Is Your Business in Need of a CCPA Intervention?

troutman sanders

Are you a for-profit entity?

- YES → Do you collect California residents' "personal information"?
  - YES → Do you have annual gross revenues in excess of $25 million?
    - YES → Hooray! That's great! We're so proud of you!
    - NO → That's OK! You'll get there one day! → Do you receive personal information of 50k or more California consumers, households, or devices for commercial purposes?
      - YES → Alright, you sound pretty certain. Does your business derive 50% or more of its business from "selling" California residents' personal information?
      - NO → Are you sure? We know 50k sounds like a lot, but you'd be surprised how easy it is to meet this threshold. → NOT SURE, ACTUALLY → **You Need a CCPA Intervention!**
  - NO → Do you know how broadly the CCPA defines "personal information"?
    - YES → It's really broad! Are you sure you're not collecting any California residents' personal information?
      - YES → OK. Pay close attention. This might get tricky. You must answer the next set of questions on behalf of each entity you control or are controlled by.
      - NOT SURE, ACTUALLY → **You Need a CCPA Intervention!**
    - NOPE, NOT A CLUE → OK. Pay close attention. This might get tricky. You must answer the next set of questions on behalf of each entity you control or are controlled by.
- NO → Are you controlled by or do you control another for-profit entity?
  - NO → **You might not be a covered "business" under the CCPA, but you may have other obligations. Let's talk.**
  - YES → Do you share common branding?
    - NO → **You might not be a covered "business" under the CCPA, but you may have other obligations. Let's talk.**
    - YES → Did you answer the last question on behalf of an entity you control or are controlled by?
      - NO → Do you share common branding? → NO → **You might not be a covered "business" under the CCPA, but you may have other obligations. Let's talk.**
      - YES → **You might not be a covered "business" under the CCPA, but you may have other obligations. Let's talk.**

Alright, you sound pretty certain. Does your business derive 50% or more of its business from "selling" California residents' personal information?

- YES → OK - you answered that way too quickly. "Sale" is defined really broadly under the CCPA. Have you already consulted with outside counsel about this matter?
  - YES → **You Need a CCPA Intervention!**
  - NO → **You Need a CCPA Intervention!**
- NO → OK - you answered that way too quickly. "Sale" is defined really broadly under the CCPA. Have you already consulted with outside counsel about this matter? → YES / NO → **You Need a CCPA Intervention!**
- 200% POSITIVE → Alright, you sound pretty certain. Does your business derive 50% or more of its business from "selling" California residents' personal information? → YES → **You Need a CCPA Intervention!**

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