



FEDERAL TRADE COMMISSION RELEASES ANNUAL PRIVACY AND DATA SECURITY REPORT

On January 18, 2018, the Federal Trade Commission (“FTC”) released its annual Privacy and Data Security Report (“Report”). The Report summarizes the tools the FTC used in 2017 to protect consumer privacy and promote data security.

The Report highlights the enforcement actions the FTC announced in 2017, including cases against Lenovo, Uber Technologies, Inc. and VIZIO, Inc. for privacy and data security practices and a case against TaxSlayer for allegedly violating the Gramm-Leach-Bliley Act’s Safe Guards Rule. The Report also provides insight into the FTC’s role in enforcing key international privacy frameworks, including the EU-U.S. Privacy Shield Framework. The 2017 cases primarily focused on failures to protect consumers’ personal information and unfair and deceptive conduct in failing to disclose or receive consumer consent to access and share consumers’ personal information.

The Report also outlines other tools the FTC used and released in 2017, including: (i) a list of the policies the FTC advocated for in 2017; (ii) a list of rules the FTC has promulgated since 2000; (iii) the privacy-related workshops held by the FTC; (iv) reports and surveys published; and (v) consumer education and guidance.

The FTC will also be hosting its third annual PrivacyCon event on February 28, 2018. The event will focus on the economics of privacy, including how to quantify the harms that result from failures to secure consumer information and how to balance the costs and benefits of privacy-protective technologies and practices.

Privacy and data security continue to be important issues for the industry as rapidly changing technology constantly creates new privacy and security concerns. □

✧ *Mike Tomkies and Lindsay Valentine*

LOOKING FOR A MARKETING AND PRIVACY COMPLIANCE RESOURCE? We publish an easy-to-use reference, our **MARKETING AND PRIVACY DIGEST**, that compiles the state laws governing financial privacy, fair credit reporting, telemarketing/automatic dialing and announcing devices, telephone monitoring and recording, electronic signatures and restrictions on the use of social security numbers by financial service providers. Creditors, marketers and servicers should find this resource invaluable to marketing and privacy program development and regulatory compliance. **Contact us for details.**

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