



PERSONAL INFORMATION PROTECTION ACT
Breach Notification Decision

Organization providing notice under section 34.1 of PIPA	Grape Holding, NV (Organization)
Decision number (file number)	P2020-ND-046 (File #015669)
Date notice received by OIPC	April 9, 2020
Date Organization last provided information	April 9, 2020
Date of decision	May 19, 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 <i>Personal Information Protection Act</i> (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 “reservation data, including but not limited to names, addresses, e-mail addresses and payment information of the impacted individuals”. The information is about identifiable individuals and is “personal information” as defined in section 1(1)(k) of PIPA.
DESCRIPTION OF INCIDENT	
<input type="checkbox"/> loss <input checked="" type="checkbox"/> unauthorized access <input type="checkbox"/> unauthorized disclosure	
Description of incident	<ul style="list-style-type: none">• On March 5, 2020, an unauthorized user accessed the Organization’s reservation portfolios on a third party system.• The incident was discovered on March 7, 2020, when the host of the third party reservation system informed the Organization that it had detected an unauthorized user.• Forensic experts determined that the incident was a single occurrence.
Affected individuals	The incident affected 1 individual in Alberta.

Steps taken to reduce risk of harm to individuals	<ul style="list-style-type: none"> • Worked quickly to limit access to encrypted guest information. • Took immediate measures to investigate and address the situation.
Steps taken to notify individuals of the incident	Affected individuals were notified by letter March 17, 2020 and April 8, 2020.
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 the possible harm(s) that might result from the incident was “Financial fraud”. 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. Email address could be used for phishing, increasing vulnerability to 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 reported “Given that the threat actor maliciously intruded on the third-party reservation system, there is a possible likelihood of harm to the impacted individuals, including the possibility of financial fraud”. In my view, a reasonable person would consider that the likelihood of harm resulting from this incident is increased as the breach resulted from malicious intent (deliberate, unauthorized access).
DECISION UNDER SECTION 37.1(1) OF PIPA	
<p>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.</p> <p>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. Email address could be used for phishing, increasing vulnerability to identity theft and fraud. The likelihood of harm resulting from this incident is increased as the breach resulted from malicious intent (deliberate, unauthorized access).</p> <p>I require the Organization to notify the affected individual whose personal information was collected in Alberta, in accordance with section 19.1 of the <i>Personal Information Protection Act Regulation</i> (Regulation).</p> <p>I understand affected individuals were notified by letter March 17, 2020 and April 8, 2020. The Organization is not required to notify the affected individual again.</p>	

Jill Clayton
Information and Privacy Commissioner