



PCI DSS Liability, Now a Board Liability!
The Cyber Exchange

Adam Briklyn – May 22, 2019

PCI DSS Liability – A Fiduciary Risk

- ❑ *Duty of Care, Diligence and Skill*: Every director and officer of a corporation in exercising his or her powers and in discharging his or her duties shall:
 - ✓ Exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances – Business Judgment Rule

PCI DSS Requirements for All Merchants

1. Build & maintain a secure network & system that is multi-layered and segregated
2. Protect card holder data at rest and in transit with encryption
3. Maintain a vulnerability management program with current software and hardware
4. Implement strong access control measures with dual authentication and restricted access
5. Regularly monitor and test networks for weaknesses
6. Maintain an information security policy for all employees which includes training

PCI DSS Liability – A Fiduciary Risk

“Class action certification is NOW A REAL THREAT to schools, medical organizations, professional firms, financial institutions, e-commerce, private & public companies, retail and hospitality as multi claimant defendants now recognize the value of privacy and the cause of action available to them in Canada”

PNI Digital Media Data Breach Class Action Lawsuit – *A Breach of Fiduciary Duty...*

- 1) Canadian company from Vancouver involved in a class action lawsuit in the USA & Canada as a result of credit card breach
- 2) Class members in Washington & Hawaii seeking \$5,000,000 in damages / \$50,000,000 being sought in Canada:
 - ❖ *Violation of Consumer Protection Acts, State & Provincial Data Breach Statutes*
 - ❖ *Gross Negligence*
 - ❖ *Breach of implied contract*
 - ❖ *Unjust enrichment – disgorgement of profits*
 - ❖ *Recovery of general damages & costs, equitable relief, restitution, and attorney fees*
 - ❖ *Enhanced privacy policies, procedures & security protocols*

The Dark Web (the anonymity network...)

- ❑ This Dark “*alternative*” web drives internet traffic through a free, worldwide, volunteer network consisting of more than seven thousand relays to conceal a user's location and usage from anyone conducting network surveillance or traffic analysis.
- ❑ Each relay deploys encryption software to protect the data and the internet protocol address to ensure the privacy and the freedom of the user.
- ❑ Bitcoin is the major currency of use.



This dumps are loaded

Sign in

Register

USERNAME:

PASSWORD:

SIGN IN

What to do?

- › Doing ma biz via ICQ and live chat below
- › NO BULLSHIT SHOPS, NO OTHER CONTACTS
- › I sell only own small n strong spinach from POS

What's New?

Popeye's Official mirrors
popeyeds.cc
popeyeds.la
popeyeds7a7sq7re.onion



Wholesale

* Dumps from packs are not refundable

WALLET

\$0.00

[add funds](#)

CART

0

[view items](#)

BROWSE DUMPS

WHOLESALE

ACCOUNT

CHECKER

SUPPORT

1245

for **\$10,500.00**

Reseller **McDumpals**
Base **MA-CT**
Date pre-sale **2014-03-31**
Date sale **2014-03-31**
Age **1 month and 10 days**
Details **[View more](#)**

asd

Quick buy

Add to cart

1110

for **\$7,500.00**

Reseller **McDumpals**
Base **MA-CT**
Date pre-sale **2014-03-31**
Date sale **2014-03-31**
Age **1 month and 2 days**
Details **[View more](#)**

Buymer!

Quick buy

Add to cart

UNCLE SAM

DUMPS SERVICE



I WANT YOU TO SWIPE

WHAT TO DO?

MAKE SURE YOU AGREE WITH THE [RULES](#)

HIT ME FOR BIN-LIST, CHOOSE BINS

SEND ME BINS & PCS YOU WANT TO BUY

SAMPLE: 348593-1, 434561-4... ETC

IF U WANT MIX - NO NEED TO PICK BINS

TELL WHAT TYPE AND HOW MANY PCS

I'LL PROVIDE TOTAL AND PAYMENT INFO

PAY FOR YOUR STAFF

HOW TO PAY?

CHECK [PRICE LIST](#)

MAKE SURE U ACCEPT PRICES

BITCOIN - MINIMUM \$50

ACCEPT BTC, MG, WU

MONEYGRAM (MG) - MINIMUM \$200

WESTERNUNION (WU) - MIN. \$300

BITCOIN (BTC) - IS INSTANT DELIVERY

MG/WU - UP TO 12 HOURS TO CASH IT

SIGN IN

REGISTER



USERNAME:

user

PASSWORD:

password

SIGN IN

How Strong Are Your “*Point of Sale*” Security Network Controls?

CarePartners Canada
Expedia / Orbitz
Hilton Hotels
British Airways
Ticketmaster
Hudson’s Bay Canada
Eddie Bauer Canada
Aldo Boutiques Canada
Home Depot Canada
PNI Digital Media Canada
Winners Canada
Target Canada

“First Party (Your)” PCI Breach Costs That Your Organization May Incur...

- IT forensics (investigation, capture & rebuild networks)
- PCI Costs (fines, fees, investigation & assessment and card re-issuance fees)
- Business interruption (loss of profits or expense reimbursement)
- Legal fees
- Notification expenses
- Public relation costs
- Call centre expenses
- Credit card monitoring

“Third Party (Client)” PCI Breach Costs That Your Organization May Incur...



- ❑ Civil litigation from credit card holders and shareholders class action
- ❑ Regulatory investigations and proceedings from Provincial and Federal Commission(s) in Canada, the USA and abroad
- ❑ Contractual costs under the signed Merchant Agreement

The Average Network & Privacy Breach Costs *from Actual Cyber Insurance “Paid Claims”* – 2018 NetDiligence Report

- \$843,993 in PCI Fines & Penalties (102 claims)
- \$2,957,000 in Business Interruption Losses (68 claims)
- \$80,463 in Public Relation Costs (214 claims)
- \$141,479 in Forensic Costs (276 claims)
- \$234,011 in Breach Notification Costs (138 claims)

The Average Network & Privacy Breach Costs *from Actual Cyber Insurance “Paid Claims”* – 2018 NetDiligence Report

- \$112,866 in Credit Monitoring Costs (118 claims)
- \$53,133 in Breach Coach Costs (341 claims)
- \$120,606 in Legal Defence Costs (321 claims)
- \$254,851 in Legal Settlement Costs (371 claims)

*“Comprehensive Coverage through
Industry Experts”*



Thank you, may I answer your questions?

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