

Data Privacy + Cybersecurity Insider

Leveraging Knowledge to Manage Your Data Risks

CYBERSECURITY

[U.S. CISA + Cyber Command Warns of Critical Flaw in VMware](#)

Although a patch has been available by VMware since May 25, 2021, the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) and Cyber Command this week urged users of VMware to update and apply a fix to software that is used to manage virtual machines in data centers. [Read more](#)

[FBI Issues Flash Alert to Users of Fortinet Fortigate](#)

The FBI recently issued a Flash Alert to Fortinet Fortigate users that Advanced Persistent Threat (APT) groups are continuing to exploit devices that have not been patched. Although Fortinet issued patches for these vulnerabilities in 2018, 2019, and 2020, many organizations have not applied the patches. [Read more](#)

[Prometheus Ransomware Targeting Manufacturing Sector](#)

Since the Colonial Pipeline and JBS meat processing security incidents, attention is finally being paid to the cybersecurity vulnerabilities of critical infrastructure in the U.S. and, in particular, the potential effect on day-to-day life and national security if large and significant manufacturers' production is disrupted. In the wake of these recent incidents in the manufacturing sector, Unit 42 of Palo Alto Networks has [published research](#) that may be considered a warning to the manufacturing sector and is worth notice. The warning is about the activities of Prometheus, "a new player in the ransomware world that uses similar malware and tactics to ransomware veteran Thanos."

[Read more](#)

[Microsoft Patch Tuesday Includes Six Zero Day-Related Vulnerabilities](#)

IT professionals leave room in their schedules for Microsoft's monthly Patch Tuesday just as I leave room in my schedule every Wednesday night for blog writing. This month's Patch Tuesday was light on patches compared to other months, but includes six that are designed to patch zero day-related vulnerabilities, four of which are relevant to elevation-of-privilege flaws. [Read more](#)

June 10, 2021

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[DOJ Grabs Colonial Pipeline Crypto Wallet from DarkSide](#)

In an unusual and exciting twist to the Colonial Pipeline ransomware attack, the Department of Justice (DOJ) announced this week that it was able to retrieve \$2.3 million of the \$4.4 million paid by Colonial Pipeline to DarkSide by seizing the wallet, and thus “preventing Darkside actors from using it.” [Read more](#)

[Recent Ransomware Attacks Call for More Oversight of Crypto-Transactions](#)

After the attacks on JBS and Colonial Pipeline, the U.S. Treasury Department likely will consider increasing its enforcement of anti-money-laundering laws and adopt new reporting requirements for cryptocurrency transactions. [Read more](#)

ENFORCEMENT + LITIGATION

[Diabetes, Endocrinology & Lipidology Center Becomes 19th Settlement with OCR for HIPAA Right-of-Access Violation](#)

Last week, Diabetes, Endocrinology & Lipidology Center Inc. (DELC) of West Virginia reached a \$5,000 settlement with the Office for Civil Rights (OCR) over allegations that it failed to provide timely access to a patient’s health records. The OCR alleged that DELC waited more than two years to send a minor’s medical records to their parent, and the records were sent only after the OCR opened an investigation in response to the parent’s complaint. This alleged failure to provide timely access was a violation of the Health Insurance Portability and Accountability Act (HIPAA). HIPAA requires health care providers to respond to a patient’s request for access to health records within 30 days. [Read more](#)

[Keep Biometric Information Laws on the Radar for Compliance](#)

Ever since the enactment of the Illinois Biometric Information Privacy Act (BIPA), we have been watching the development of laws around the collection, use, disclosure and retention of biometric information. In general, BIPA and other biometric information privacy laws enacted since BIPA, require any company that is collecting biometric information, such as fingerprints, voice recognition, retinal scans or facial scans, to provide notice to individuals from whom they are collecting this information that they are collecting the biometric information, the purpose for which it is being collected and used, to whom they are disclosing it, and how long they are retaining it. The laws usually require companies to put appropriate security measures in place to protect the biometric information. [Read more](#)

NEW+ NOW

[Eleventh Circuit Says Invasion-of-Privacy Exclusion Bars Coverage of Class Action Settlement](#)

Last week, the Eleventh Circuit held that an invasion-of-privacy exclusion in an insured’s policy barred coverage and that Liberty Insurance Underwriters Inc. did not have to cover the \$60.4 million

settlement of a class action against the insured, iCan Benefit Group LLC (iCan), for sending robotexts in alleged violation of the Telephone Consumer Protection Act. The exclusion for claims “arising out of” an invasion of privacy applies because the class claim has a connection with the invasion of privacy. The complaint doesn’t have to allege the common law tort of invasion of privacy to trigger the coverage exclusion.

[Read more](#)

DRONES

[FAA UAS Support Center: Faster Responses, More Streamlined Process](#)

This week, the Federal Aviation Administration (FAA) announced its Unmanned Aircraft Systems (UAS) Support Center Case Management System (CMS), designed to streamline how industry stakeholders’ questions are answered and provide responses in a more timely manner. [Read more](#)

PRIVACY TIP #287

[Double Down on Passwords](#)

It has been reported by Bloomberg Law that the Colonial Pipeline ransomware attack was caused by a “single compromised password.” This week’s privacy tip digs into the details. [Read more](#)

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