

PRIVACY & INFORMATION SECURITY LAW BLOG

Global Privacy and Cybersecurity Law Updates and Analysis



December 2015

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:

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California Attorney General Announces \$25 Million Settlement with Comcast December 23, 2015

On December 15, 2015, the California Attorney General [announced](#) an approximately \$25 million [settlement](#) with Comcast Cable Communications, LLC (“Comcast”) stemming from allegations that Comcast disposed of electronic equipment (1) without properly deleting customer information from the equipment and (2) in landfills that are not authorized to accept electronic equipment. The settlement must be approved by a California judge before it is finalized. [Continue reading...](#)

FTC Settles with Oracle over Charges of Software Security Misrepresentations December 22, 2015

On December 21, 2015, the Federal Trade Commission [announced](#) software company Oracle Corporation (“Oracle”) has agreed to settle FTC charges that accused the company of misrepresenting the security of its software updates. The proposed [Agreement Containing Consent Order](#) (“Consent Order”) stems from an FTC complaint that alleged the company had deceived consumers about the security provided by updates to the Java Platform, Standard Edition software (“Java SE”). [Continue reading...](#)

Germany Adopts Law to Enable Class Actions for Data Protection Violations December 22, 2015

On December 17, 2015, the German Federal Diet (*Bundestag*) adopted a draft law introducing [class action-like claims](#) that will enable consumer protection associations to sue companies for violations of German data protection law. [Continue reading...](#)

FTC Announces Largest Settlement Ever with LifeLock December 21, 2015

On December 17, 2015, the Federal Trade Commission [announced](#) that LifeLock, Inc. (“LifeLock”) has agreed to pay \$100 million to settle contempt charges for deceptive advertising. According to the FTC, “[t]his is the largest monetary award obtained by the Commission in an order enforcement action.” Under the terms of the [settlement](#), \$68 million of the settlement amount will be paid to class action consumers who were injured by the identity theft protection company’s violation of a [2010 settlement](#) with the FTC that required LifeLock to protect consumer information. The rest of the money will be used for settlements with state attorneys general, and any remaining money will go to the FTC. The case is *Federal Trade Commission v. LifeLock Inc., et al.* (2:10-cv-00530), in the U.S. District Court for the District of Arizona. [Continue reading...](#)

FTC Issues COPPA Settlements Against Mobile App Operators December 18, 2015

On December 17, 2015, the FTC [announced](#) a pair of COPPA settlements against operators of child-directed mobile apps available for download in the major app stores. These cases are the FTC’s first COPPA actions involving the collection of persistent identifiers, and no other personal information, from children since the FTC’s [updated](#) COPPA Rule went into effect in 2013. The FTC levied civil penalties, totaling \$360,000, in both cases. [Continue reading...](#)

The EU General Data Protection Regulation December 17, 2015

On December 17, 2015, after three years of drafting and negotiations, the European Parliament and Council of the European Union reached an informal agreement on the [final draft](#) of the EU General Data Protection Regulation (the “Regulation”), which is backed by the Committee on Civil Liberties, Justice and Home Affairs. [Continue reading...](#)

U.S. Congress Releases Compromise Bill on Cybersecurity Information Sharing December 17, 2015

On December 16, 2015, leaders in the U.S. House of Representatives and Senate released a \$1.1 trillion omnibus spending bill that contained cybersecurity information sharing language that is based on a compromise between the Cybersecurity Information Sharing Act, which [passed in the Senate](#) in October, and two cybersecurity information sharing bills that passed in the House earlier this year. Specifically, the omnibus spending bill included Division N, the Cybersecurity Act of 2015 (the “Act”). [Continue reading...](#)

HIPAA Settlement Emphasizes Importance of Risk Analyses December 17, 2015

On December 14, 2015, the U.S. Department of Health and Human Services’ Office for Civil Rights (“OCR”) [announced](#) that it had [settled](#) potential HIPAA Security Rule violations with the University of Washington on behalf of the university’s medical center, medical school and affiliated labs and clinics (collectively, “UW Medical”). [Continue reading...](#)

Deal on EU Data Protection Regulation Imminent December 15, 2015

Today, Jan Philip Albrecht, MEP and Vice Chair of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs, [tweeted](#) the following:

“Yes, reports on white smoke are right but press information only to follow after second part of our work tonight is done, too.”

More information is expected to follow later today or tomorrow.

[View the European Parliament's press release.](#)

Wyndham Settles FTC Charges in *FTC v. Wyndham* December 9, 2015

On December 9, 2015, the Federal Trade Commission [announced](#) that Wyndham Worldwide Corporation (“Wyndham”) settled charges brought by the FTC stemming from allegations that the company unfairly failed to maintain reasonable data security practices. The case is *FTC v. Wyndham Worldwide Corporation, et al.* (2:13-CV-01887-ES-JAD) in the U.S. District Court for the District of New Jersey. [Continue Reading...](#)

European Negotiators Close Deal on First EU Rules on Cybersecurity December 9, 2015

On December 7, 2015, European negotiators reached an agreement on the [draft text](#) of the [Network and Information Security Directive](#) (the “NIS Directive”), the first pan-EU rules on cybersecurity. The NIS Directive was first proposed by the European Commission on February 7, 2013, as part of its cybersecurity strategy for the European Union and aims to ensure a uniform level of cybersecurity across the EU. [Continue Reading...](#)

President Signs Law Providing Exception to Annual Privacy Notice Requirement under the Gramm-Leach-Bliley Act December 7, 2015

On December 4, 2015, President Obama signed the [Fixing America's Surface Transportation Act](#) (the “FAST Act”) into law. The FAST Act, which is aimed at improving the country's surface transportation infrastructure, contains a provision that modifies the annual privacy notice requirement under the Gramm-Leach-Bliley Act (“GLBA”). [Continue Reading...](#)

Triple-S Management Corporation Enters into \$3.5 Million HIPAA Settlement December 3, 2015

On November 30, 2015, the U.S. Department of Health and Human Services (“HHS”) [announced](#) that Triple-S Management Corporation (“Triple-S”), an insurance holding company based in San Juan, Puerto Rico, agreed on behalf of certain of its subsidiaries to settle potential violations of the HIPAA Privacy and Security Rules with HHS's Office for Civil Rights (“OCR”). [Continue Reading...](#)



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