**Significant Data Breach in the UK from 2023:** **PokerStars Data Breach of July, 2023.**

The world's largest online poker platform, PokerStars ( ["PokerStars Review & Marketing Code"](https://www.pokerscout.com/reviews/pokerstars/). pokerscout.com. Retrieved January 4, 2020), a brand controlled by a Canadian online gambling company, which is owned by a British sports betting firm, Flutter Entertainment, suffered a data breach exposing the information of 110,000 customers in July, 2023. The attackers known as the Cl0p ransomware cartel, who exploited a [MOVEit zero-day vulnerability](https://tech.co/news/hackers-moveit-ransomware-ultimatum)to gain access to the poker site's systems, stole data of about 110,000 customers consisting of social security numbers, names, and addresses (Petkauskas, 2023).

According to Petkauskas (2023), PokerStars in a letter stated that they learnt about the vulnerability on the 2nd of June 2023, and following an investigation assisted by external experts, it was concluded that some files associated with PokerStars may have been copied by an unauthorized third party from May 30th to May 31st. The affected company also stated that there was no indication that the data was misused so far, however, that the company will offer victims third-party identity protection services free for 24 hours to safeguard their customers from any related future occurrences. PokerStars also confirmed that it will no longer be utilizing the MOVEit transfer application after the incident (Petkauskas, 2023).

Data breaches regardless of the degree usually has some effects, which are subject to the varying degree of the breach(es). The PokerStars breach sadly had impacts on both the company and customers(real people) of the company.

1. Impact on the Customers: Data breaches can be devastating on the affected individuals(Porter, 2023), depending on the type of breach and intent of the alleged criminal(s) behind the breach(es). In the case of PokerStars, the most likely impact on the customers was high emotional distress considering that with the type of information stolen, the hackers can engineer character impersonation and theft, to say the least.
2. Impact on the Company: No doubts, when corporations suffer from data breaches, certain protective measures must be put in place to curb whatever effect such breaches may cause, or to prevent further losses if any have been done by the hackers. These measures consequently come with spending hours or days sorting through finances, records, possibly cancelling credit cards, changing passwords, implementing stronger security measures(Porter, 2023), and hiring external experts to assess the situation in an investigative attempt like was the case with PokerStar (Petkauskas, 2023), privacy concerns, reputational damage etc, All these having huge financial implications on the company, PokerStars.

**The Concept of Ownership of Data and the concept of Ownership of physical Assets.**

Ownership in simple terms is the exclusive right owned by a person to use, possess and dispose of a property (Durn & Cantwell, 2021). Wikipedia (http://en.wikipedia.org/wiki/ownership) refers to ownership as the state or fact of legal possession and control over property, which may be any asset, tangible or intangible.

The concept of “ownership” of data is different from ownership of physical assets where there is an exclusive right to use, possess and dispose of the asset. This difference in both concepts has created an argument that since data is not a property it cannot be said to be stolen as is the case in **PokerStars Data Breach of July, 2023.**

The General Data Protection Regulation (GDPR) is a comprehensive data protection law passed in 2016 by the European Union (EU), but came into effect in 2018, for the regulation and protection of data for the EU member states, and the establishes of a framework for the collection, processing, storage, and transfer of personal data([What is the General Data Protection Regulation (GDPR)? | Cloudflare](https://www.cloudflare.com/learning/privacy/what-is-the-gdpr/#:~:text=The%20General%20Data%20Protection%20Regulation%20%28GDPR%29%2C%20which%20went,collection%2C%20processing%2C%20storage%2C%20and%20transfer%20of%20personal%20data.)).

In furtherance to this, the UK Government also enacted the Data Ethics Framework in June 2018, to primarily address the issue of data ownership, and then updated same in September 2020 to be more extensive and to create more awareness of these guidelines (Schwab, 2021).

The GDPR does not explicitly address the issue of data ownership. The GDPR does however contain a number of principles that are relevant to this issue. These principles include([Data Ethics Framework (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/media/5f74a4958fa8f5188dad0e99/Data_Ethics_Framework_2020.pdf)):

1. Personal data should be lawfully processed, should be fair, accurate and transparent.
2. Purpose limitation and minimization: Personal data should be collected for specified, explicit, and legitimate purposes and not further processed in a way that is incompatible with those purposes.
3. Accuracy: Personal data should be accurate and, where necessary, kept up to date.
4. Storage limitation: Personal data should be adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
5. Integrity and confidentiality (security): Personal data should be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
6. Accountability: Personal data should be collected for specified, explicit, and legitimate purposes and not further processed in a way that is incompatible with those purposes. ([What is the General Data Protection Regulation (GDPR)? | Cloudflare](https://www.cloudflare.com/learning/privacy/what-is-the-gdpr/#:~:text=The%20General%20Data%20Protection%20Regulation%20%28GDPR%29%2C%20which%20went,collection%2C%20processing%2C%20storage%2C%20and%20transfer%20of%20personal%20data.))

In addition to these principles, the GDPR requires specific actions that data controllers and processors like PokerStars need to take, like in the case described in Q.4a(**PokerStars Data Breach**). Some of these include ([What is the General Data Protection Regulation (GDPR)? | Cloudflare](https://www.cloudflare.com/learning/privacy/what-is-the-gdpr/#:~:text=The%20General%20Data%20Protection%20Regulation%20%28GDPR%29%2C%20which%20went,collection%2C%20processing%2C%20storage%2C%20and%20transfer%20of%20personal%20data.)):

* **Keeping Record:** Data processors must keep records of their processing activities.
* **Security measures:** Data controllers and processors must regularly use and test appropriate security measures to protect the data they collect and process.
* **Data breach notification:** Data controllers that suffer a personal data breach have to notify appropriate authorities within 72 hours, with some exceptions. Usually, they also have to notify the individuals whose personal data was affected by the breach. In the case of PokerStars, the external experts noted that some PokerStars files may have been copied by an unauthorized third party from May 30th to May 31st, **Whereas, it took the company 3 months (from May to July, 2023) to realized that their security wall were compromised, therefore** exposing the information of 110,000 customers (Petkauskas, 2023).
* **Data Protection Officer (DPO):** Companies that process data may need to hire a Data Protection Officer (DPO). The DPO leads and oversees all GDPR compliance efforts.

The GDPR and the UK Government Data Ethics Framework were not properly implemented in the **PokerStars Data Breach of July, 2023, as it seems that the** security precautions were insufficient to safeguard the information of the 110,000 users. Furthermore, Again, from the above provisions, it appears that PokerStars failed to promptly notify its users of the intrusion.

**In conclusion, In considering both the right to control personal data and right to benefit from same (example the right to be informed on time), PokerStar and other data processors or keeping corporations must take data ownership more seriously, adhering strictly to be regulating legislations for the best protection of personal data of their users.**