



CYBERSECURITY

[Cyber Exposures Rise During Pandemic](#)

Although it is logical that cyber-attacks have risen during the pandemic, and there is anecdotal evidence that it is occurring, including our own experience, an interesting new report was recently released by Allianz, which provides cyber-liability insurance products. [Read more](#)

[Baltimore County School District Hit with Ransomware Attack Right Before Thanksgiving](#)

Baltimore County Public Schools shut down Monday, November 30, and Tuesday, December 1, following a ransomware attack that paralyzed the school system's network last week right before Thanksgiving. [Read more](#)

ENFORCEMENT + LITIGATION

[Ancestry.com Sued in Class Action for Using Data from Year Books](#)

Ancestry.com (Ancestry) was sued on November 30, 2020, in a putative class action case filed in the Northern District of California for "knowingly misappropriating the photographs, likenesses, names, and identities of Plaintiff and the class; knowingly using those photographs, likenesses, names, and identities for the commercial purpose of selling access to them in Ancestry products and services; and knowingly using those photographs, likenesses, names and identities to advertise, sell and solicit purchases of Ancestry services and products; without obtaining prior consent from Plaintiffs and the class." [Read more](#)

DATA PRIVACY

[Curbside Pickup and Geofencing – How Your Favorite Retailer Knows You've Arrived](#)

It's that shopping time of year again and we are in the midst of a pandemic, so some of us are shopping differently than in the past. Curbside pickup is an option that has become more popular and for good reason. It's quick, easy, and contactless. You shop online or via a mobile application, you drive up to the store, and a store employee is waiting in the designated parking area with your items. But how does this technology really work and is there anything you need to know from a privacy standpoint? [Read more](#)

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FEATURED AUTHORS:

[Linn Foster Freedman](#)
[Deborah A. George](#)
[Kathryn M. Rattigan](#)

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NEW + NOW

[Update: Ransomware—To Pay or Not to Pay](#)

Three recent events are prompting me to update our previous blog post on the difficult decision of whether to pay or not to pay ransomware following an attack [view related [post](#)]. The first event is the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) issued an advisory on October 1, 2020, "to highlight the sanctions risks associated with ransomware payments related to malicious cyber-enabled activities." The advisory warns that if a company or a vendor facilitates the payment of a ransom to criminals or adversaries "with a sanctions nexus," the funds could be used "to fund activities adverse to the national security and foreign policy objectives of the United States." Therefore, companies, or vendors acting on their behalf that pay a ransom to a sanctioned individual or government are at risk for sanctions under the Financial Crimes Enforcement Network (FinCEN) regulations. [Read more](#)

DRONES

[Texas Drone Law Faces Constitutional Challenges](#)

Texas' [drone law](#), the "Use of Unmanned Aircraft," is being challenged by press organizations and photographers for alleged violations of the First Amendment. The law prohibits the capture of images of a person or property while conducting "surveillance." The law takes it a step further and makes it a crime to use the images captured during surveillance. However, the law has an exemption for the use of such images for educational purposes (among others), but newsgathering is NOT one of them. [Read more](#)

PRIVACY TIP #262

[More Holiday Shopping Tips](#)

Holiday shopping has started in earnest following Thanksgiving. Statistics show that with the pandemic, more shopping will be done online this year than ever before. Tip #262 expands on last week's tip, with the addition of insight from a recent podcast and Bloomberg Law article. [Read more](#)



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