

## Mark W. Brennan

Partner

Washington, D.C.

### Biography

Clients across industry sectors seek Mark Brennan's practical advice on cutting-edge communications and privacy issues. An experienced advisor, Mark is as comfortable assisting clients on FCC and FTC policy and enforcement as he is providing actionable compliance strategies to operations teams. He receives dozens of requests each year to share his insights on consumer protection issues at industry conferences and is most well-known for obtaining significant victories for clients on Telephone Consumer Protection Act (TCPA) issues.

Mark's clients include leading online and e-commerce companies, wireless carriers, global telecommunications providers, "Internet of Things" pioneers and app developers, and other technology vendors, as well as a diverse set of international clients from the transportation, financial services, education, and healthcare sectors.

In addition to his TCPA and telemarketing experience, Mark helps clients on other privacy and data security matters, including Section 5 of the Federal Trade Commission Act, the FCC's Customer Proprietary Network Information (CPNI) rules, CAN-SPAM, the Video Privacy Protection Act, the Children's Online Privacy Protection Act (COPPA), state data breach statutes, and more. He also regularly counsels clients on



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### Practices

Communications, Internet, and Media

Privacy and Cybersecurity

Consumer Law

Marketing and Advertising

Space and Satellite

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### Industries

TMT

Financial Institutions

Life Sciences and Health Care

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### Areas of focus

issues relating to mobile marketing, location-based services, and online behavioral advertising.

An intern at the FCC when Janet Jackson's wardrobe became front-page news, now Mark's international telecommunications practice encompasses licensing and regulatory requirements, transaction approvals, and consumer protection issues. He counsels clients on a variety of communications and spectrum policy issues, including FCC auctions, net neutrality, equipment authorization, IP transition, and E-911.

## Representative experience

Obtained a first-of-its-kind exemption from the TCPA consent requirements for the Cargo Airline Association.

Represented the American Association of Administrative Healthcare Management in obtaining a TCPA exemption for healthcare treatment calls.

Represented United Healthcare obtaining TCPA relief from the FCC for calls to reassigned wireless numbers.

Represented CARFAX in obtaining a waiver of the FCC's fax advertisement opt-out rules.

Represented UnitedHealth Group Incorporated in obtaining a waiver of the FCC's fax advertisement opt-out rules.

## Awards and rankings

- Telecommunications Rising Star, Top Attorneys Under 40, *Law360*, 2018
- Media, Technology, and Telecoms: Telecoms and Broadcast: Regulatory, *Legal 500 US*, 2010-2017
- Media, Technology, and Telecoms: Technology: Transactions, *Legal 500 US*, 2014, 2017
- Rising Star, Communications, *Washington, D.C. Super Lawyers*, 2014-2015
- Best Lawyers Under 40, *The National LGBT Bar*

Broadband, Internet, and E-commerce

Consumer Protection and Privacy

Privacy and Cybersecurity Public Policy Counseling and Advocacy

Wireless

Telecommunications and Wireline

Communications Compliance and Enforcement

Digital Health

California Consumer Privacy Act

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## Education and admissions

### Education

J.D., Georgetown University Law Center, 2005

B.S., University of Florida, summa cum laude, 2002

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## Memberships

Board Member, Sitar Arts Center

Board Member, Washington Area Lawyers for the Arts

Co-chair, Mobile Payments Committee, Federal Communications Bar Association

Member, International Association of Privacy Professionals

Past Board Member, National LGBT Bar Association

Association, 2011

## Latest thinking and events

- Hogan Lovells Publications
  - Global Media, Technology and Communications Quarterly - Autumn/Winter 2018
- Hogan Lovells Publications
  - Trending topics in retail and fashion
- Press Releases
  - Hogan Lovells publishes Demystifying the U.S. CLOUD Act
- Hogan Lovells Publications
  - Demystifying the U.S. CLOUD Act: Assessing the law's compatibility with international norms and the GDPR
- Hogan Lovells Publications
  - California Consumer Privacy Act: The challenge ahead – the CCPA's anti-discrimination clause *Chronicle of Data Protection*
- Hogan Lovells Publications
  - Artificial Intelligence and your business: A guide for navigating the legal, policy, commercial, and strategic challenges ahead *Hogan Lovells*

Past Chair, Charity Auction Committee, Federal Communications Bar Association

Past Co-chair, Social Media, Membership & Marketing Committee, Federal Communications Bar Association

Past Co-chair, Transactional Practice Committee, Federal Communications Bar Association

Past Co-chair, Young Lawyers Committee, Federal Communications Bar Association

Past Executive Committee Member, Federal Communications Bar Association

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## Bar admissions and qualifications

District of Columbia

Florida

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## Court admissions

U.S. Supreme Court

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