K&L GATES

CYBER CIVIL RIGHTS LEGAL PROJECT

Supporting Survivors Summit

Law Firm Allies: Using Pro Bono Service to Amplify Survivor Support

October 23, 2026

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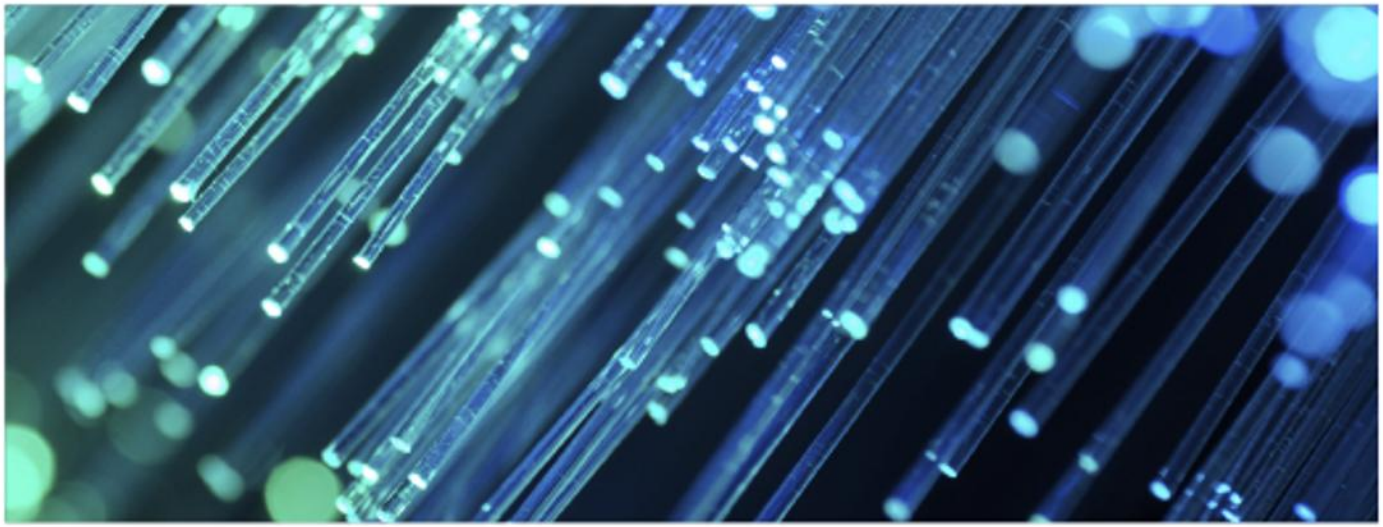

Pro bono legal support to victims of non-consensual distribution of intimate images, a/k/a NCII, image-based sexual abuse, nonconsensual pornography, or “revenge porn”

Founded in 2014

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The Issue

- 1 in 12 adults has been a victim -- 1 in 8 adult social media users[1]
- 4 out of 5 adults have sent or received an explicit text or photo[2]
- Vast majority of NCII involves images originally shared w/ consent in the context of an intimate relationship[3]
- Nature of harm inflicted

[1] Cyber Civil Rights Initiative, https://cybercivilrights.org/
[2] National Association of Attorneys General, https://www.naag.org/attorney-general-journal/an-update-on-the-legal-landscape-of-revenge-porn/
[3] *Id*. An estimated 80% at the time the project was founded

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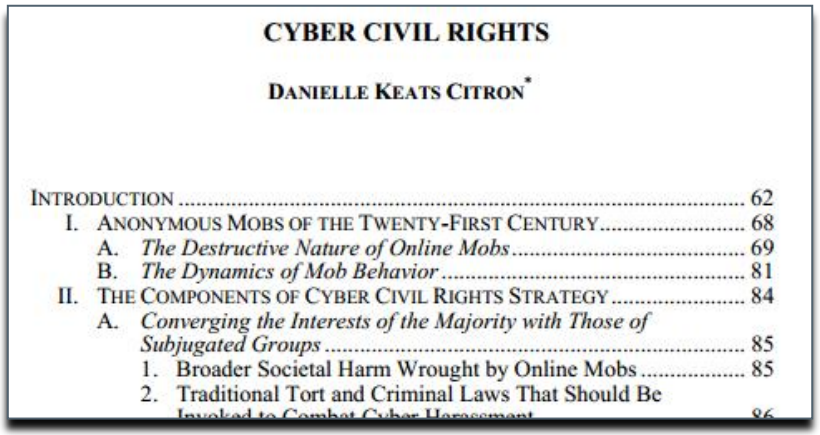
Project History

- First client
- Lack of any firms or lawyers with this expertise
- Origin of "*cyber civil rights*" - Professor Danielle Citron
  - 2009 Boston University Law Review article
- No financial means test
- Website



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DANIELLE KEATS CITRON*

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Law Firm Founds Project to Fight 'Revenge Porn'

BY MATTHEW GOLDSTEIN JANUARY 29, 2015 7:47 PM 151



Elisa D'Amico and David Bateman lead K&L Gates's Cyber Civil Rights Legal Project. Jake Naughton for The New York Times

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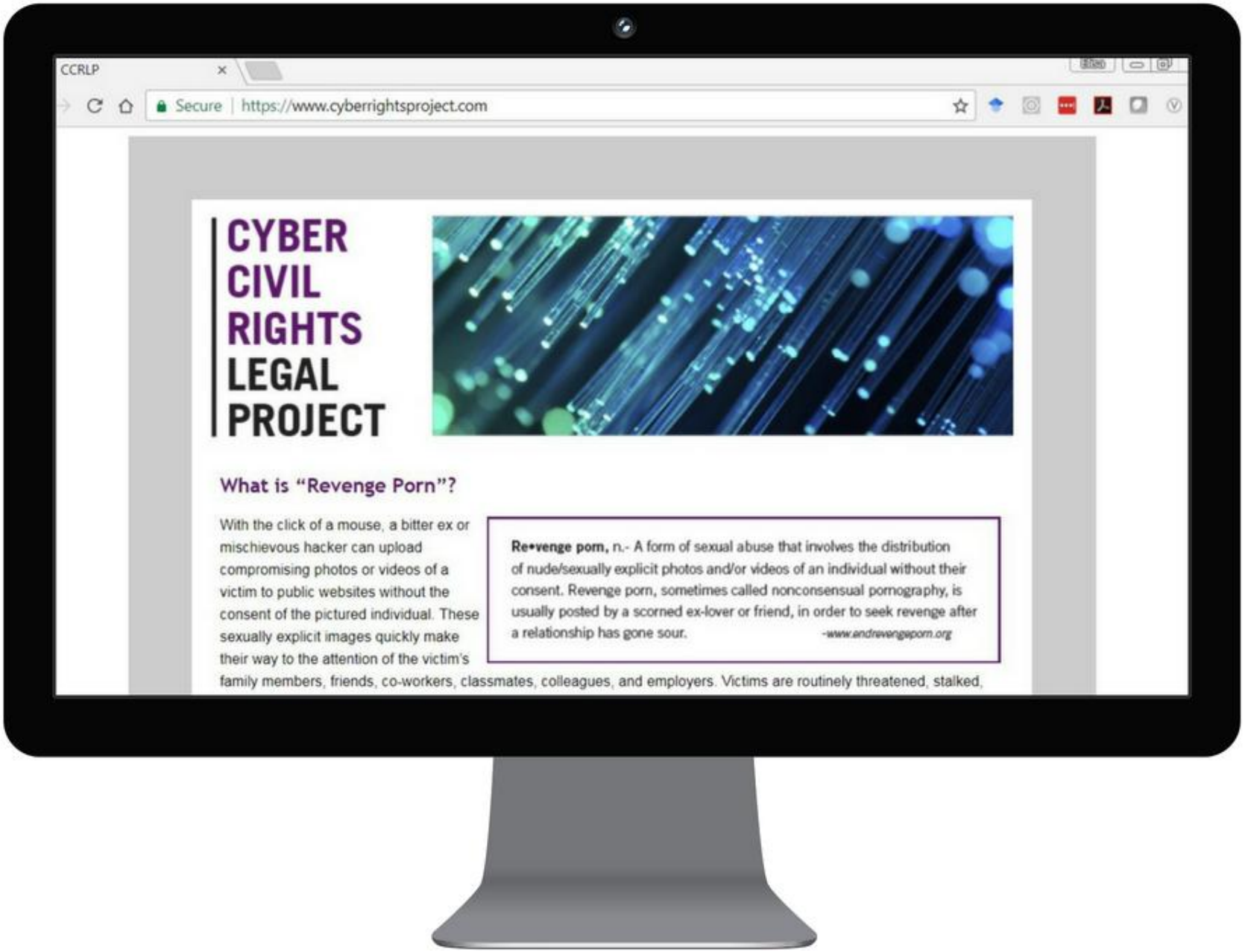
CCRLP
Secure | https://www.cyberrightsproject.com
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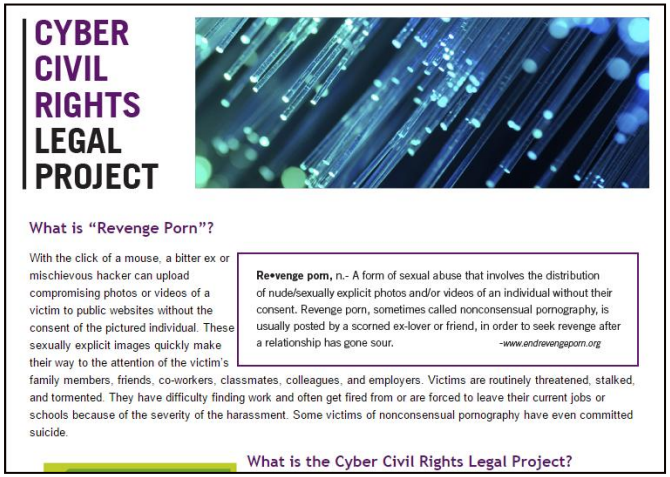
What is "Revenge Porn"?
With the click of a mouse, a bitter ex or mischievous hacker can upload compromising photos or videos of a victim to public websites without the consent of the pictured individual. These sexually explicit images quickly make their way to the attention of the victim's family members, friends, co-workers, classmates, colleagues, and employers. Victims are routinely threatened, stalked,
Re•venge porn, n.- A form of sexual abuse that involves the distribution of nude/sexually explicit photos and/or videos of an individual without their consent. Revenge porn, sometimes called nonconsensual pornography, is usually posted by a scorned ex-lover or friend, in order to seek revenge after a relationship has gone sour.
-www.endrevengeporn.org

https://cyberrightsproject.com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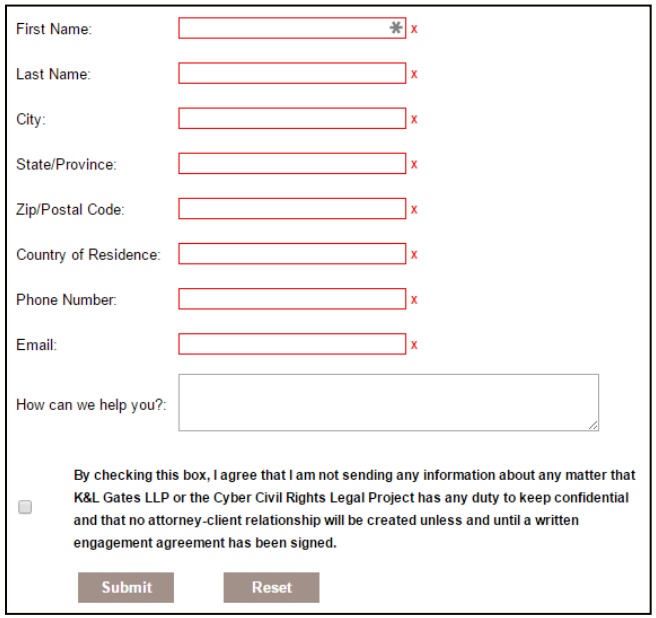
Re•venge porn, n.- A form of sexual abuse that involves the distribution of nude/sexually explicit photos and/or videos of an individual without their consent. Revenge porn, sometimes called nonconsensual pornography, is usually posted by a scorned ex-lover or friend, in order to seek revenge after a relationship has gone sour. -www.endrevengeporn.org

What is the Cyber Civil Rights Legal Project?


First Name: *

Last Name:

City:

State/Province:

Zip/Postal Code:

Country of Residence:

Phone Number:

Email:

How can we help you?:

By checking this box, I agree that I am not sending any information about any matter that K&L Gates LLP or the Cyber Civil Rights Legal Project has any duty to keep confidential and that no attorney-client relationship will be created unless and until a written engagement agreement has been signed.

Submit Reset

"The goal is for victims to feel that they can take ownership of their online identities and their lives."

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Requests for Assistance

- Averaging more than 30/week
- All demographics, but primarily women
- Small team to triage requests
- 100+ lawyers trained to conduct intakes and help victims

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- Received more than **9,500 requests** for assistance from all **50 US states** and **60+ countries**
- **400+ volunteers** from **33 offices** of our firm on **4 continents** have participated
- Awarded the **largest, non-celebrity revenge porn verdict** at the time
- A recent report showed more than **3,000 visits** to our project's website over the course of a year.
- Devoted more than **28,000 hours,** helping thousands of victims

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What Can the Project Offer?

- Legal advice / strategy
- Cease & desist demands
- Removal of internet postings – "takedowns"
- Copyright assignments
- Litigation
  - with cyberforensic investigation

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Focus on Perpetrator, Not Platform

Hosting Immunity

- Communications Decency Act ("CDA") Section 230
- 47 U.S.C. § 230
- **"No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider."**

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DMCA Takedowns

Takedowns from posting sites and search engines

- DMCA notice & takedown scheme
- Only for owner of copyright
  - Victim owns copyright in selfies
  - Victim can obtain assignment
  - Copyright registration unnecessary
- Applies only to U.S. hosting companies
- Failure to take down could destroy safe harbor



Legal Avenues for Relief

Civil Lawsuits

- Do you know the perpetrator?
  - Use of John Doe litigation and forensic discovery path
- Proceed with a pseudonym?
- Time, process, damages

Copyright Claims

- Requires registration
- Exclusive federal court jurisdiction
- Statutory damages for post-registration publication

Criminal Charges

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Legal Avenues for Relief

Common civil lawsuit theories

- State and federal statutes
- Torts
  - Intentional infliction of emotional distress
  - Intrusion
  - Online impersonation
  - Public disclosure of private facts

Expansion of State Statutes

- Only a handful of state statutes when project started
- Now, all states have a civil and/or criminal statute
- Most now address AI-generated "deepfake" images

- **Pennsylvania**

  18 Pa.C.S. § 3131, Unlawful Dissemination of Intimate Image:

  - Visual depiction (nudity or sexual conduct) of a current or former sexual or intimate **partner**
  - Includes an AI-generated depiction *[added in 2024]*
  - **Intent** to harass, annoy, or alarm another
  - Misdemeanor

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Recent Federal Statutes

- Civil cause of action, 15 U.S.C. § 6851
  - Took effect October 2022
  - Intimate visual depiction, identifiable individual, knew or recklessly disregarded lack of consent
  - $150K statutory damages + attorneys' fees

- TAKE IT DOWN Act
  - Federal crime for perpetrators since May 2025
  - Expressly includes deepfakes
  - Notice-and-removal process
  - Requires removal within 48 hours, effective May 2026

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AI-Generated "Deepfakes"

More than **180** publicly accessible "nudify" sites[4]

- Collectively, had 40 million unique visitors each month
- Common motivation: humiliation and degradation

Between 2019 and 2023, deepfake videos online increased by over **550%** *(Tech has only advanced since then…)*[5]

Sexually explicit deepfakes are **98%** of all deepfake videos online[5]

99% of individuals targeted in deepfake videos were women[5]

[4] As of April 2026. Institute for Strategic Dialogue, https://www.isdglobal.org/wp-content/uploads/2026/07/Mapping-the-Nudify-Tools-Ecosystem.pdf
[5] Security Hero, https://www.securityhero.io/state-of-deepfakes/

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Another resource: https://stopncii.org

How StopNCII.org Works



Step 1
Select any intimate image(s)/video(s) from your device.



Step 2
StopNCII.org will generate a hash (also known as a digital fingerprint) of the image(s)/video(s) on your device. A hash will be sent from your device, but not the image/video itself. Your content will not be shared, it will remain on your device.



Step 3
If your case is created successfully, you will receive a case number to check your case status: remember to make a note of your case number along with the PIN to access your case after it is submitted. If lost, this is not recoverable so ensure it is kept safe.



Step 4
Participating platforms will look for matches to the hash and remove any matching images within their system(s) if it violates their intimate image abuse policy. Please note: StopNCII.org cannot remove images from the whole internet, only the participating platforms listed on our partners page.



Step 5
StopNCII.org will periodically continue to look for matches on participating platforms.



Step 6
You may use your case number to check the progress of your case at any time or withdraw it.

CLIENT QUOTES

"Just knowing someone is here to help truly is a **weight lifted from my shoulders.**"

"Every 'small' victory means more to me than you will ever know."

"I cried because I **finally have people on my side.** I don't feel alone anymore."

"Thank you... This has given me so much **hope.**"

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QUESTIONS?

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