

Baker Hostetler

Baker & Hostetler LLP

312 Walnut Street
Suite 3200
Cincinnati, OH 45202-4074

T 513.929.3400
F 513.929.0303
www.bakerlaw.com

July 28, 2011

NH Department of Justice
33 Capitol Street
Concord, NH 03301

Dear Sir or Madam:

Eye Safety Systems, Inc. ("ESS"), a company that manufactures and sells eye protection systems, used a third party vendor to host its website, and ESS believes that the security of the server maintained by that third party vendor was breached in May 2011. The incident may have allowed the unauthorized intruder to gain access to ESS' database of credit card transactions. Although the database of credit card transactions used a method of encryption, the hacker may have obtained access to the decryption key. This database contained personal information of ESS' customers, including their name, address, phone number, e-mail address, and credit card data. Social Security numbers, driver's license numbers, and mother's maiden names were not stored in the database.

Upon learning of the incident on May 27, 2011, ESS notified customers by e-mail on May 28, 2011. ESS also immediately began an investigation and took measures to secure the website. ESS' website is now hosted on a dedicated server, and additional measures have been taken to increase the security of that server, including implementing heightened monitoring procedures and overhauling the way data is processed, encrypted, and retained. ESS is determined to prevent a similar incident from happening again.

ESS is providing the notice required by N.H. Rev. Stat. Ann. § 359C:19 *et seq.* to 132 New Hampshire residents along with a free credit monitoring service for one year. Notices will be mailed on July 29, 2011. The national consumer reporting agencies are also being notified. We are also providing notice to you so that your office is aware of this incident. A sample copy of the notification letter is enclosed.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,


Craig A. Hoffman

Chicago Cincinnati Cleveland Columbus Costa Mesa
Denver Houston Los Angeles New York Orlando Washington, DC



Name
Address

July 29, 2011

Dear Valued Customer:

This letter follows the May 28, 2011 e-mail we sent to Eye Safety Systems, Inc. (“ESS”) customers. As we advised in that e-mail, ESS used a third party vendor to host its website. ESS believes that in May 2011, the security of the web server was breached. Please note that this letter is not an advisory of a subsequent breach—our site has been secured from this attack since May 28.

This incident, which appears to be one of the many recent criminal attacks engineered by sophisticated hackers, may have allowed the unauthorized intruder to gain access to ESS’ database of credit card transactions. Although the database of credit card transactions used a method of encryption, the hacker may have obtained access to the decryption key. This database may have included some of your personal information from any transactions with ESS, including your name, address, phone number, e-mail address, and credit card data. Social Security numbers, driver’s license numbers, and mother’s maiden names were NOT stored in the database.

ESS takes this matter very seriously and we sincerely apologize for any inconvenience or concern this incident may cause. Upon learning of the incident, we immediately began an investigation and took measures to secure the website. Our website is now hosted on a dedicated server, and we have taken additional measures to increase the security of that server, including implementing heightened monitoring procedures and overhauling the way data is processed, encrypted and retained. ESS is determined to prevent a similar incident from happening again.

ESS cares about our customers above all else. As a courtesy to you, a valued customer, we have arranged for the following service to help protect you from the risk of identity theft:

- A complimentary one-year membership in ProtectMyID.com from Experian to provide you with comprehensive credit monitoring capabilities and identity theft insurance. You can enroll in ProtectMyID.com at no cost to you and without affecting your credit score. A description sheet with enrollment information is attached.

We invite you to take advantage of this service. You also should remain vigilant for fraud and identity theft by reviewing your account statements carefully, and by ordering and monitoring personal credit reports. You are entitled by federal law to one free credit report annually from each of the nation’s three major credit bureaus—Equifax, Experian, and TransUnion. To order your free credit report(s), visit www.annualcreditreport.com or call toll-free (877) 322-8228.



You can also contact the three major credit bureaus to request to have a “fraud alert” or “security freeze” placed on your credit file at all three bureaus. A fraud alert lasts for 90 days and lets creditors (credit-card companies, etc.) know that they should take additional steps to verify your identity before granting credit in your name. There is no charge for placing a fraud alert. If you contact one of the credit bureaus to request a fraud alert, an alert will automatically be placed with the other credit bureaus as well. A security freeze, in turn, allows you to prevent a credit-reporting company from releasing your credit report without your personal consent. There may be a small fee for placing a security freeze on your credit report. To request a security freeze, you must contact each of the credit bureaus separately. Below is the contact information for the three major credit bureaus.

TransUnion P.O. Box 6790 Fullerton, CA 92834 1-800-888-4213	Equifax Credit Information Services, Inc P.O. Box 740241 Atlanta, GA 30374 1-800-685-1111	Experian Attn: Customer Care PO Box 19729 Irvine, CA 92623-9729 1-866-200-6020
--	---	--

You should report any suspected incidents of identity theft to local law enforcement, your state attorney general, and/or the Federal Trade Commission (“FTC”). Additional information about the steps you can take to avoid identity theft is available from the FTC at www.consumer.gov/idtheft or you can contact the FTC at 600 Pennsylvania Avenue, NW, Washington, DC 20580; telephone (877) FTC-HELP (1-877-382-4357); www.ftc.gov. For North Carolina residents, in addition to the FTC, you can obtain information about preventing identity theft from the North Carolina Attorney General, 9001 Mail Service Center, Raleigh, NC 27699-9001; telephone (877) 566-7226; or www.ncdoj.gov. For Maryland residents, in addition to the FTC, you can obtain information about preventing identity theft from the Maryland Attorney General, 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; telephone (888) 743-0023; or www.oag.state.md.us.

Again, we apologize for any inconvenience or concern this incident may cause you. If you have any questions or need additional information, you can find a Frequently Asked Questions list at www.esseyepro.com/security. You can also email us at security@esseyepro.com, or call us toll-free at (877) 726-4072, Monday thru Friday, 8am-5pm (MDT).

Sincerely,

Eye Safety Systems, Inc.