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Washington, DC 20036

Phone: (202) 296-3585
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February 26, 2021

Attorney General Bob Ferguson
securitybreach@atg.wa.gov

Dear Attorney General Ferguson:

On behalf of our client, BSN Sports, LLC (“BSN”), we write to provide you with this preliminary notification of an incident that may have affected the personal information of 523 consumers who reside in Washington. BSN recently learned that a criminal actor injected malicious code onto the checkout pages of four (4) of its eCommerce websites, which copied payment card data transmitted from the checkout page to BSN’s tokenization provider and sent the copy to a website controlled by the attacker.

Upon detecting unauthorized code on certain of its websites, BSN immediately commenced an investigation together with its service provider to learn what the code did and whether it would have operated successfully. On February 2, 2021, BSN determined that the unauthorized code detected on its websites would have successfully scraped customer payment card data submitted on those pages. BSN quickly removed the malicious code after it was detected, and it is in the process of making structural changes to the affected sites to prevent recurrence of this type of attack.

The data elements scraped and exfiltrated by the malicious code included, as relevant to this notification, the payor’s payment card account number, payment card expiration date, and payment card verification number (i.e., CVV2), in combination with the customer’s name. BSN has already notified its payment processor, who has made the major credit card brands aware of the issue.

BSN began to notify the consumers affected by this incident on February 26 and is offering them one year of complimentary Dark Web Monitoring services through Epiq. A sample notification letter is attached for your reference.

Should you have further questions about this matter, please do not hesitate to contact me at jason@zwillgen.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Wool'.

Jason R. Wool



Return Mail Processing Center
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NOTICE OF DATA BREACH

Dear <<Name 1>>:

We are writing to notify you of an incident that affected the confidentiality of your personal information. Please read this letter carefully for more information and to learn how you can take steps to protect your personal information.

What Happened?

BSN recently learned that a criminal actor had compromised the security of the checkout pages on four of its eCommerce websites and copied the payment card data submitted on those pages. The issue lasted between approximately April 24, 2019 and January 5, 2021, during which time you made one or more purchases using a payment card on the affected websites.

What Information Was Involved?

The data elements taken by the criminal actor included your payment card account number, payment card expiration date, and payment card verification number (*i.e.*, the number printed on the back of your payment card used in online and phone transactions to verify that you possess the card), in combination with your name, address, and contact information.

What We Are Doing.

As soon as BSN became aware of the issue, we secured the affected websites, worked to identify the root cause of the compromise, and began to implement technical measures to better prevent recurrence of the error. We are also working with our payment processor and the major credit card companies to address the issue. Finally, out of an abundance of caution we are providing you with one year of complimentary access to Epiq’s Dark Web Monitoring service. This service allows you to monitor the “dark web” for up to 25 pieces of information, such as your payment card number, email account, or phone number. Instructions for how to enroll in this service are attached for your reference.

What You Can Do.

In addition to enrolling in the Epiq services, we encourage you to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please see the attachment to this letter.

For More Information.

If you have any questions regarding this incident or if you desire further information or assistance, please contact BSN Sports at 866-287-6098, Monday through Friday, from 9 am to 9 pm EST. We regret any inconvenience caused by this incident. Please be assured that BSN takes the privacy and security of its customers’ data very seriously and is taking steps to better ensure that incidents such as this one do not recur.

Sincerely,
BSN Sports, LLC

SUPPLEMENTAL INFORMATION

It is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit www.annualcreditreport.com or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

Equifax

P.O. Box 740241
Atlanta, GA 30374
www.equifax.com
1-800-685-1111

Experian

P.O. Box 2002
Allen, TX 75013
www.experian.com
1-888-397-3742

TransUnion

P.O. Box 2000
Chester, PA 19016
www.transunion.com
1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

Federal Trade Commission

Consumer Response Center
600 Pennsylvania Avenue NW
Washington, DC 20580
1-877-IDTHEFT (438-4338)
www.ftc.gov/idtheft

State Attorneys General

Information on how to contact your state attorney general may be found at www.naag.org/naag/attorneys-general/whos-my-ag.php.

If you are a resident of California, Connecticut, Iowa, Maryland, Massachusetts, North Carolina, Oregon, or Rhode Island, you may contact and obtain information from and/or report identity theft to your state attorney general at:

California Attorney General's Office, California Department of Justice, Attn: Office of Privacy Protection, P.O. Box 944255, Sacramento, CA 94244-2550, (800) 952-5225

Connecticut Attorney General's Office, 55 Elm Street, Hartford, CT 06106, 1-860-808-5318, www.ct.gov/ag

Office of the Attorney General of Iowa, Hoover State Office Building, 1305 E. Walnut Street, Des Moines, IA 50319, (515) 281-5164, www.iowaattorneygeneral.gov

Maryland Attorney General's Office, 200 St. Paul Place, Baltimore, MD 21202, www.oag.state.md.us, 1-888-743-0023 or 1-410-576-6300

Office of the Massachusetts Attorney General, One Ashburton Place, Boston, MA 02108, 1-617-727-8400, www.mass.gov/ago/contact-us.html

North Carolina Attorney General's Office, 9001 Mail Service Center, Raleigh, NC 27699, www.ncdoj.gov, 1-919-716-6400 or 1-877-566-7226

Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, (503) 378-4400, <http://www.doj.state.or.us/>

Rhode Island Attorney General's Office, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, www.riag.ri.gov

If you are a resident of Massachusetts or Rhode Island, note that pursuant to Massachusetts or Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze.

If you are a resident of West Virginia, you have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described below. You also have a right to place a security freeze on your credit report, as described below.

You have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described below. You also have a right to place a security freeze on your credit report, as described below.

Fraud Alerts: There are two types of fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for at least 90 days. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. You can place a fraud alert on your credit report by contacting any of the three national credit reporting agencies.

Credit Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, so that no new credit can be opened in your name without the use of a PIN that is issued to you when you initiate a freeze. A security freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a security freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a security freeze may delay your ability to obtain credit.

There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013
www.experian.com

TransUnion Security Freeze
P.O. Box 2000
Chester, PA 19016
www.transunion.com

Equifax Security Freeze
P.O. Box 105788
Atlanta, GA 30348
www.equifax.com

To request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.)
2. Social Security number
3. Date of birth
4. If you have moved in the past five years, provide the addresses where you have lived over the prior five years
5. Proof of current address such as a current utility bill or telephone bill
6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
7. If you are a victim of identity theft, include a copy of the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

The credit reporting agencies have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five business days and provide you with a unique personal identification number ("PIN") or password or both that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, or to lift a security freeze for a specified period of time, you must submit a request through a toll-free telephone number, a secure electronic means maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to the credit reporting agencies and include proper identification (name, address, and Social Security number) and the PIN or password provided to you when you placed the security freeze as well as the identity of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must submit a request through a toll-free telephone number, a secure electronic means maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to each of the three credit bureaus and include proper identification (name, address, and Social Security number) and the PIN number or password provided to you when you placed the security freeze. The credit bureaus have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to remove the security freeze.

Fair Credit Reporting Act: You also have rights under the federal Fair Credit Reporting Act, which promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. The FTC has published a list of the primary rights created by the FCRA (<https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf>), and that article refers individuals seeking more information to visit www.ftc.gov/credit. The FTC's list of FCRA rights includes:

- You have the right to receive a copy of your credit report. The copy of your report must contain all the information in your file at the time of your request.
- Each of the nationwide credit reporting companies – Equifax, Experian, and TransUnion – is required to provide you with a free copy of your credit report, at your request, once every 12 months.
- You are also entitled to a free report if a company takes adverse action against you, like denying your application for credit, insurance, or employment, and you ask for your report within 60 days of receiving notice of the action. The notice will give you the name, address, and phone number of the credit reporting company. You are also entitled to one free report a year if you're unemployed and plan to look for a job within 60 days; if you are on welfare; or if your report is inaccurate because of fraud, including identity theft.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.

- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.
- Consumer reporting agencies may not report outdated negative information.
- Access to your file is limited. You must give your consent for reports to be provided to employers.
- You may limit “prescreened” offers of credit and insurance you receive based on information in your credit report.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.

In Addition, New Mexico Consumers Have the Right to Submit a Declaration of Removal. You may submit a declaration of removal to remove information placed in your credit report as a result of being a victim of identity theft.

DARK WEB MONITORING ENROLLMENT INSTRUCTIONS

As a precautionary measure, we are providing access to Epiq’s **Dark Web Monitoring** services at no charge. Services are 12 months from the date of enrollment. Dark Web Monitoring will review the dark web and alert you if your personally identifiable information is found online. In order for you to receive the monitoring services described above, you must enroll within 90 days from the date of this letter.

How do I enroll for the free services?

To enroll in Monitoring services at no charge, please log on to <https://www.myidmanager.com> and follow the instructions provided. When prompted please provide the following unique code to receive services: <<Activation Code>>.