



**Nicole J. Harrell, CIPP/US**  
Member

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Nicole is a member in the firm's Norfolk office and Chair of the Data Privacy and Security Practice Group. Nicole regularly assists clients with cyber preparedness and breach response. Her data privacy and security practice includes preparation of incident response plans and counseling clients on preparing for a cyber incident. Nicole helps clients understand their risks and plan accordingly. Once a cyber incident occurs, Nicole coordinates forensic analysis, media announcements, response plans and notifications. In addition, she works with clients on cyber insurance coverage and claims. Nicole regularly reviews and negotiates third-party vendor contracts for data security and privacy concerns.

Nicole's intellectual property practice includes federal and state trademark registration, copyright registration and assignment, negotiation of software development and licensing agreements, and licensing of intellectual property. Her commercial practice includes entity formation, corporate law, mergers and acquisitions and general contract negotiation. She also has experience in negotiating supply and distribution agreements. She regularly assists clients with alcoholic beverage licensing and regulatory matters in Virginia, including representation before the Virginia Alcoholic Beverage Control Board.

Nicole also represents franchisors in regulatory matters, including preparation of franchise disclosure documents, franchise agreements and related ancillary documents, registration and compliance. In addition, she represents franchisees in review of franchise disclosure documents, negotiation of franchise agreements and termination of franchise agreements and relationships.

### **PRACTICE AREAS**

- Data Privacy and Security
- Intellectual Property & Franchising
- Alcoholic Beverage Team
- Mergers, Acquisitions & Strategic Alliances
- Franchising
- Commercial

### **REPRESENTATIVE MATTERS**

- Represented clients in response to cyber attacks and business email compromise events
- Represented clients in negotiation of vendor agreements which impact data privacy and security
- Represented national clients with all alcoholic beverage licensing matters in Virginia
- Advised various clients with respect to entity formation and corporate law matters
- Advised a leading business outsourcing organization providing document management, critical customer communications, business form manufacturing, promotional products programs and logistics services on customer and vendor contracts, intellectual property matters, and various acquisitions and divestitures

## REPRESENTATIVE MATTERS (CONT.)

- Represented software developer in several venture arrangements involving software development and licensing, structure and ownership of the joint venture, and loans to the joint venture
- Represented franchisors in multi-state registration of franchise disclosure documents and compliance with federal and state registration and disclosure laws
- Represented franchisees in acquisition of multiple franchise units and negotiation with franchisors involving franchise agreements, the franchise relationship, and franchise termination
- Represented publicly-traded company on divestitures of various business segments

## RECOGNITION AND HONORS

- Leaders in the Law, *Virginia Lawyers Weekly*, 2020
- Fellow of the Virginia Law Foundation, Class of 2021
- Women in Business Honoree, *Inside Business*, 2017
- Virginia's Legal Elite; *Virginia Business Magazine*, 2011-2020
- Virginia Rising Stars; *Law & Politics*, 2008-2014
- Top Lawyers, *CoVaBIZ*, 2017-2020
- Certified Franchise Executive, International Franchise Association
- Walter E. Hoffman Award for Community Service, 2009
- Spirit of Innovation Award for Leadership Excellence
- *University of Baltimore Law Review*; Associate Editor

## ASSOCIATIONS

- National Association of Licensing and Compliance Professionals, Associate Member
- Virginia Craft Brewers Guild, Associate Member
- Virginia Bar Association
- Virginia State Bar
- American Bar Association; Forum on Franchising
- Virginia Bar Association Community Service Program Council; Chair, 2008–2009
- Virginia Bar Association Firms in Service Hampton Roads
- Virginia Bar Association Pro Bono Council
- International Franchise Association
- International Franchise Association Legal Symposium Task Force, 2006, 2010-2011
- Make-A-Wish Foundation of Eastern Virginia; President, 2006–2007
- ForKids, Inc.; Former Board Member

## ADMISSIONS

- Virginia, 2001

## EDUCATION

- Hollins University; B.A., 1996
- University of Baltimore Merrick School of Business; M.B.A., *magna cum laude*, 2001
- University of Baltimore School of Law; J.D., 2001

## PRESS AND PUBLICATION

- Nicole J. Harrell Selected as Fellow of the Virginia Law Foundation 2021
- Nicole J. Harrell Elected to the Executive Committee
- 53 Kaufman & Canoles Attorneys Named *Virginia Business Magazine's* "Legal Elite" 2020
- Nicole J. Harrell Named by Virginia Lawyers Weekly as "Leaders in the Law" 2020
- Franchising Client Alert, February 2020
- 45 Kaufman & Canoles Attorneys Named as Top Lawyers 2020 in *CoVaBIZ Magazine*
- 48 Kaufman & Canoles Attorneys Named *Virginia Business Magazine's* Legal Elite 2019
- Nicole J. Harrell Contributing Author for the ABA Franchise Deskbook
- Employment Law Update, July 2019
- Franchising Client Alert, June 2019
- Franchising Client Alert, March 2019

## PRESS AND PUBLICATION (CONT.)

- 48 Kaufman & Canoles Attorneys Named *Virginia Business Magazine's* Legal Elite 2018
- 40 Kaufman & Canoles Attorneys Named as Top Lawyers 2019 in *CoVaBIZ Magazine*
- Employment Law Alert, October 2018
- Manufacturing & Distribution Client Advisory - Amazon Brand Registry
- 31 Kaufman & Canoles Attorneys Named as Top Lawyers 2017/18 in *CoVaBIZ Magazine*
- 48 Kaufman & Canoles Attorneys Named to Virginia Business Magazine's Legal Elite 2017
- Nicole J. Harrell Qualified as Certified Information Privacy Professional
- Nicole J. Harrell Named Chair of the Commercial Section
- 48 Kaufman & Canoles Attorneys Named to Virginia Business Magazine's Legal Elite 2016
- Manufacturing & Distribution Client Advisory - September 2016
- Cybersecurity Client Alert - June 2016
- Cybersecurity Client Alert - May 2016
- Cybersecurity Client Alert - March 2016
- Cybersecurity Client Alert - February 2016
- Humans are Weakest Link in Cybersecurity Defense
- Cybersecurity Alert - Ransomware and Cyber Extortion
- 44 Kaufman & Canoles Attorneys Named to Virginia Business Magazine's Legal Elite 2015
- Cybersecurity Client Alert - October 2015
- Cybersecurity Client Alert - September 2015
- Cybersecurity Client Alert - August 2015
- Cybersecurity Newsletter - July 2015
- Cybersecurity Client Alert - June 2015
- 45 Kaufman & Canoles Attorneys Named to Virginia Business Magazine's Legal Elite 2014
- The Business of Beer
- Don't Pour Your Profits Down Your Competitor's Drain
- Restaurant Client Alert - Summer 2014
- 29 K&C Attorneys Named as Super Lawyers 2014 and 8 Named as Rising Stars 2014
- 54 Kaufman & Canoles Attorneys Named to Virginia Business Magazine's Legal Elite 2013
- 29 K&C Attorneys Named as Super Lawyers 2013 and 14 Named as Rising Stars 2013
- 55 Kaufman & Canoles Attorneys Named to Virginia Business Magazine's Legal Elite 2012
- Software Licensing: Legal Issues with Business Consequences
- 40 K&C Attorneys Named as Super Lawyers 2012 and 14 Named as Rising Stars 2012
- A Guide to New Business Opportunity Rule
- 53 Kaufman & Canoles Attorneys Named Virginia Business Magazine's Legal Elite 2011
- 36 K&C Attorneys Named as Super Lawyers 2011 and 14 Named as Rising Stars 2011
- 31 K&C Attorneys Named as Super Lawyers & 11 Named as Rising Stars 2010
- 30 Attorneys Named Super Lawyers, 12 Named Rising Stars 2009
- 28 Kaufman & Canoles Attorneys Named as Super Lawyers & 8 Named as Virginia Rising Stars 2008
- VetFran - Franchisors Give Break to Veterans
- Investigating Franchising Your Business
- First Criminal Case Conviction Under HIPAA
- Virginia Chapter of the *American Bar Association's Franchise Desk Book*, Second Edition; Co-editor
- *University of Baltimore Law Review*, Volume 30.1; Hospital Mergers Versus Consumers: An Antitrust Analysis