

Weekly Data Privacy Alert 15 August 2016

UK

The ICO Announces the UK is Well-equipped to Protect Data After Brexit

In its latest newsletter the ICO's new head, Elizabeth Denham, has announced that the UK is well-equipped to deal with changes to data protection following the Brexit vote in June. "The result of the EU referendum and its impact on data protection reforms will undoubtedly create uncertainty, as any period of flux does," she said. She went on to say, "it's clear to me, though, that the UK is well equipped to navigate the changes ahead successfully."

August Newsletter

The ICO Launches Online Helpline

The ICO has launched a new online chat service for customers needing to get in touch with an ICO adviser. The live service will also offer a full transcript of all conversations, including any advice provided. The Live Chat service is available Monday to Friday between 9 a.m. and 5 p.m.

Live chat available here

US

Pokémon GO Raises Data Privacy Concerns

Individuals in the public and private sector continue to raise concerns about data privacy protections for *Pokémon GO* players in the wake of upgrades released on the reality game last month. The game requires access to a phone's camera and GPS to work. It initially required full access to users' Google accounts. Gamemaker Niantic has subsequently admitted these access rights were a mistake and has taken steps to correct the error. US Senator Al Franken of the Privacy, Technology and the Law Subcommittee has asked Niantic for information on what steps are being taken to rectify that account access error, what information the company has collected or stored, who it shares information with, and how it ensures that parents give meaningful consent to their child's use of the app. In addition, Niantic is being sued in a class action for unfair business practices in Florida state court. The lawsuit alleges that the plaintiff, a Florida gamer, unknowingly granted Niantic extensive rights to collect his Google, Facebook and other personal information by downloading the game.

The plaintiff contends that the license gives Niantic the infinite right to keep and share its users' data, including their physical location, web history and user messages. It further alleges that Niantic may change the terms of service at any time and without notifying the user.

Franken's letter

AIG Launches Cyber Policy

American International Group (AIG) has become the first insurer to offer standalone coverage for property damage, bodily injury, business interruption and product liability resulting from cyberattacks or other cyber-related risks. This new product, named CyberEdge Plus, will offer wider and clearer coverage for harm that had previously caused issues due to the scope of coverage available. Companies can now be protected against third party claims arising from failed network security or failure to protect data, costs associated with responding to a security failure or privacy breach, business interruption caused by a network security failure, threats made against a computer network or confidential information, and liability for web content. The new coverage is available for up to US\$100 million.

CyberEdge Plus fact sheet

Contacts



Caroline Egan
Consultant, Birmingham
T +44 121 222 3386
E caroline.egan@squirepb.com



Francesca Fellowes
Senior Associate, Leeds
T +44 113 284 7459
E francesca.fellowes@squirepb.com



Colin Jennings
Partner, Cleveland
T +1 216 479 8420
E colin.jennings@squirepb.com

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