

London – 19 August 2020

## **Major data breach results in representative action against Marriott International**

On 18 August Martin Bryant filed a data breach representative action in the High Court. This case seeks compensation from Marriott International on behalf of millions of hotel guests domiciled in England & Wales who made reservations at hotel brands globally within the Starwood Hotels group, now part of Marriott International. Unauthorised access to hundreds of millions of guest records was gained by unknown persons between July 2014 and September 2018 following a data security incident involving the Starwood guest reservation database.

Marriott International took over the Starwood Hotels group in 2016. The cyber attack was the result of a failure to take adequate technical or organisational measures to ensure the security of guests' personal data and to prevent unauthorised and unlawful processing of that data. That failure was a breach of applicable data protection legislation, including the General Data Protection Regulation ("GDPR").

### **Commenting on his decision to bring an action on behalf of millions of affected individuals, Martin Bryant said:**

*"Personal data is increasingly critical as we live more of our lives online, but as consumers we don't always realise the risks we are exposed to when our data is compromised through no fault of our own.*

*"I hope this case will raise awareness of the value of our personal data, result in fair compensation for those of us who have fallen foul of Marriott's vast and long-lasting data breach, and also serve notice to other data owners that they must hold our data responsibly."*

### **Background**

It is believed the data breach began when the systems of the Starwood Hotels group were compromised following a hack on its reservation network, which is believed to have first occurred in 2014. Marriott International acquired the Starwood Hotels group in 2016 but the exposure of customer information was not discovered until 2018. The guests' personal data affected by the breach included information such as guests' names, email and postal addresses, telephone numbers, gender and credit card information.

Hotel brands where affected guests stayed include: W Hotels, St. Regis, Sheraton Hotels & Resorts, Westin Hotels & Resorts, Element Hotels, Aloft Hotels, The Luxury Collection, Tribute Portfolio, Le Méridien Hotel & Resorts, Four Points by Sheraton and Design Hotels.

On 9 July 2019, following an investigation, the UK Information Commissioner's Office (the "ICO") issued a statement of its intention to fine Marriott. In the statement, the ICO said: *"The ICO's investigation found that Marriott failed to undertake sufficient due diligence when it bought Starwood and should also have done more to secure its systems."*

## **The claim**

As a result of Marriott's breaches of the GDPR and or/statutory duty under the DPA 1998, Martin Bryant (the "Representative Claimant") and those whom he represents, claim damages for loss of control of their personal data. The claim is being brought as a representative action under Rule 19.6 of the Civil Procedure Rules. Everyone with the same interest as Martin Bryant is included in the claimant class, unless they opt out.

## **The legal team**

Martin Bryant is represented by Hausfeld, a leading international law firm which specialises in group actions.

Michael Bywell, Partner at Hausfeld, said:

*"Over a period of several years, Marriott International failed to take adequate technical or organisational measures to protect millions of their guests' personal data which was entrusted to them. Marriott International acted in clear breach of data protection laws specifically put in place to protect data subjects."*

## **Eligibility**

Guests domiciled in England and Wales who made a reservation to stay around the world in one of the former Starwood brand hotels listed above before 10 September 2018 will automatically be included within the class.

## **No cost for claimants to participate**

The hotel guests on whose behalf the claim is brought will not pay costs or fees to participate in this legal action and have no financial risk in relation to the claim, which is being funded by Harbour Litigation Funding, a global litigation funder.

Ellora MacPherson, Chief Investment Officer at Harbour commented that:

*"As new legislation protecting personal data is enacted, more and more data breaches are resulting in litigation. Claims of this size and nature are extremely difficult to bring and sustain without the benefit of litigation funding. We are delighted to be partnering with Hausfeld and Mr Bryant on this occasion."*

**For additional information or to register interest please visit the MDB claim website:**  
[www.marriottdatabreachclaim.co.uk](http://www.marriottdatabreachclaim.co.uk)

- ENDS -

# DRD Partnership



## ***Media enquiries***

DRD Partnership:

Email: [MarriottDataBreachClaim@drdpartnership.com](mailto:MarriottDataBreachClaim@drdpartnership.com)

Tel: Lawrence Dore +44 (0) 7958 329309 or Kate Miller +44 (0) 7720 593428

## ***Notes to Editors***

### **About Martin Bryant**

Martin will be representing the hotel guests within the claimant class affected by this breach. Martin aims to support affected customers and hold Marriott International accountable for their failure in protecting their customers' information.

Martin is the founder of technology and media consultancy Big Revolution, which works to help technology companies craft a narrative around their products and business. He was previously Editor-in-Chief of international technology publication The Next Web, and Community Editor at Tech North, where he shone a light on the stories of start-ups and entrepreneurs in the North of England.

### **About Hausfeld**

Hausfeld is a leading law firm specialising in litigation, with 7 offices in Europe and 5 offices in the U.S. Hausfeld possesses significant experience in all aspects of [collective redress](#) and group claims – often acting against some of the largest corporations in the world. The firm pioneered the trucks competition litigation in the UK, Germany and the Netherlands. It has acted on some of the most complex damages claims of the last decade: on the 'Interchange Fee' litigation against Visa and Mastercard, in 'Google Shopping' claims on behalf of price comparison websites against Google; against Mercedes Benz relating to the emissions scandal; and against 6 financial institutions over their participation in unlawful price-fixing of the foreign exchange currency markets.

### **About Harbour Litigation Funding**

Harbour is the largest privately owned dedicated litigation and arbitration funder in the world. Since inception in 2007 it has funded in excess of 120 disputes across 15 jurisdictions and six arbitral fora. Consistently ranked "Band 1" by Chambers & Partners, Harbour is a founding member and current chair of the Association of Litigation Funders of England and Wales.