Office of the Information and Privacy Commissioner of Alberta

PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Marathon Oil Company (Organization)
Decision number (file number)	P2015-ND-54 (File #P2515)
Date notice received by OIPC	November 13, 2013
Date Organization last provided information	January 13, 2014
Date of decision	August 27, 2015
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify the individuals pursuant to section 37.1 of the *Personal Information Protection Act* (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA "organization"	The Organization is incorporated in Alberta. I have jurisdiction because the Organization is an "organization" as defined in section 1(1)(i)(i) of PIPA.
Section 1(1)(k) of PIPA "personal information"	The incident involved all or some of the following information: • name, • business email address, • information about past travel itineraries, and • for a few individuals, passport number and social insurance number. This information is "personal information" as defined in section 1(1)(k) of PIPA and was collected in Alberta.
DESCRIPTION OF INCIDENT	
❑ loss ☒ unauthorized access ❑ unauthorized disclosure	

Description of incident	• The Organization was informed by one of its service providers that information about the Organization's employees' past travels may have been targeted by external third parties. • The service provider's server that suffered the attack is located in the US. • The service provider confirmed no other information about the affected individuals was exposed.
Affected individuals	Approximately 17 Albertans were affected.
Steps taken to reduce risk of harm to individuals	• Service provider assessed and addressed security vulnerabilities in its key systems. • Reported incident to law enforcement agencies in the US. • Reported to the Office of the Information and Privacy Commissioner of Alberta.
Steps taken to notify individuals of the incident	• Notification sent to all Organization employees on September 18, 2013 regarding email addresses and travel information. • Second notification sent by email on October 17, 2013 by service provider regarding access to names, passport numbers and social insurance numbers.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
Harm Some damage or detriment or injury that could be caused to affected individuals as a result of the incident. The harm must also be "significant." It must be important, meaningful, and with non-trivial consequences or effects.	The Organization recognized the affected individuals may be at risk for identity theft and fraud. The Organization reported that there would have been significant risk of physical harm for certain destinations, if the travel information elements had been about future (planned) travel. However, as the information was about past travel, the Organization contends that there is no harm flowing from the unauthorized access to travel information. In my view, the personal information involved is highly sensitive. It includes name, social insurance number, and passport number. The types of harm that could result from unauthorized access to the personal information in this instance are identity theft and fraud. In my view, these are significant harms.
Real Risk The likelihood that the significant harm will result must be more than mere	The Organization submitted that the risk of harm was low due to the nature of the travel information (past travel, not future planned travel). Due to the sensitivity of the other personal information involved, however, the Organization recognized

speculation or conjecture. There must be a cause and effect relationship between the incident and the possible harm.	there is a real risk of significant harm to the affected individuals. In my view, the likelihood of harm resulting from this incident is increased because the personal information was accessed intentionally by an unauthorized third party.

DECISION UNDER SECTION 37.1(1) OF PIPA

Based on the information provided by the Organization and given the circumstances of the incident, I have decided that there is a real risk of significant harm to the affected individuals. The personal information involves sensitive identity information, such as name, social insurance number and passport number for some or all of the affected individuals. The information was intentionally accessed by an unauthorized third party. These factors contributed significantly to my decision.

I require that the Organization notify the affected individuals in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the affected employees were notified on September 18 and October 17, 2013, in accordance with the Regulation. The Organization is, therefore, not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner