

Omer TENE

Date of birth 14 August 1970
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EDUCATION

INSEAD, Fontainebleau, France
MBA Degree, July 2001; GMAT: 780

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, New York
J.S.D. Degree, October 2001; Thesis: Corporate Bankruptcy Reorganizations; Adviser: B. Adler
LL.M. Degree, May 1997; GPA: 3.88

TEL AVIV UNIVERSITY, FACULTY OF LAW, Tel Aviv, Israel
LL.M. Degree in Commercial Law, August 1996; *magna cum laude*
LL.B. Degree, May 1994; Dean's Honors (3rd year)

BAR ADMISSION

New York Bar, November 1998
Israeli Bar, June 1996

ACADEMIC EXPERIENCE

COLLEGE OF MANAGEMENT, SCHOOL OF LAW, Rishon Le'zion, Israel
Associate Professor 2005 –
▪ *Courses and seminars*: Corporate Law; Bankruptcy and Corporate Reorganizations; Privacy and Data Protection

THE BRITISH INSTITUTE OF INTERNATIONAL & COMPARATIVE LAW, London, UK
Senior Research Fellow in Data Protection 2004 – 2005
▪ *Research*: Studied privacy regulation in the EU, UK, US and additional jurisdictions; produced cutting-edge applied research, statistics and analysis on the content, methodologies and application of data protection law and policy; prepared working papers and articles on topics such as enforcement, employment, choice of law, biometrics and online privacy.
▪ *Presentations and Conferences*: Coordinated and presented papers in conferences and workshops for leading academics, national and EU regulators, business managers and specialist practitioners.

LEGAL EXPERIENCE

OMER TENE, LEGAL CONSULTANT, Tel Aviv, Israel
Independent Consultant 2005 –
▪ *Legislation*: Served as special counsel to the Israeli Ministry of Justice charged with the preparation of the new data protection statute. Participated in Ministry of Justice Committee for Reform of Data Protection Law (Schofman Committee).
▪ *Data Protection*: Advised multinational companies and issued legal opinions on various aspects of Israeli privacy laws at policy and compliance levels. Represented foreign enterprises in registration proceedings with Israeli data protection authorities.
▪ *Regulation*: Appointed by Minister of Justice to the National Privacy Council operating under Israel's Privacy Protection Act. Advised Israeli Law and Information Technologies Authority ("ILITA") on European and American privacy laws and regulations.

- *Intellectual Property*: Counseled Israeli media and high-tech companies on copyright and trademark issues and IP licensing agreements. Drafted EULAs and terms of use agreements. Advised clients on DMCA requirements.

FRIED, FRANK, HARRIS, SHRIVER & JACOBSON, Paris, France

Associate

2002 – 2003

- *Private Equity*: Represented private equity firms in highly leveraged buyouts of French targets. Arranged international financing packages on US, UK, French and Luxembourg capital markets.
- *High Yield Financings*: Advised financial institutions and investment banks, including Goldman Sachs and Sara Lee, in mezzanine, high yield, PIK and convertible financings.
- *Comparative Law*: Counseled clients, drafted memoranda and published articles concerning cross border issues in securities regulation, M&A, tax, and labor law.

DEBEVOISE & PLIMPTON, New York, New York

Associate

1997 – 1998

- *Mergers and Acquisitions*: Represented Ripplewood Holdings in a series of takeovers. Coordinated groups of specialist lawyers in the due diligence process. Participated in negotiating, drafting and closing stages of major transactions.
- *Structured Finance*: Advised financial institutions and investment companies, including PMCC and The Ford Foundation, in complex asset-backed financing transactions, such as “big-ticket” lease securitizations.

OTHER EXPERIENCE

HAARETZ - DAILY NEWSPAPER, Tel Aviv, Israel

Special Legal Analyst

2008 –

- Wrote weekly section on “Law and Technology” in Israel’s leading financial daily, The Marker, of the Haaretz group.

MAARIV - DAILY NEWSPAPER, Tel Aviv, Israel

Business Editor

1999 – 2000

- Headed international business desk of Israel’s second most circulated newspaper.
- Liased with a team of editors, reporters, graphic designers and photographers, under daily conditions of intense deadline pressure.

ISRAEL DEFENSE FORCES, Tel Aviv, Israel

Military Service

1988 – 1991

- Serve reserve duties as a lecturer in the education corps.

APPOINTMENTS

PRIVACY PROTECTION COUNCIL

Member

2007 –

- Appointed by Minister of Justice as member of the Privacy Protection Council operating under Israel’s Privacy Protection Act, 1981.

PUBLICATIONS

Omer Tene, What Google Knows: Privacy and Internet Search Engines, 2009 Utah L. Rev. ____ (forthcoming, 2009).

Omer Tene & Yoram Hacothen, Transferal of Pension Fund Databases, 5(11) Data Protection Law & Policy 14 (Dec. 2008).

Omer Tene, Israel’s Anti-Spam Law: Seller Beware, 96 Privacy Laws & Business 16 (Dec. 2008).

Omer Tene, Is Israeli Data Protection Law “Adequate” Under Article 25?, 8(5) Privacy and Data Protection 9 (2008).

Omer Tene, Israeli Data Protection Law: Constitutional, Statutory and Regulatory Reform, 8(1) Privacy and Data Protection 6 (2007).

Omer Tene, Israel’s Data Protection Law: Registration, Transfers Abroad, Employment, 89 Privacy Laws & Business 16 (2007).

Omer Tene, Israeli Privacy Law: A New Constitutional Paradigm, 8 Kiryat Hamishpat ____ (forthcoming, Dec. 2008) (in Hebrew).

Omer Tene, Revisiting the Creditors' Bargain: The Entitlement to the Going-Concern Surplus in Corporate Bankruptcy Reorganizations, 19 Bankruptcy Developments Journal 287-398 (2003).

Eric Cafritz & Omer Tene, Securities Regulation v. Consumer Protection: French Financial Market Legislation, 37 The International Lawyer 173-190 (Spring 2003).

Eric Cafritz & Omer Tene, *Plaidoyer en faveur d'une restriction de la compétence personnelle passive en droit français*, Revue de science criminelle et de droit pénal comparé (2003: 4) (in French).

Eric Cafritz & Omer Tene, Article 113-7 of the French Penal Code: The Passive Personality Principle, 41 Columbia J. Transnational L. 585 (2003).

Eric Cafritz & Omer Tene, *La réglementation des placements privés en France*, 2 Bulletin Joly Bourse (May 2003) (in French).

Eric Cafritz & Omer Tene, *Conflits de lois dans les contrats de prêts internationaux contractés par des entreprises françaises : la question de l'usure*, 1 Bulletin Joly Bourse 7 (February 2003) (in French).

Eric Cafritz & Omer Tene, Shop Committee Consultation Rules in French Business Transfers, 36 International Lawyer 1007-1013 (Fall 2002).

LANGUAGES: (1=basic; 3=average; 5=fluent)

	Reading	Writing	Talking
English	5	5	5
Hebrew	5	5	5
French	4	2	3