Welcome!

Be your Company's

CYBER HERO

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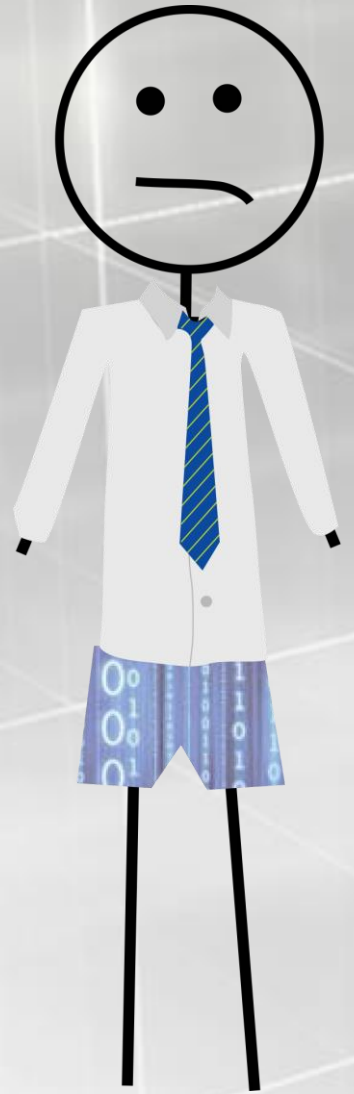

LIABILITY

Cyber Liability Insurance Overview

- Incident Response Plan
- Structure of Cyber Liability Insurance
- Data Covered by Cyber Insurance
- Risk Assessment

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Incident Response Plan

Incident Roadmap:

The following is a checklist of some of the activities that may be appropriate for your business to undertake in the event of a data breach.

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Incident Response Plan

- **RESPONSE** - Determine if the event is a real incident; implement your **Incident Response Plan.** You may want to contact a third-party security expert and/or Breach Coach® to offer some guidance or suggestions.
- **LAW ENFORCEMENT** - If the event is real, consider contacting law enforcement.

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Incident Response Plan

- **BREACH NOTICE LAWS** - Contact Legal Counsel who specializes in data breaches.
- **FORENSICS & BREACH INVESTIGATION** - Following a network/data breach event, a company often chooses to engage third-party experts to assist with investigation and remediation, such as determining the facts around the data breach incident and understanding the extent of the event.

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Incident Response Plan

- **CREDIT MONITORING SERVICES** - Many organizations that have suffered a data breach or leak incident offer customers credit monitoring services.
- **LEGAL HELP** - You may wish to engage a lawyer with experience in security and privacy compliance issues to assist in your defense and the interpretation of various state and federal regulations that may have been triggered following a data breach event.

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Incident Response Plan

- **INSURANCE CLAIM** - Notify your broker or your insurance company Claims Representative.
- **PUBLIC RELATIONS** - You may need to engage a skilled public relations specialist to help communicate publicly about any breach and deal with the press.

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Structure of Cyber Liability Insurance

First Party Loss

- Breach Coach
- Computer Forensic Services – Determine the existence and cause of breach; PCI Forensic Investigator; Demonstrate prevention of future breach
- Legal Service

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Structure of Cyber Liability Insurance

First Party Loss

- Notification Services
- Call Center Services
- Breach Resolution and Mitigation Services – Credit Monitoring, Identity Monitoring and Fraud Resolution

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Structure of Cyber Liability Insurance

First Party Loss

- Public Relations and Crisis Management
- Cyber Extortion
- **Business Interruption / Extra Expense** and Data Restoration

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Structure of Cyber Liability Insurance

Third Party Loss

- Network Security and Privacy Liability
- Regulatory Defense and Penalties
- Multimedia Liability
- PCI Fines, Assessments and Penalties

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Design of Cyber Liability Insurance

Issues to Consider

- There is no Standard Policy offered in the Insurance Industry
- Insurer Consent: Pre-tender Costs; Reasonable Costs; Statement of Work
- Shared or Separate 1st and 3rd Party Limits of Liability

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Design of Cyber Liability Insurance

Issues to Consider

- Review (Beware) of Sub-limits
- Voluntary Notification
- Notification - # of Records or Limit of Liability
- Business Interruption – What "Triggers" Coverage? What is the Period of Recovery? Waiting Period

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Design of Cyber Liability Insurance

Issues to Consider

- Legal Liability versus Contractual Liability – Who owns the data?
- Regulatory – Defense only or Defense, Civil Fines and Penalties
- Breach Vendors – Who's Who & Who's Choice

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Data Covered by Cyber Liability Insurance

Confidential Information means

- Personal Identifiable Information (“PII”)
- Nonpublic Personal Information as defined by Gramm-Leach-Bliley
- Protected Health Information (“PHI”) or Electronic Health Information as defined by HIPPA

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Data Covered by Cyber Liability Insurance

Confidential Information means

- Information used for authenticating or uniquely identifying an individual or customer
- Corporate Confidential Information – trade secrets, data, designs, methods, records, formulas and other information not available to the general public in an Insured's or **Information Holder's** care, custody and control.

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Risk Assessment

- What type of information do you handle?
  - Your own company (including employees)
  - Your clients (Private - personal or commercial)
- Number of Records Stored (unique PII)
- How is Personally Identifiable Information stored within the network?

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Risk Assessment

- Are any of the following encrypted: Database Systems; Business Applications; Servers; Desktops; Laptops; Mobile Devices?
- Are intrusion detection systems employed?
- Are network security assessments / penetration tests conducted? If so, how often and what are the results?

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Risk Assessment

- Credit Card transactions? Are you PCI compliant? Review Merchant Services Agreement for Contractual Liability assumed
- Discuss IT vendors and independent contractors. Are they required to show proof of Network Security / E&O insurance?

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Risk Assessment

- Could revenue be affected by a network outage?
  - Do you have a Business Continuity Plan and/or Disaster Recovery Plan in place? How often is the BCP updated and reviewed?
- Are anti-virus, anti-spam systems employed and continually updated?

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LEGAL

Information Risk Assessment

Seeks to identify and prioritize risks to your information assets:

- Broader than an assessment of IT, as it considers full range of information, including paper, intangible, etc.
- Should be tailored to your company's unique risk thresholds and environment

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Information Asset Risk Assessment Questions

- Do you know what information your company has?
- Can you identify your company's risk thresholds across a variety of domains?
- What threats are you forgetting?

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Risk Assessment Lessons Learned

- An IT assessment / penetration test/ vulnerability scan is great, but it only answers some of the important questions
- You do not know where all your data is
- Watch out for “probabilities”: they are generally subjective at best
- Be careful of “mitigation bias”

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Incident Response Plan

Plan tailored to your organizations unique risks and management structure which provides guidance in:

- Incident recognition
- Command structure
- Communications structure
- Team membership
- Standard Operating Procedures

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Incident Response Plan Questions

In your organization, what is an “INCIDENT?”

Incident Response Plan Questions

- In your organization, what is an “INCIDENT?”
- Generally, an incident requires quick decisions which may have lasting impacts:
  - Who makes tactical decisions?
  - Who makes strategic decisions?

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Incident Response Plan Questions

- When an incident occurs, who is to be notified first? Second?
- Who handles investigatory forensics? Crisis communications? Employee communications?

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Incident Response Lessons Learned

- First reports are always inaccurate
- Utilizing internal IT is not a best practice
- External help may be hard to find on short notice
- Lots of “noise” for decision makers to filter

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What is The Greatest Security Threat To Your Company?

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4210 ⅓ GRA
4210 ⅓ GRA
INITECH
Swingline

Why Are Cyber Attackers Coming After You?

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B2
FEDERAL RESERVE NOTE
AB 39759545 E
B2
FEDERAL RESERVE NOTE
AB 39759546 E
B2
UNITED STATES OF AMERICA
AB 39759546

What Can You Do To Protect Your Company?

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Don't
PANIC!

THREE SIMPLE ACTIONS TO PROTECT YOUR COMPANY

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1) Employee Awareness and Education

1. Put a Program Together
2. Passwords
3. Email Policy
4. Web Usage Discussion

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2) Have an Assessment Performed

1. People
2. Process
3. Technology

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3) Have a PLAN

1. Who do you call?
2. When and What do you communicate?
3. How do you continue operating?

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We’ve Got you Covered

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