



**MULLEN  
COUGHLIN**<sub>LLC</sub>  
ATTORNEYS AT LAW

RECEIVED  
FEB 08 2021  
CONSUMER PROTECTION

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426 W. Lancaster Ave, Suite 200  
Devon, PA 19033

February 2, 2021

**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:

Our office represents Carparts.com f/k/a U.S. Auto Parts Network, Inc. ("USAP"), located at 2050 W. 190<sup>th</sup> Street, Suite 400, Torrance, CA 95054. We write on behalf of USAP to notify your office of an incident that may affect the security of some personal information relating to two (2) New Hampshire residents. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, USAP does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

**Nature of the Data Event**

On June 28, 2020, USAP became aware of suspicious activity on its computer network. USAP immediately launched an investigation, with the assistance of third-party computer forensic specialists, and determined that its network had been infected with malware which prevented access to certain files on the system. The investigation determined that the malware was introduced into the system by an unauthorized actor who also accessed and acquired certain files in USAP's system. The unauthorized access occurred between June 21, 2020 and June 28, 2020. USAP then began a lengthy and labor-intensive process to identify sensitive information that may have been contained within accessible files, and to identify the individuals whose information may have been impacted. USAP then worked to identify contact information for the impacted individuals. That process completed on January 8, 2021. USAP is notifying those individuals whose personal information may have been impacted

The impacted information varied by New Hampshire resident but included name, address, Social Security number.

#### **Notice to New Hampshire Residents**

On or about February 1, 2021, USAP is providing written notice of this incident to all affected individuals, which includes two (2) New Hampshire residents. A sample of the letter is attached hereto and labeled as *Exhibit A*.

#### **Other Steps Taken and To Be Taken**

Upon discovering the event, USAP moved quickly to investigate and respond to the incident, assess the security of USAP systems, and notify potentially affected individuals. USAP is also working to implement additional safeguards and training to its employees. USAP is providing affected individuals whose personal information was potentially affected by this incident with access to one year of credit monitoring services through TransUnion at no cost to these individuals.

Additionally, USAP is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. USAP is providing individuals with 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. USAP is also reporting this matter to other regulators as required.

#### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at 267-930-4784.

Very truly yours,



Jeff Boogay of  
MULLEN COUGHLIN LLC

JJB/mwj  
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>> <<Date>>  
<<Address 5>>  
<<City>><<State>><<Zip>>  
<<Country>>

**Re: <<Subject line>>**

Dear <<Name 1>>:

Carparts.com f/k/a U.S. Auto Parts (“USAP”) is writing to inform you of a recent event that may impact the privacy of some of your personal information. While we are unaware of any attempted or actual misuse of your information, we are providing you with information about the event, our response, and steps you may take to protect against any misuse of your information, should you feel it is necessary to do so.

**What Happened?** On June 28, 2020, USAP became aware of suspicious activity on its computer network. USAP immediately launched an investigation, with the assistance of third-party computer forensic specialists, and determined that its network had been infected with malware which prevented access to certain files on the system. The investigation determined that the malware was introduced into the system by an unauthorized actor who also accessed and acquired certain files in USAP’s system. USAP then began a lengthy and labor-intensive process to identify sensitive information that may have been contained within accessible files, and to identify the individuals whose information may have been impacted. The unauthorized access occurred between June 21, 2020 and June 28, 2020. USAP then worked to identify contact information for the impacted individuals. That process completed on January 8, 2021. We are notifying you because that investigation determined certain information related to you may have been subject to unauthorized access.

**What Information Was Involved?** The information in the accessible files includes your name, <<Data Elements>>. We have no evidence your information was subject to actual or attempted misuse.

**What We Are Doing.** USAP takes this incident and the security of your personal information seriously. Upon discovery, we immediately launched an investigation and took steps to secure our systems. We are reviewing our policies, procedures, and processes related to storage of and access to personal information.

As an added precaution, USAP is providing you with access to <<CM Length>> of credit monitoring and identity protection services through Epiq. A description of services and instructions on how to enroll can be found within the enclosed *Steps You Can Take to Help Protect Your Information*. Please note that you must complete the enrollment process yourself, as we are not permitted to enroll you in these services on your behalf.

**What You Can Do.** You can review the enclosed *Steps You Can Take to Help Protect Your Information* to learn helpful tips on steps you can take to protect against possible misuse should you feel it appropriate to do so. We also encourage you to review your account statements and report all suspicious activity to the institution that issued the record immediately.

**For More Information.** We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, you can call our dedicated call center at 800-479-8643 Monday through Friday 6am to 6pm PST.

We sincerely regret any inconvenience or concern this incident has caused.

Sincerely,

Carparts.com

## Steps You Can Take to Help Protect Your Information

### **Enroll in Credit Monitoring.**

As a safeguard, we have arranged for you to enroll, at no cost to you, in an online credit monitoring service (*myTrueIdentity*) for <<length>>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 <<Insert Unique 12-letter 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 <<Insert static 6-digit 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.

### **Monitor Your Accounts.**

To protect against the possibility of identity theft or other financial loss, we encourage you to remain vigilant, to review your account statements, and to monitor your credit reports for suspicious activity.

### **Credit Reports.**

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.

### **Security Freeze.**

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**  
PO 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)

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 (5) 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.

## **Fraud Alert.**

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 1-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:

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

**TransUnion**  
P.O. Box 2000  
Chester, PA 19016  
1-800-680-7289  
[www.transunion.com/fraud-victim-resource/place-fraud-alert](http://www.transunion.com/fraud-victim-resource/place-fraud-alert)

**Equifax**  
P.O. Box 105069  
Atlanta, GA 30348  
1-888-766-0008  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

## **Additional Information.**

You can further educate yourself regarding identity theft, and the steps you can take to protect yourself, by contacting your state Attorney General or the Federal Trade Commission. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. 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); and 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.

**Maryland Residents:** Office of the Attorney General of Maryland, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, [www.oag.state.md.us/Consumer](http://www.oag.state.md.us/Consumer), Telephone: 1-888-743-0023 410-576-6300. **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 a 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. You can 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. **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/>. **North Carolina Residents:** Office of the Attorney General of North Carolina, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, [www.ncdoj.gov](http://www.ncdoj.gov), Telephone: 1-919-716-6400, 877-566-7226 (toll free within NC). **Oregon Residents:** Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, [www.doj.state.or.us/](http://www.doj.state.or.us/), Telephone: 877-877-9392. **Rhode Island Residents:** Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, [www.riag.ri.gov](http://www.riag.ri.gov), Telephone: 401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are 2 Rhode Island residents impacted by this incident. **Washington D.C. Residents:** the Office of Attorney General for the District of Columbia can be reached at: 441 4th Street NW, Suite 1100 South, Washington, D.C. 20001; 1-202-442-9828; <https://oag.dc.gov>. **All US Residents:** Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580, [www.consumer.gov/idtheft](http://www.consumer.gov/idtheft), 1-877-IDTHEFT (438-4338).