“Should we do a Zoom?” It has taken little more than a month for the Zoom video conference platform to take its place among the likes of Google, Kleenex and Xerox as brand names synonymous with the product or service being offered. But with that name recognition comes scrutiny, and Zoom is getting plenty. The privacy and security issues associated with Zoom have been well-documented. As a result, Zoom is now facing class action lawsuits from both shareholders and users. And the use of Zoom (and other platforms) can raise ethics issues for lawyers.

None of this is to say that Zoom should be avoided—or that other video platforms are necessarily better. It is an unfortunate reality in the era of COVID-19 that our best opportunities to connect with colleagues and clients (not to mention family and friends) may be through video conferences. But when doing so, it’s important to take privacy and security into account so you are not risking a data breach, an ethical violation or a breach of your contractual relationships. With that in mind, we thought it would be helpful to walk through some of the alternatives available during these unprecedented times:

• No video at all: Don’t forget about the good “old-fashioned” conference call. A lot of business can be done without seeing your colleague’s quarantine beard or your client’s cat — in fact, we did a lot of that just a couple months ago. While video platforms can be helpful for us to feel connected, sometimes the security risks are not worth it and they are not as productive (particularly given bandwidth limitations and connectivity glitches). There’s no reason to eliminate video calls from your communications repertoire, but they don’t always need to
be your first choice.

- Zoom: Because of the increased scrutiny, Zoom says it has ramped up its security over the past month and patched a number of bugs. There are also steps users can take to decrease the likelihood of unwanted participants, such as requiring a password and/or making use of the waiting room function so that the host must admit each person to the call. However, users may still have concerns about how their data is being used by Zoom, and who it is being shared with.

- FaceTime: If all participants have Apple devices, FaceTime offers end-to-end encryption and it can host up to 32 connections, which is good enough for most business calls. Of course, that works only if everyone is on an Apple device, which often is not the case.

- Skype: Before the Zoom boom this year, Skype was probably regarded as the leading provider of video calls. Owned by Microsoft, Skype can be used regardless of platform (PC or Mac) by up to 50 people, and it has a better track record on security and privacy. Many users have opted for Zoom because of reliability concerns, but that is less of a problem if you make use of the business-focused product, Microsoft Teams, that is available for a monthly charge. These products can also integrate with Office 365 programs.

- Google Hangouts: Like the integrations offered by Microsoft, if your business makes use of G Suite products, Google Hangouts is a video conferencing program that allows you to integrate with your existing programs. Also, during the COVID-19 pandemic, Google is offering all G Suite users a free upgrade to the premium version of Hangouts Meet, which provides the capability to include up to 250 participants per call, live streaming for up to 100,000 viewers within a domain and the ability to record a meeting and save to Google Drive.

Whatever tool you use to stay connected remotely, be sure you understand what data is being collected and how it is being used by the provider. While we understand the value of staying connected, we anticipate that Zoom will not be the last company to be sued for allegedly being cavalier about privacy during this crisis. Implementing privacy protocols in advance and choosing the right tool can help reduce the likelihood of costly litigation down the road.

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