



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Patterson Medical Canada, Inc. (Organization)
Decision number (file number)	P2016-ND-61 (File #003640)
Date notice received by OIPC	August 9, 2016
Date Organization last provided information	August 9, 2016
Date of decision	September 9, 2016
Summary of decision	There is a real risk of significant harm to the individuals affected by this incident. The Organization is required to notify those individuals pursuant to section 37.1 of the <i>Personal Information Protection Act</i> (PIPA).
JURISDICTION	
Section 1(1)(i) of PIPA “organization”	The Organization is a Canadian company and an “organization” as defined in section 1(1)(i) of PIPA.
Section 1(1)(k) of PIPA “personal information”	<p>The incident involved the following information:</p> <ul style="list-style-type: none">• name,• credit card number, expiry date, security code. <p>This information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.</p>
DESCRIPTION OF INCIDENT	
<input checked="" type="checkbox"/> loss <input type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On May 31, 2016, the Organization was contacted by Regional Police concerning a former employee the police were investigating for identity theft and credit card fraud. The information at issue was found in the possession of the former employee.• The Organization investigated and confirmed the individual was employed by the Organization between May 25, 2015 and September 4, 2015 and the information at issue was about customers of the Organization.

	<ul style="list-style-type: none"> The former employee has been formally charged with thirty-one (31) various crimes related to identity theft and credit card fraud.
Affected individuals	A total of 16 Canadians were affected by the incident, including two (2) residents of Alberta.
Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> Initiated an internal investigation. Cooperated with the Regional Police throughout its investigation. Notified the affected individuals and providing one year of identity protection services, at no cost, to all affected individuals. Conducting a thorough review of its security measures, internal controls, and safeguards in an effort to help prevent a similar incident in the future.
Steps taken to notify individuals of the incident	Affected individuals were notified by letter on or around August 5, 2016.
REAL RISK OF SIGNIFICANT HARM ANALYSIS	
<p>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.</p>	<p>The Organization reported “Given the nature of information that was stolen, as well as the fact that the individual who unlawfully stole this information is being prosecuted for identity theft and credit card fraud, the Company believes there is a risk of harm to the sixteen (16) individuals whose information was stolen as a result of this incident.”</p> <p>I agree with the Organization. The information at issue includes financial information that could be used to cause the harms of identity theft, fraud and financial loss. These are all significant harms.</p>
<p>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.</p>	<p>As noted above, the Organization reported it “believes there is a risk of harm” resulting from this incident</p> <p>I agree with the Organization. The likelihood of harm resulting from this incident is increased because the information resulted from malicious intent (theft), the information was exposed for a considerable length of time, and the perpetrator is being prosecuted for identity theft and credit card fraud.</p>

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 information at issue includes financial information that could be used to cause the significant harms of identity theft, fraud and financial loss. The likelihood of harm resulting from this incident is increased because the information resulted from malicious intent (theft), the information was exposed for a considerable length of time, and the perpetrator is being prosecuted for identity theft and credit card fraud.

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

I understand that the Organization notified all affected individuals by letter on or around August 5, 2016. The Organization is not required to notify the affected individuals again.

Jill Clayton
Information and Privacy Commissioner