of Commerce of Philadelphia. Fluent in German, Chris spent almost five years living in Munich, Germany in addition to a short stint in Frankfurt and a brief period studying in Prague, and has travelled to at least 30 countries on four continents. Chris has worked with clients from many of those countries, including clients from 10 of Germany's 16 states.

Chris is a hockey (both field and ice) and soccer dad and serves as Manager of Owen J. Roberts High School Girls' Ice Hockey Team. He spends a lot of time working in the corner of a cold ice rink or his car during practices. In his spare time, Chris enjoys hiking and aspires to return to playing guitar and bicycling. Chris also enjoys trying new and interesting beers – local, German, or otherwise – so feel free to look for him on Untappd.

PRACTICES

Corporate and Securities
Cyber Law and Data Protection
International

BAR AND COURT ADMISSIONS

Pennsylvania

EDUCATION

Temple University Beasley School of Law,
JD, 1997

Georgetown University Law School,
Graduate coursework in International Law

The Law School at Charles University, Czech
Republic, coursework in Central European
Law and the Transition to a Market
Economy, 1995

Drexel University, BA, 1988

Certified Information Privacy Professional/
United States (CIPP/US)

LANGUAGES

German

MEMBERSHIPS

American Bar Association – International
and Business Law Sections, Cyberspace
Committee, IP Committee

German-American Chamber of Commerce,
Philadelphia – Board and Executive
Committee Member

International Association of Privacy
Professionals

Warwick Legal Network

REPRESENTATIVE MATTERS

Advises on structuring and formation of U.S. subsidiaries of foreign companies from countries across the globe, including Germany, Czech Republic, Poland, the United Kingdom, Ireland, Italy, India, Saudi Arabia, and Japan

Forms Pennsylvania and Delaware corporations and assist with registration to do business throughout the United States

Assists with setting up new U.S. corporations, including banking and insurance, commercial leases, and intracompany agreements

Drafts and advises on employment agreements and related documents and procedures

Drafts, reviews, and advises on commercial contracts and transactions.

Successfully applied for and assisted with trademark applications for U.S. and international companies

Assists German and other international companies with U.S. legal issues ranging from worker's compensation to collections and customer disputes as well as business and cultural issues relating to the operation of a business in the United States

Drafts and advises on website terms and conditions, privacy policies and related terms and policies, as well as affiliate, co-marketing, and other subcontracted services agreements for domestic clients and subsidiaries of foreign companies

Drafted and negotiated consulting and software licensing agreements with programmers and IT consultants in diverse jurisdictions including the United States, India, Romania, and the Netherlands

Drafted reseller contracts for software, SaaS, and IaaS providers covering markets worldwide, both as a provider and a reseller, including agreements with Google, Microsoft, Amazon, and other well-known providers

Negotiated design-build and lease agreement for multi-million dollar data center; negotiated co-location and related communication and infrastructure agreements for data centers and other IT providers

Negotiated and drafted online marketing agreements, including content licensing, sponsorship, affiliate, and co-marketing agreements

Advised European (including German, UK, and Lithuanian) and domestic clients on managing third-party risk for online content, including copyright (DMCA) trademark, and defamation (CDA Section 230) issues, whether domestic or international, including claims from countries such as India and Israel

Advised and prepared guidelines for responding to internet-related law enforcement inquiries from across the world ranging from subpoenas and search warrants to MLAT's and national security related information requests; advised regarding relevant laws, such as the Electronic Communications Privacy Act (ECPA), Stored Communications Act (SCA), Foreign Intelligence Surveillance Act (FISA), and Computer Fraud and Abuse Act (CFAA) and assisted with escalated or over-broad requests

Assisted and trained client's internal personnel and draft procedures to enable in-house triage of third-party liability risk and response to law enforcement and other information requests

Drafted and negotiated purchase agreements for websites and related online properties

Drafted and negotiated distribution agreements, inbound for German and other international clients and outbound to various EU countries

Negotiated supply agreements with purchasers of all sizes, including Fortune 500 companies, especially in the areas of packaging, paper products, and industrial products

Advised on and assisted with regulatory issues, including the Foreign Corrupt Practices Act (FCPA), Buy American Act (BAA), and similar procurement obligations

Drafted and negotiated data processing and data security agreements for multinational and domestic e-commerce clients, including SEO/SEM and analytics firms as well as IaaS and SaaS providers

Advised on data privacy and security breaches and other risks under domestic and international law, including notification obligations

Drafted and advised on Business Associate Agreements under HIPAA and similar laws

Assisted with development of privacy and related training programs for client employees

Coordinated with IT professionals and foreign counsel to audit and improve privacy practices and ensure compliance with relevant laws, including GDPR (EU), PIPEDA (Canada), FDPL (Mexico), and LGPD (Brazil).

Coordinated and managed defense of patent litigation for German and domestic clients in diverse jurisdictions, including Delaware, California, and the Eastern District of Texas

Managed third-party litigation risk and coordinated defense as needed throughout the United States and abroad, including Canada, Mexico, and India

Coordinated and managed defense of diverse litigation cases and regulatory inquiries under U.S. law, including the Americans with Disabilities Act (ADA), Telecommunications Privacy Act (TCPA), and various consumer protection laws and regulations

Assisted European management and employment personnel in understanding and complying with litigation processes and risks which are unique to the United States, including in-person assistance in offices overseas to meet with management and carry out necessary document collection and other discovery requirements

IN THE NEWS

Christopher Erb Joins White and Williams as Counsel in Philadelphia
2.8.22