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	PAR Technology Corporation (Organization)
Decision number (file number)	P2020-ND-025 (File #013752)
Date notice received by OIPC	November 1, 2019
Date Organization last provided information	November 1, 2019
Date of decision	March 4, 2020
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 individual whose personal information was collected 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, • credit/debit card information. This information is about identifiable individuals and is "personal information" as defined in section 1(1)(k) of PIPA.
DESCRIPTION OF INCIDENT	
❑ loss ☒ unauthorized access ❑ unauthorized disclosure	
Description of incident	• On or about May 31, 2019, the Organization was alerted to suspicious activity within an employee's email account. • The Organization immediately launched an investigation with the assistance of a third-party forensic firm, to determine the nature and scope of the activity. • The investigation found that 11 employee email accounts were accessed without authorization between April 19, 2019 and June 20, 2019.

Affected individuals	The incident affected 1 Alberta resident.
Steps taken to reduce risk of harm to individuals	• Investigated and responded to incident. • Hired a third party forensic firm to assess the security of the Organization's systems. • Increased log monitoring. • Provided free 24 months credit monitoring services. • Provided guidance on how to better protect against identity theft and advised to report suspicious incidents to the individual's credit card companies and/or bank.
Steps taken to notify individuals of the incident	Affected individuals were notified by letter on September 20, 2019.
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 did not specifically identify the potential harm(s) that might result from the incident but reported that it "…is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank". In my view, a reasonable person would consider that the contact and financial information at issue could be used to cause the significant harms of identity theft and fraud.
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 did not provide an assessment of the likelihood of harm resulting from this incident. In my view, a reasonable person would consider the likelihood of harm resulting from this incident is increased as the breach was the result of malicious intent (deliberate action) that occurred over the course of almost two months.
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. A reasonable person would consider that the contact and financial information at issue could be used to cause the significant harms of identity theft and fraud. The likelihood of harm resulting from this incident is increased as the breach was the result of malicious intent (deliberate action) that occurred over the course of almost two months. I require the Organization to notify the affected individual in Alberta in accordance with section 19.1 of the *Personal Information Protection Act Regulation* (Regulation).	

I understand the Organization notified the affected individual by letter on September 20, 2019. The Organization is not required to notify the affected individual again.

Jill Clayton
Information and Privacy Commissioner