



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

RECEIVED

DEC 27 2019

CONSUMER

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1275 Drummers Lane, Suite 302  
Wayne, PA 19087

December 24, 2019

**VIA U.S. MAIL**

Consumer Protection Bureau  
Office of the New Hampshire Attorney General  
33 Capitol Street  
Concord, NH 03301

**Re: Notice of Data Event**

Dear Sir or Madam:

We represent Avid Technology ("Avid") located at 75 Network Drive Burlington, MA 01803. We are writing to notify your office of an incident that may affect the security of personal information relating to one hundred seventy-four (174) New Hampshire residents. The investigation into this event is ongoing, and this notice may be supplemented if significant new facts are learned subsequent to its submission. By providing this notice, Avid does not waive any rights or defenses regarding the applicability of New Hampshire law or personal jurisdiction.

**Nature of the Data Event**

In October of last year, Avid determined there had been unauthorized access to certain Avid employee email accounts. Avid first identified suspicious activity within an email account on September 24, 2018, and promptly launched an investigation into the nature and scope of the incident, the information that may have been improperly accessed, and the identities of the impacted individuals. Avid also took steps to secure the email accounts. The investigation determined a rule to forward all incoming messages to unauthorized email account was established on an employee's account from October 8, 2018 to October 12, 2018. Avid then began an extensive programmatic and manual review of the impacted account to determine if any sensitive data was contained in the account. Avid began notifying individuals on or around June 5, 2019, while this data review was underway. Avid subsequently completed the process of identifying individuals who may have had personal information accessible in the account. Avid then conducted a thorough, manual review of its records to identify contact information for the remaining individuals with information accessible within the account.

The personal information accessible within the email accounts may include the following: name, and Social Security number.

### Notice to New Hampshire Residents

On December 24, 2019, Avid continued providing written notice of this incident to affected individuals, which includes one hundred seventy-four (174) New Hampshire residents. Written notice was provided in substantially the same form as the letter attached here as *Exhibit A*.

### Other Steps Taken and To Be Taken

Upon discovering the potential unauthorized access to the email accounts, Avid worked to identify those that may be affected, put in place resources to assist them, and provide them with notice of this incident. Avid also implemented additional safeguards to protect the security of information in its system, including: including notifying affected users, resetting passwords, establishing multi-factor authentication for all administrative users, and scanning for suspicious logons and forwarding rules.

Avid is providing written notice to those individuals who may be affected by this incident. This notice includes an offer of complimentary access to two (2) years of credit and identity monitoring services, including identity restoration services through TransUnion, and the contact information for a dedicated assistance line for potentially affected individuals to contact with questions or concerns regarding this incident. Additionally, Avid is providing potentially impacted 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. Avid is also providing written notice of this incident to other state regulators, as necessary.

### Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4786.

Very truly yours,



Ryan C. Loughlin of  
MULLEN COUGHLIN LLC

RCL/plm  
Enclosure

# **EXHIBIT A**



Return Mail Processing Center  
P.O. Box 6336  
Portland, OR 97228-6336

<<Mail ID>>

<<Name 1>>

<<Name 2>>

<<Address 1>>

<<Address 2>>

<<Address 3>>

<<Address 4>>

<<Address 5>>

<<City>><<State>><<Zip>>

<<Country>>

<<Date>>

Re: Notice of Data Breach

Dear <<Name 1>>:

Avid Technology is writing to inform you of an event that may impact some of your personal information. We wanted to provide you with information about the event, our response, and steps you may take to better protect against the possibility of fraud, should you feel it is necessary to do so.

**What Happened?** In October of last year, Avid determined there had been unauthorized access to certain Avid employee email accounts. Avid first identified suspicious activity within an email account on September 24, 2018, and promptly launched an investigation into the nature and scope of the incident, the information that may have been improperly accessed, and the identities of the impacted individuals. Avid also took steps to secure the email accounts. The investigation determined a rule to forward all incoming messages to an unauthorized email account was established on an employee's account from October 8, 2018 to October 12, 2018. Avid then began an extensive programmatic and manual review of the impacted account to determine if any sensitive data was contained in the account. Avid began notifying individuals on or around June 5, 2019, while this data review was underway. On August 16, 2019, we completed the process of identifying individuals who may have had personal information accessible in the account. We recently concluded a thorough, manual review of our records to identify contact information for the remaining individuals with information accessible within the account.

**What Information Was Involved?** We determined an email message containing the following types of information relating to you may have been available within the account, but were not forwarded, during this incident: <<Data Elements>>.

**What We Are Doing.** We take this incident and the security of your information very seriously. We conducted a thorough review of the impacted accounts 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 about this incident. While we are unaware of any misuse of your information as a result of this incident, we are offering you access to complimentary two (2) years of credit monitoring and identity restoration services through TransUnion.

**What You Can Do.** You can find out more about how to protect against potential fraud in the enclosed *Steps You Can Take to Prevent Fraud and Identity Theft*. We encourage you to remain vigilant against incidents of fraud by reviewing your financial account statements regularly. If you see any suspicious activity, please report it immediately to your financial institution. We also encourage you to keep a close eye on your credit card activity. Under U.S. law, you are entitled to one free credit report annually from each of the three major credit bureaus. To order a 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 their credit report. You can enroll in the complimentary credit monitoring services mentioned above. Detailed enrollment instructions are attached to this letter.

**For More Information.** If you have additional questions, please call our dedicated assistance line at (833) 639-6437, Monday through Friday (excluding U.S. holidays), 9:00 a.m. to 5:00 p.m., Eastern Time. You may also write to Avid Technology at 75 Network Drive, Burlington, MA 01803, or contact us via email at [inquiry@avid.com](mailto:inquiry@avid.com).

We sincerely regret any inconvenience or concern this incident may cause.

Sincerely,

A handwritten signature in black ink, appearing to read "Alessandra Melloni". The signature is fluid and cursive, with a long horizontal stroke at the end.

Alessandra Melloni  
Vice President and General Counsel  
Avid Technology

## **STEPS YOU CAN TAKE TO PREVENT FRAUD AND IDENTITY THEFT**

### **Complimentary Two-Year *myTrueIdentity* Credit Monitoring Service**

As a safeguard, we have arranged for you to enroll, at no cost to you, in an online credit monitoring service (*myTrueIdentity*) for two years provided by TransUnion Interactive, a subsidiary of TransUnion,<sup>®</sup> one of the three nationwide credit reporting companies.

#### **How to Enroll: You can sign up online or via U.S. mail delivery**

- To enroll in this service, go to the *myTrueIdentity* website at **[www.MyTrueIdentity.com](http://www.MyTrueIdentity.com)** and, in the space referenced as "Enter Activation Code," enter the 12-letter Activation Code <<**Activation Code**>> and follow the three steps to receive your credit monitoring service online within minutes.
- If you do not have access to the Internet and wish to enroll in a similar offline, paper-based credit monitoring service, via U.S. mail delivery, please call the TransUnion Fraud Response Services toll-free hotline at **1-855-288-5422**. When prompted, enter the six-digit telephone passcode <<**Telephone Pass Code**>> and follow the steps to enroll in the offline credit monitoring service, add an initial fraud alert to your credit file, or to speak to a TransUnion representative if you believe you may be a victim of identity theft.
- You can sign up for the online or offline credit monitoring service anytime between now and <<**Enrollment Deadline**>>. Due to privacy laws, we cannot register you directly. Please note that credit monitoring services might not be available for individuals who do not have a credit file with TransUnion or an address in the United States (or its territories) and a valid Social Security number. Enrolling in this service will not affect your credit score.
- Once you are enrolled, you will be able to obtain two years of unlimited access to your TransUnion credit report and credit score.
- The daily credit monitoring service will notify you if there are any critical changes to your credit file at TransUnion, including fraud alerts, new inquiries, new accounts, new public records, late payments, changes of address, and more.
- The service also includes access to an identity restoration program that provides assistance in the event that your identity is compromised and up to \$1,000,000 in identity theft insurance with no deductible. (Policy limitations and exclusions may apply.)

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.

You have the right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

**Experian**  
PO 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 160  
Woodlyn, PA 19094  
1-888-909-8872  
[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

**Equifax**  
PO Box 105788  
Atlanta, GA 30348-5788  
1-800-685-1111  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

In order 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 (5) 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 either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

As an alternative to a security freeze, you have the right to place an initial or extended "fraud alert" on your file at no cost. An initial fraud alert is a one-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the agencies listed below:

<b>Experian</b> P.O. Box 2002 Allen, TX 75013 1-888-397-3742 <a href="http://www.experian.com/fraud/center.html">www.experian.com/fraud/center.html</a>	<b>TransUnion</b> P.O. Box 2000 Chester, PA 19016 1-800-680-7289 <a href="http://www.transunion.com/fraud-victim-resource/place-fraud-alert">www.transunion.com/fraud-victim-resource/place-fraud-alert</a>	<b>Equifax</b> P.O. Box 105069 Atlanta, GA 30348 1-888-766-0008 <a href="http://www.equifax.com/personal/credit-report-services">www.equifax.com/personal/credit-report-services</a>
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You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself, by contacting the consumer reporting agencies, 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. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement.

**For North Carolina residents:** The Attorney General can be contacted at 9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-566-7226 or 1-919-716-6400, [www.ncdoj.gov](http://www.ncdoj.gov). You can obtain information from the Attorney General or the Federal Trade Commission about preventing identity theft.

**For Maryland residents:** The Attorney General can be contacted at 200 St. Paul Place, 16th Floor, Baltimore, MD 21202, 1-410-528-8662, [www.oag.state.md.us](http://www.oag.state.md.us).

**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 violators. 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.

**For Rhode Island residents:** The Rhode Island Attorney General can be reached at: 150 South Main Street, Providence, Rhode Island 02903, [www.riag.ri.gov](http://www.riag.ri.gov), 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are 0 Rhode Island residents impacted by this incident.

**For New York residents:** The Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>.