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	JAM Paper & Envelope (Organization)
Decision number (file number)	P2017-ND-164 (File #007241)
Date notice received by OIPC	December 4, 2017
Date Organization last provided information	December 4, 2017
Date of decision	December 11, 2017
Summary of decision	There is a real risk of significant harm to affected individuals as a result of this incident. The Organization is required to notify the affected individuals in Alberta pursuant to section 37.1 of the *Personal Information Protection Act* (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA "organization"	The Organization is an "organization" as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA "personal information"	The incident involved all or some of the following information: • name, • address, • telephone number, • email address, and • payment card number, expiry date and security code (CVV). This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA. The information was collected from customers making purchases via the Organization's website, www.jampaper.com.
DESCRIPTION OF INCIDENT	
❑ loss ☒ unauthorized access ❑ unauthorized disclosure	
Description of incident	• The Organization received a report from the U.S. Secret Service that an unauthorized third-party may have obtained payment card data from the Organization's e-commerce website, www.jampaper.com.

	• The Organization retained a cybersecurity firm to investigate. • On November 17, 2017, with the assistance of the cybersecurity firm, the Organization determined that if a customer placed an order on its website from June 15, 2016 to November 6, 2017, information associated with the order being placed may have been obtained by an unauthorized third-party.
Affected individuals	The incident affected forty-one (41) residents of Alberta.
Steps taken to reduce risk of harm to individuals	• Established a dedicated call center to answer any questions that individuals may have regarding the incident. • Remediated the vulnerability and implemented additional safeguards. • Communicating with the Secret Service since being notified of the incident.
Steps taken to notify individuals of the incident	On or around December 1, 2017 the Organization mailed notices to customers that placed orders on the Organization's website from June 15, 2016 to November 6, 2017.
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 reported that "The potentially affected payment card numbers could be used to make fraudulent charges elsewhere online, which may result in financial loss to the individuals; however, payment card network rules generally state that cardholders are not responsible for fraudulent charges that are timely reported." In my view, the financial information at issue could be used to cause the harms of identity theft, fraud and financial loss. Email addresses could be used for phishing purposes. These are all significant harms.
Real Risk The likelihood that the significant harm will result must be more than mere speculation or conjecture. There must be a cause and effect relationship between the incident and the possible harm.	The Organization reported that "Because the payment card network rules state that cardholders are not responsible for fraudulent charges that are timely reported, there is no significant risk of harm to the potentially affected Alberta residents. To further diminish the likelihood of harm, [the Organization] is specifically recommending that potentially affected individuals remain vigilant to the possibility of fraud by reviewing their account statements and credit reports for unauthorized activity." In my view, the likelihood of harm resulting from this incident is increased because the personal information was compromised due to the malicious action of an unknown third party (deliberate intrusion on the Organization's website) and it appears the information may have been the target. Further, the information may have been exposed for over a year and a half.

	The Organization can only speculate that affected individuals will not be held responsible for fraudulent credit card charges. Even if this were the case, it does not necessarily mitigate the potential harm from identity theft or other forms of fraud.

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 as a result of this incident.

The financial information at issue could be used to cause the harms of identity theft, fraud and financial loss. Email addresses could be used for phishing purposes. These are all significant harms. The likelihood of harm resulting from this incident is increased because the personal information was compromised due to the malicious action of an unknown third party (deliberate intrusion on the Organization's website) and it appears the information may have been the target. Further, the information may have been exposed for over a year and a half.

The Organization can only speculate that affected individuals will not be held responsible for fraudulent credit card charges. Even if this were the case, it does not necessarily mitigate the potential harm from identity theft or other forms of fraud.

The Organization is required to notify the affected individuals in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).

I understand the Organization notified the affected individuals by mail on or about December 1, 2017. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner