

PRIVACY & INFORMATION SECURITY LAW BLOG

Global Privacy and Cybersecurity Law Updates and Analysis



March 2017

This Client Alert is a monthly update on privacy and cybersecurity developments as posted on Hunton & Williams' [Privacy and Information Security Law Blog](#). If you would like to receive email alerts when new posts are published, please visit our [blog](#) and enter your email address in the subscribe field.

Recent posts on the Privacy and Information Security Law blog include:

- [CNIL Unveils 2017 Inspection Program and 2016 Annual Activity Report](#)
- [Webinar Recording Available on China's New Cybersecurity Law](#)
- [NY Attorney General Announces Record Number of Data Breach Notices in 2016](#)
- [FTC Announces Settlement Over Alleged Consent Order Violation](#)
- [Neiman Marcus Agrees to Settlement in Data Breach Class Action](#)
- [CNIL Publishes Six Step Methodology and Tools to Prepare for GDPR](#)
- [Webinar Recording Available on the NYDFS Regulations](#)
- [ICO Publishes Guidance on Consent under the EU GDPR](#)
- [FTC Study Recommends Wider Implementation of DMARC to Combat Phishing Attacks](#)
- [Hunton Releases 'Seeking Solutions,' a Report on the Attributes of Effective DPAs](#)
- [Home Depot Settles Data Breach Claims](#)
- [Rosemary Jay Presents at UK House of Lords Sub-Committee Meeting](#)
- [Hunton & Williams Launches M&A Privacy and Security Initiative](#)
- [The New Cybersecurity Landscape: What the NYDFS Regulations Really Mean for Your Business](#)
- [Rosemary Jay's Guide to the General Data Protection Regulation Released](#)
- [FCC Stays Implementation of Data Security Rules](#)

CNIL Unveils 2017 Inspection Program and 2016 Annual Activity Report March 29, 2017

On March 28, 2017, the French Data Protection Authority ("CNIL") published its [Annual Activity Report](#) for 2016 (the "Report") and [released](#) its annual inspection program for 2017. [Continue Reading...](#)

Webinar Recording Available on China's New Cybersecurity Law March 24, 2017

On March 7, 2017, Hunton & Williams LLP hosted a [webinar](#) with Beijing partner Bing Maisog on [China's new Cybersecurity Law](#). China's new Cybersecurity Law will impose new restrictions on information flows from operators of key information infrastructure, and will become effective in June 2017. [Continue Reading...](#)

NY Attorney General Announces Record Number of Data Breach Notices in 2016 March 23, 2017

On March 21, 2017, New York Attorney General Eric Schneiderman [announced](#) that the New York Office of the Attorney General received over 1,300 data breach notifications in 2016, a 60 percent increase from 2015. The reported breaches led to the exposure of personal information of 1.6 million New York residents. According to the Attorney General's report, 46 percent of the exposed personal information consisted of Social Security numbers, and 35 percent consisted of financial account information. Attorney

General Schneiderman cited the [updated](#) New York State Department of Financial Services Cybersecurity Regulation as a means of addressing financial data breaches.

FTC Announces Settlement Over Alleged Consent Order Violation March 22, 2017

On March 17, 2017, the Federal Trade Commission [announced](#) that Upromise, Inc., (“Upromise”) [agreed](#) to pay \$500,000 to settle allegations (the “Settlement”) that it violated the terms of a 2012 [consent order](#) (the “2012 Order”) that required Upromise to provide notice to consumers regarding its data collection and use practices, and obtain third-party audits. [Continue Reading...](#)

Neiman Marcus Agrees to Settlement in Data Breach Class Action March 21, 2017

On March 17, 2017, retailer Neiman Marcus agreed to pay \$1.6 million as part of a [proposed settlement](#) (the “Settlement”) to a consumer class action lawsuit stemming from a 2013 data breach that allegedly compromised the credit card data of approximately 350,000 customers. [Continue Reading...](#)

CNIL Publishes Six Step Methodology and Tools to Prepare for GDPR March 17, 2017

On March 15, 2017, the French data protection authority (the “CNIL”) published a [six step methodology](#) and tools for businesses to prepare for the [EU General Data Protection Regulation](#) (“GDPR”) that will become applicable on May 25, 2018. [Continue Reading...](#)

Webinar Recording Available on the NYDFS Regulations March 16, 2017

On March 9, 2017, AllClear ID hosted a [webinar](#) with Hunton & Williams partner and chair of the Global Privacy and Cybersecurity practice [Lisa J. Sotto](#) on the new cybersecurity regulations from the New York State Department of Financial Services (“NYDFS”). The NYDFS regulations impose significant cybersecurity requirements on impacted businesses that will dictate how they plan for, respond to and recover from data security events. [Continue Reading...](#)

ICO Publishes Guidance on Consent under the EU GDPR March 16, 2017

On March 2, 2017, the UK Information Commissioner’s Office (“ICO”) [published](#) draft guidance regarding the consent requirements of the EU General Data Protection Regulation (“GDPR”). The guidance sets forth how the ICO interprets the GDPR’s consent requirements, and its recommended approach to compliance and good practice. The ICO guidance precedes the Article 29 Working Party’s guidance on consent, which is expected in 2017. [Continue Reading...](#)

FTC Study Recommends Wider Implementation of DMARC to Combat Phishing Attacks March 14, 2017

On March 3, 2017, the FTC [announced](#) the results of a [study](#) about online businesses’ use of proper email authentication technology to prevent phishing attacks. The study’s sample included 569 large online businesses with strong ties to the U.S. The FTC found that 86 percent of those businesses use Sender

Policy Framework – an email authentication technology that enables Internet Service Providers (“ISPs”) to determine whether an email is from a legitimate source (e.g., whether an email that claims to be from a business’s domain in fact came from the business). [Continue Reading...](#)

Hunton Releases ‘Seeking Solutions,’ a Report on the Attributes of Effective DPAs **March 13, 2017**

Hunton & Williams LLP, in coordination with the U.S. Chamber of Commerce, recently issued a series of recommendations to enhance the effectiveness of data privacy regulators. The report, [Seeking Solutions: Attributes of Effective Data Protection Authorities](#), identifies seven key attributes of data protection authorities (“DPAs”) that contribute to effective data protection governance. The report also explores how the level of effectiveness varies based on differences in the structure, roles and resources of a DPA. [Continue Reading...](#)

Home Depot Settles Data Breach Claims **March 10, 2017**

On March 9, 2017, Home Depot Inc. (“Home Depot”) reached an [agreement](#) that includes the payment of \$25 million and the implementation of new data security measures to resolve a putative class action brought by financial institutions impacted by the company’s 2014 data breach. [Continue Reading...](#)

Rosemary Jay Presents at UK House of Lords Sub-Committee Meeting **March 9, 2017**

On March 1, 2017, Hunton & Williams senior consultant attorney Rosemary Jay presented evidence on the data protection reform package and the impact of Brexit to the UK Parliament’s House of Lords EU Home Affairs Sub-Committee meeting. [Continue Reading...](#)

Hunton & Williams Launches M&A Privacy and Security Initiative **March 8, 2017**

Hunton & Williams [announces](#) the formation of a cross-disciplinary legal team dedicated to guiding companies through the minefield of regulatory and cyber-related risks associated with high-stakes corporate mergers and acquisitions. [Continue Reading...](#)

Rosemary Jay’s Guide to the General Data Protection Regulation Released **March 6, 2017**

On February 21, 2017, Sweet & Maxwell published a [Guide to the General Data Protection Regulation](#), written by Hunton & Williams senior consultant attorney Rosemary Jay. The book was released as a companion to [Data Protection Law and Practice](#). [Continue Reading...](#)

FCC Stays Implementation of Data Security Rules **March 3, 2017**

On March 1, 2017, the Federal Communications Commission (“FCC”), under the new leadership of Chairman Ajit Pai, [voted](#) 2-1 to issue a temporary stay of the data security obligations of the [FCC’s Broadband Consumer Privacy Rules](#) (the “Rules”), which were to go into effect March 2, 2017. The

temporary stay will remain in place until the FCC is able to act on pending petitions for reconsideration.
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