

# Data Privacy + Cybersecurity Insider

Leveraging Knowledge to Manage Your Data Risks

## CYBERSECURITY

### [White House Focused on Combating Ransomware](#)

Ransomware attacks are frequent and escalating as we speak. Double extortion scams are hitting companies at a dizzying pace, and catching companies, large and small, off-guard. U.S. President Joseph Biden warned Russian President Vladimir Putin to knock it off during their first summit [view related [post](#)]. Nonetheless, and not surprisingly, the attacks continue, particularly out of Russia. [Read more](#)

## DATA PRIVACY

### [Smart Toys and How they May be Invading our Privacy](#)

While smart toys can be useful educational tools for children, they also present some potential privacy risks and could invade what is traditionally considered a private space. Think about it—the thought of your child’s toy listening in on your family 24/7/365 is disturbing. So how do we balance these risks with the benefits? [Read more](#)

### [Colorado Newest State to Adopt Consumer Privacy Law](#)

With the signature of Governor Jared Polis last week on the Colorado Privacy Act, Colorado became the third state (following California and Virginia) to adopt a comprehensive consumer privacy law. [Read more](#)

### [Connecticut Enacts Legislation to Incentivize Adoption of Cybersecurity Safeguards and Expand Breach Reporting Obligations](#)

On June 16, and then on July 6, 2021, Connecticut Governor Ned Lamont signed into law a pair of bills that together address privacy and cybersecurity in the state. Cybersecurity risks continue to pose a significant threat to businesses and the integrity of private information. Connecticut joins other states in revisiting its data breach reporting laws to strengthen reporting requirements, and offer protection to businesses that have been the subject of a breach despite implementing cybersecurity safeguards from certain damages in resulting litigation. [Read more](#)

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## ENFORCEMENT + LITIGATION

### [New York Adds Text Messaging to its Definition of Telemarketing](#)

This week, Governor Andrew Cuomo signed legislation that added text messaging to the state of New York's definition of telemarketing communication for purposes of its no-call registry. The legislation, S.3941/A.6040, closes the loophole that previously exempted businesses from the no-call registry restrictions when the communication was sent via text. [Read more](#)

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### [Canon Pushes for Dismissal for Lack of Standing in Data Breach Class Action](#)

We [previously wrote](#) about the proposed class-action lawsuit against Canon USA Inc. that resulted from a data breach of former and current employees' personal information. This week, Canon argued in New York federal court that the plaintiffs lacked standing and that the case should be dismissed. Canon stated in its memorandum of law that lost or diminished value of personal information resulting from a ransomware attack is NOT a cognizable injury that confers Article III standing. Further, Canon argued in its memorandum that the plaintiffs' allegations merely suggested a future risk of harm; again, not enough to meet the Article III requirements for standing. [Read more](#)

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## NEW + NOW

### [Tune Up Processes Around Passwords and Access Controls](#)

A new report from Beyond Identity focuses on old, but very important issues—ending access rights to network systems by terminated employees and the rampant sharing of passwords. According to the report, it is estimated that almost 25 percent of previous workers still have access to their former employers' networks through work accounts. This is concerning on many levels, including the ability for former employees (especially disgruntled ones) to have access to current company data to be able to use it, disclose it, and use it against the company. [Read more](#)

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## DRONES

### [Potential Consequences of the FAA's Failure to Implement Section 2209](#)

Section 2209 of the Federal Aviation Administration (FAA) Extension, Safety, and Security Act (the Act) requires the FAA to establish defined boundaries protecting "critical infrastructure" from unauthorized drones. More specifically, the FAA is tasked with defining the precise sites where drones are prohibited from operating. It is likely that the FAA would have to work with state and local governments to make these determinations (e.g., which sites are considered "fixed site facilities"). However, the Act includes many types of "sites" from oil refineries to amusement parks as well as "other locations that warrant such restrictions." This language allows for very broad interpretation. [Read more](#)

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## PRIVACY TIP #292

### [Some Mint Mobile Users' Information Compromised](#)

Mint Mobile notified a “small number” of customers last weekend that their personal information was compromised. This week's Privacy Tip covers the recent breach. [Read more](#)

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