



MULLEN  
COUGHLIN<sup>LLC</sup>  
ATTORNEYS AT LAW

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October 6, 2017

***VIA EMAIL & U.S. 1<sup>st</sup> CLASS MAIL***

Office of the Attorney General  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100  
Email: [securitybreach@atg.wa.gov](mailto:securitybreach@atg.wa.gov)

**Re: Notice of Data Event**

Dear Sir or Madam:

Our office represents Tommie Copper Inc. (“Tommie Copper”), 74 South Moger Avenue, Mount Kisco, New York 10549. We are writing to provide you with notice of an event that may impact the security of certain payment information relating to approximately six hundred and ninety-five (695) Washington residents. By providing this notice, Tommie Copper does not waive any rights or defenses regarding the applicability of Washington law, applicability of the Washington data event notification statute, or personal jurisdiction.

### **Background**

On or around August 11, 2017, Tommie Copper was advised that it had been identified as a common point of purchase for potential credit card fraud. Tommie Copper immediately launched an internal investigation and hired a third party forensic investigator. On August 24, 2017, the forensic investigator confirmed that a piece of malware had been inserted into Tommie Copper’s website at checkout that collected certain payment information used at checkout. Tommie Copper then immediately began efforts to remove this malware from its checkout site. The forensic investigation revealed that the payment card information used by customers at its website was subject to unauthorized access from April 25, 2017 through August 29, 2017.

The specific information that may have been obtained by the unidentified third party included the customers’ name, billing address, full credit card number, expiration date, and CVV number. Tommie

Copper has removed the malicious code from the affected system, and took additional steps to ensure the security of its systems.

### **Notice to Washington Residents**

On September 6, 2017, Tommie Copper will begin providing written notice of this incident to all potentially affected customers, which includes six hundred and ninety-five (695) Washington residents. Written notice will be provided in substantially the same form as the letter attached hereto as *Exhibit A*.

### **Other Steps Taken and to Be Taken**

Immediately after discovering the malicious code, Tommie Copper initiated efforts to remove it from the website. In addition, Tommie Copper is providing potentially affected individuals with guidance on how to better protect against identity theft and fraud, including information on how to place a fraud alert and security freeze on one's credit file, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

### **Contact Information**

Should you have any questions regarding this notification of other aspects of this event, please contact us at 267-930-4798.

Very truly yours,



James E. Prendergast of  
MULLEN COUGHLIN LLC

JEP:ncl  
Enclosure

cc: Office of the Attorney General  
Consumer Protection Division  
800 5<sup>th</sup> Ave., Suite 2000  
Seattle, WA 98104-3188  
Email: [securitybreach@atg.wa.gov](mailto:securitybreach@atg.wa.gov)  
(VIA EMAIL & U.S. 1<sup>ST</sup> CLASS MAIL)

# EXHIBIT A



**TOMMIE COPPER**

Processing Center • P.O. BOX 141578 • Austin, TX 78714



00002  
ACD1234

00808  
JOHN Q. SAMPLE  
1234 MAIN STREET  
ANYTOWN US 12345-6789

October 6, 2017

RE: Notice of Data Breach

Dear John Sample:

Tommie Copper is writing regarding a recent data security incident that may impact certain payment card information used by you to make purchases on our website. We wanted to provide you with information about this incident, our response and steps you can take to prevent fraud, should you feel it necessary to do so.

**What Happened?** Tommie Copper was recently contacted by representatives of the credit card industry regarding potential fraud related to credit cards used on our website. We immediately launched an internal investigation and hired a third party forensic investigator. On August 24, 2017, the forensic investigator confirmed that a piece of malware had been inserted into our website at checkout that collected certain payment information used at checkout. We then immediately began efforts to remove this malware from our checkout site.

**What Information Was Involved?** While the investigation is ongoing, we believe that certain payment information used by customers at our website was subject to unauthorized access from April 25, 2017 through August 29, 2017. The data elements potentially subject to unauthorized access include your: name, address, phone number, email address and credit and/or debit card information.

**What We Are Doing.** We take the security of your personal information very seriously. We have removed the infected code that led to the vulnerability and implemented additional security measures to reduce the likelihood of a similar incident from happening in the future. We are providing notice of this incident to those who may be impacted so that they can take steps to prevent against possible fraud, should they feel it is necessary to do so. We will also notify any required state regulators and the credit reporting agencies about this incident.

**What You Can Do.** You can stay vigilant by reviewing your credit card statements for any suspicious charges. You can also review the enclosed *Steps You Can Take to Protect Against Identity Theft and Fraud* which includes guidance on steps you can take to better protect against the possibility of fraud and identify theft.

**For More Information.** If you have questions or concerns that are not addressed in this notice letter, you may call the confidential call center we have set for this matter at 1-855-609-5846 Monday through Saturday, 9:00 a.m. to 9:00 p.m. E.T.



01-02-2-00

We take the privacy of your personal information seriously. We sincerely regret any inconvenience or concern this incident has caused you.

Sincerely,

A handwritten signature in black ink, appearing to read "Sol Jacobs", followed by a horizontal line extending to the right.

Sol Jacobs  
CEO

## Steps You Can Take to Protect Against Identity Theft and Fraud

We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports for suspicious activity. Under U.S. law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report.

At no charge, you can also have these credit bureaus place a “fraud alert” on your file that alerts creditors to take additional steps to verify your identity prior to granting credit in your name. Note, however, that because it tells creditors to follow certain procedures to protect you, it may also delay your ability to obtain credit while the agency verifies your identity. As soon as one credit bureau confirms your fraud alert, the others are notified to place fraud alerts on your file. Should you wish to place a fraud alert, or should you have any questions regarding your credit report, please contact any one of the agencies listed below.

Equifax  
P.O. Box 105069  
Atlanta, GA 30348  
1-800-525-6285  
[www.equifax.com](http://www.equifax.com)

Experian  
P.O. Box 2002  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

TransUnion  
P.O. Box 2000  
Chester, PA 19022-2000  
1-800-680-7289  
[www.transunion.com](http://www.transunion.com)

You may also place a security freeze on your credit reports. A security freeze prohibits a credit bureau from releasing any information from a consumer’s credit report without the consumer’s written authorization. However, please be advised that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing, or other services. If you have been a victim of identity theft, and you provide the credit bureau with a valid police report, it cannot charge you to place, lift or remove a security freeze. In all other cases, a credit bureau may charge you a fee to place, temporarily lift, or permanently remove a security freeze. You will need to place a security freeze separately with each of the three major credit bureaus listed above if you wish to place a freeze on all of your credit files. To find out more on how to place a security freeze, you can use the following contact information:

Equifax Security Freeze  
P.O. Box 105788  
Atlanta, GA 30348  
1-800-685-1111  
(NY residents please call  
1-800-349-9960)  
<https://www.freeze.equifax.com>

Experian Security Freeze  
P.O. Box 9554  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com/freeze/  
center.html](http://www.experian.com/freeze/center.html)

TransUnion  
P.O. Box 2000  
Chester, PA 19022-2000  
1-888-909-8872  
[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

You can further educate yourself regarding identity theft, fraud alerts, and the steps you can take to protect yourself, by contacting the Federal Trade Commission or your state Attorney General. The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580, [www.identitytheft.gov](http://www.identitytheft.gov), 1-877-ID-THEFT (1-877-438-4338); TTY: 1-866-653-4261. **For Maryland residents**, the Attorney General can be reached at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-888-743-0023; and [www.oag.state.md.us](http://www.oag.state.md.us). **For North Carolina residents**, the Attorney



General can be contacted by mail at 9001 Mail Service Center, Raleigh, NC 27699-9001; toll-free at 1-877-566-7226; by phone at 1-919-716-6400; and online at [www.ncdoj.gov](http://www.ncdoj.gov). **For Rhode Island Residents**, the Rhode Island Attorney General may be contacted at: Rhode Island Attorney General's Office, 150 South Main St., Providence, RI 02903. <http://www.riag.ri.gov>. Approximately 157 Rhode Island residents may have been affected by this incident. **For New Mexico residents**, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the 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 credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; and you may seek damages from violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting [www.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf), or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. Instances of known or suspected identity theft should also be reported to law enforcement. This notice has not been delayed by law enforcement.