

## Privacy Liability for Data Breach and Remedies

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**PRACTICES** Privacy and Cybersecurity

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The term “data breach” usually brings to mind the much-publicized capture of vast quantities of consumer information from retail vendors (e.g., Target, Windham), on-line service providers (e.g., Yahoo!), or social media sites (e.g., Ashley Madison). Hackers’ motives are presumably as diverse as the hackers themselves, but clearly include obtaining marketable information, such as credit card numbers and intellectual property, or embarrassing consumers, as in the Ashley Madison breach. Recent events also show that motives now possibly include political agendas with media reports that foreign hackers may even attempt to influence U.S. elections. Of course all this activity is criminal. “Guccifer,” the Romanian hacker involved in the disclosure of Hillary Clinton’s private email server when she served as Secretary of State, was extradited from his home country and recently sentenced to 52 month of prison after a plea bargain.

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