

Robinson+Cole

Data Privacy + Security Insider

Leveraging Knowledge to Manage Your Data Risks



CYBERSECURITY

[Cancer Services Provider Confronts Ransomware Bully](#)

My newest hero in the fight against ransomware is Little Red Door Cancer Services of East Central Indiana (Little Red Door). I am sending it a donation to it to celebrate its courage in the last few weeks. Little Red Door is a small not-for-profit agency in Indiana devoted to help cancer victims during their treatment, recovery, and end of life. Its mission is to help people suffering with cancer.

On January 11, 2017, TheDarkOverlord attacked Little Red Door with ransomware and demanded a payment of 50 bitcoin (approximately \$43,000) for return of the data. If the ransom wasn't paid, the threat was that confidential information would be disclosed to the public. [Read more](#)

[Connecticut Town Struck by Cyber Fraud](#)

On January 17, 2017, officials in Farmington, Connecticut, disclosed that the town was recently the victim of a multimillion-dollar theft likely perpetrated by sophisticated cybercriminals operating in China. The thieves intercepted a \$2 million Automated Clearing House (ACH) transfer intended as payment to a local company for work on a large town project. [Read more](#)

HIPAA

[OCR settles with MAPFRE for \\$2.2 Million](#)

MAPFRE Life Assurance Company of Puerto Rico learned the hard way about the risk of loss of patient information with portable devices like USBs, even when it is stored in the IT Department. [Read more](#)

ENFORCEMENT + LITIGATION

[Indianapolis Colts Want Class Action on Recording Conversations Moved to Home Stadium](#)

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The Indianapolis Colts mobile app is alleged by a putative class to record fans' private conversations. In the putative class action, the named plaintiff alleges that the mobile app secretly activates the smart phone's microphone to determine the fan's location and then listens and records all audio within range, which includes personal conversations without consent. He alleges that this alleged feature violates the Electronic Communications Privacy Act. The problem is that he sued the Colts in Massachusetts District Court. Why, you ask? Because the app developer is located in Massachusetts. [Read more](#)

7th Circuit Rules No Class Action Unless the Data Is at Risk

A customer filed a putative class action suit against Time Warner alleging that it violated the Cable Communications Privacy Act because it stored personal information of customers improperly. In particular, he alleged that Time Warner kept his information for eight years after he no longer was a customer, in violation of the Cable Communications Privacy Act. [Read more](#)

DRONES

Commercial Drone Pilot Alert: FAA Policy Changes

The Federal Aviation Administration (FAA) recently made Section 333 policy changes that may have slipped under some commercial pilots' radars. Back in November, the FAA posted a document in the Federal Register that revoked closed-set drone operations over people for those operators who had previously been approved for this type of flight under Section 333 (Section 333 is the process by which the FAA granted commercial drone use exemptions before Part 107 was effective in August 2016). [Read more](#)

AUVSI Remote Pilots Council Announced

The Association for Unmanned Vehicle Systems International (AUVSI) has announced the formation of a Remote Pilots Council, which aims to promote education and dialogue between commercial unmanned aircraft systems (UAS or drones), operators, industry stakeholders, and the Federal Aviation Administration. The council will discuss opportunities and challenges related to the safe and responsible use of drones in our national airspace through in-person meetings, webinars, and surveys. [Read more](#)

PRIVACY TIP #71

It's Tax Time and the Thieves are Out in Drones

Just when I thought everyone knew about the continued W2 schemes, where phishing emails are used to get company employees' W2 forms so the thief can file a false tax return and get a refund, several additional clients have been hit with the scheme and the thieves were successful.

Similar to post-holiday sales in retail stores it is now common to see an uptick of identity theft and tax fraud schemes as tax season looms upon us.

My tip this week is to reeducate all of your employees on the dangers of phishing emails and providing their sensitive data, (such as W-2 forms) to criminals impersonating the CEO or head of the entity. It is happening every day and will continue to be a problem in the next few months. If your boss or CEO asks for W-2 forms, go into his or her office and ask why. If you can't get into the office to ask face-to-face, then pick up that phone on your desk and call him or her. Stop relying on email for instructions in this area.

Further, put procedures in place that will thwart any phishing attack requesting sensitive data of employees. And finally, continually provide support to personnel so they feel comfortable asking questions when their gut tells them something is off.

Since tax identity theft continues to be such a problem, the Federal Trade Commission (FTC) is hosting Tax Identity Theft Awareness Week next week (January 30 to February 3). It will host a series of events designed to assist consumers and businesses on ways they "can minimize their risk of tax identity theft, and recover if it happens."

Check out the FTC's website for a list of events and listen in and learn—they are free! Stay vigilant and protect yourself and your employees from tax identity theft.

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