# Digital rights campaigners celebrate latest ECJ ruling



## mmet Rvan

igital rights campaigners claimed victory at the European Court of Justice (ECJ) last week, when the court threw out the EU's data retention Directive. The ruling could see increased protection of privacy for citizens

Current Irish data retention legislation requires telecommunications firms to gather data about customer calls, texts, emails, and their locations and to store it for up to two years.

TJ McIntyre, chairman of Digital Rights Ireland, said the ECJ ruling would require a change to this legislation. "Every citizen in Europe's calls and internet usage was being monitored and their location at all times was being logged," he told *The Sunday* **Business** Post

In the ruling, the ECJ said the retention and use of a citizen's data without them being informed was "likely to generate in the persons concerned a feeling that their private lives are the subject of constant surveillance".

McIntyre said the onus was now on member states to adapt their legislation to fit the ruling. "The ruling has found the directive breaches the law but it doesn't set out a road map on what to do next. Practically speaking, it is saying to EU institutions and member states that if they want to engage in surveillance, they will have to do so in a narrower and more targeted way," he said.

"All 28 member states which have implemented the directive into their national law in various ways will now have to look at their national law. For the most part, where the directive has fallen, the national law will have to fall also.

The ECJ ruling follows a High Court action taken by Digital Rights Ireland relating to this legislation that began in 2006. The group took the action due to fears of potential abuse and breaches of privacy

"Phone calls are logged and can be understanding of data monitoring had accessed by gardaí, Revenue, and the increased due to the Edward Snowden Defence Forces without any real effective controls," said McIntyre.

The High Court referred the case to the ECJ in 2012. In its ruling on Tuesday the ECJ said the data retention directive entails "a wide-ranging and particularly serious interference with the fundamental rights to respect private life and the protection of personal data". The case in Ireland will now revert back to the High Court.

"There, we will say the domestic Irish practice is invalid in light of the ECJ's ruling," said McIntyre.

The Digital Rights Ireland chairman said the ruling would have a direct impact on the 2011 Communications Act, which implemented the data retention directive.

"In effect, the 2011 act is a kind of a zombie, it's still on the books but it's essentially dead. You can't have an act to implement a directive if the directive is invalid." said McIntvre

Despite starting the action in 2006, McIntyre said there had been some benefits to the length of the legal process. He said public awareness and

revelations about surveillance being carried out by the National Security Agency in the US.

"In some ways, it's disappointing that it's gone on for eight years. Then again, the fact that the hearing took place after the Snowden revelations was quite important in some ways,' said McIntyre.

While the ruling on Tuesday was in response to a joint action taken by Digital Rights Ireland and an Austrian group, the wording of the ECJ's ruling could have an impact on all EU member states. The ECJ ruling said the directive was interfering with the "fundamental rights of practically the entire European population".

McIntyre said he expected further actions regarding data retention across the union.

"Ireland is in line with the rest of Europe. The point of the directive was to achieve uniformity. The Austrian activists are going to press ahead with their legal action, and there is a swathe of actions being brought across Europe.



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TJ McIntyre, chairman of Digital Rights Ireland

## New password-stealing bug raises web security concerns

## BY EMMET RYAN

vulnerability in online security software has raised questions about the security of nearly two-thirds of the world's websites, including some of the most popular sites for Irish users.

The Heartbleed bug was discovered last week, but has been active since at least March 2012. The personal data of millions of users may have been compromised and conventional responses, such as changing passwords, may not be enough

Users who change their passwords on a site that is not protected from Heartbleed will still be at risk until the site updates to counter the bug.

Heartbleed affects the Michele Neylon, chief executive of Blacknight OpenSSL framework, a form





Marino Fresch, country manager for Ireland, Eventbrite

Eventbrite gears up to expand Irish presence

of open-source software used to encrypt communications online. Large IT businesses such as Amazon, Yahoo and Google all use OpenSSL. The framework is also used in non-web applications such as instant messaging and email. The bug allows attackers

to intercept secure communications and steal sensitive information such as login and password details, personal data, and decryption keys. The bug was publicly revealed by the site Heartbleed.com last week, with a logo of a heart dripping blood.

"The way this works, someone can intercept data they shouldn't be able to intercept, Michele Neylon, chief executive of Blacknight, told The Sunday Business Post.

The bug is named after a part of OpenSSL called Heartbeat, which is used to maintain a connection between devices even when no communication has taken place for some time. Heartbleed capitalises on this by taking small chunks of

data at a time. "Companies are getting their SSL certificates re-issued. Essentially, until they do that, it's like your door is locked but everybody has access to the key," said Neylon.

Normal procedure with such a breach is for users to reset their passwords but until an affected site updates

to fix the bug, changing your password just gives more information to malicious actors. "There are a lot of mixed messages going out. Changing

your passwords is a bad idea. In the case of Yahoo, the vulnerability impacted a whole range of services they were

offering," said Neylon. "Until they patched and updated every single one, the risk was you'd go in change your password and now that new password could get intercepted," he said. "If the system itself hasn't been fixed, all you're doing is giving away another password.'

Google was one of the first companies to confirm it had updated its systems, removing the vulnerability from Gmail and YouTube.

Neylon said the propensity for internet users to use the same password for multiple sites or applications meant any change prior to an affect-

'We launched at the Pizza

ed site being fixed would aid anyone looking to steal data. "We're all lazy when it

comes to passwords. Most people have between one and three they use. Security best practices say you should have a different password for every site, but most people don't do that, because it's too much hassle," he said. "Over time, the number of systems you log into is increasing, so managing passwords is a major headache for people.'

In recent days, several services to check the safety of specific sites have appeared online. Any reader concerned about the security of sites they are accessing should visit filippo.io/heartbleed to see to see if the sites they access are vulnerable

"We are going to have more

### BY PHILIP CONNOLLY for its European back-end operations.

ventbrite, the US ticketing start-up, is expanding its Irish operations and weighing up moving part of its European base to Dublin, according to Marino Fresch, country manager for Ireland.

While the firm has had a presence in Europe since 2011, over the past few months it has looked to expand its market share by setting up in new territories.

Dublin is one of the first areas outside of San Francisco and London where the company has set up a local office, as there had already been a growing community of Eventbrite users in Ireland and more than 350,000 tickets have been processed in Ireland for various events.

"When we looked at European countries, Ireland stood out as a really interesting market," said Fresch. "With no investment we have processed more than €3.5 million in revenues. If we put some active investment in, we can

raised €43 million in fresh pri-

The company, which initially focused on small and and take on the established players in the ticketing marof members of the Association

The company is moving into an office at Dublin's Digital Hub, with Fresch keen to increase the firm's headcount in Ireland over the coming months

Ireland as a potential location

opment," said Fresch. "Right now, that is in San Francisco and London, we need for operations such as are looking for locations to customer support and devel- expand that. We want to add

headcount in Dublin. There are various open questions around that given we are looking at what we are doing on a European basis.



Telephone & Internet bookings subject to 12.5% service charge.

Agents €2.15.

## Hungry for growth, ZinMobi targets US pizza delivery market

## BY EMMET RYAN

rish mobile software firm ZinMobi is targeting the US pizza market on the back of raising €560,000, including€250,000 from Enterprise Ireland, in its latest funding round.

The firm, which employs 12 staff and has offices in Tralee and Dublin, provides software for retailers to track customer interactions to help tailor offerings.

ZinMobi's Irish clients include Super Valu and Four Star Pizza.

The mobile software firm has four pizza chains on its books in Ireland and is looking to build off this experience in the US market.

"We've had a lot of success with pizza companies in Ireland so the reason we are moving into the United States is because of the size of the pizza market there," Brian Stephenson, chief executive of ZinMobi, told The Sunday **Business** Post



### Brian Stephenson, chief executive of ZinMobi

"In Ireland there are four or Stephenson. five pizza chains with over 30 locations. In America there are Expo in Las Vegas a couple of weeks ago and we're at the more than 100 pizza chains with over 30 locations," said contract stage with a number

of chains."

The firm's software is designed to provide businesses with a practical understanding of customer interests.

"We can identify customer interests by interrogating their transaction data. From there it can determine the right marketing message to deliver to them," said Stephenson.

The ZinMobi chief executive said the increased use of smartphones will give retailers more opportunities to react to customer behaviour.

"There's no real divide between offline and online any more, because your phone keeps you online all the time. The challenge for the retailer is finding a way to use that data to personalise the offering for the customer," said Stephenson

"The phone is making the high street a more interesting place, because you'll be able to walk into stores and get offers tailored just for you. It will create unique shopping experiences.

accelerate that. Last month, the company

vate equity finance in the US, bringing the company's total funding to more than €140 million and giving it a valuation of about €720 million.

niche events, is looking to broaden its customer base ket. Eventbrite has already signed up a number of clients in Ireland, including a number of Irish Festival Events.

Fresch also said that the company was considering brandaid