



MOTOROLA MOBILITY

February 3, 2012

VIA OVERNIGHT MAIL

Michael A. Delaney, Attorney General of the State of New Hampshire
Office of the Attorney General
33 Capitol Street
Concord, New Hampshire 03301

Re: Refurbished Motorola XOOM™ Wi-Fi Tablets

Dear Mr. Delaney:

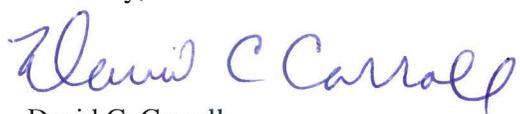
We are writing to report a recent incident involving Motorola XOOM™ Wi-Fi tablets. In mid-December, Motorola Mobility, Inc. was notified by a customer who purchased a refurbished XOOM™ Wi-Fi tablet, that the device contained information from the previous owner. Motorola immediately began an investigation and determined that approximately 6,200 Motorola XOOM™ Wi-Fi tablets that were refurbished by Motorola, which were purchased by consumers and then returned to Amazon.com, Best Buy, BJ's Wholesale, eBay, Office Max, Radio Shack, Sam's Club, or Staples, and a few other independent retailers, between March and October 2011, may not have been completely cleared of the original owner's data prior to resale. These tablets were then resold by Woot.com to new consumers between October and December 2011. In mid-January, Woot.com informed Motorola that they received inquiries from approximately 100 consumers indicating that their refurbished tablet contained information from the previous owner.

The information that may be accessible to the purchasers of the impacted refurbished tablets may include any information that the original user elected to store on the tablet if the original user did not perform a master reset of the device prior to returning it. It is possible that users might have stored photographs and original documents. They may have also stored user names and passwords for email and social media accounts, as well as other password-protected sites and applications. Unfortunately, despite Motorola's best efforts, it has so far been unable to identify all of the original owners of the affected devices. This is in large part due to the fact that the affected devices were not sold directly by Motorola, but rather through Motorola's retail partners. Accordingly, while it is impossible at this time for Motorola to determine whether any Hawaii residents were affected or whether any information was compromised that would require notification under HRS § 487N-1, *et seq.*, out of an abundance of caution, Motorola is notifying your office of this incident and is also issuing a press release (attached) and posting additional information for potentially impacted consumers on its website.

In addition to notifying your office, issuing a press release, and posting information on Motorola's website, Motorola has also been working with Woot.com to contact the purchasers of the refurbished tablets to ensure that the memory of each device is cleared. These efforts include offering monetary incentives to purchasers of refurbished Xoom tablets who contact Motorola, in exchange for returning the tablet to Motorola so that the software can be reflashed.

Motorola is committed to protecting the Personal Information of its customers, including those in New Hampshire. As such, Motorola is offering a complimentary two-year membership of Experian's ProtectMyID™ Alert to any customers who purchased and then returned one of the 6,200 devices. Motorola also stands ready to cooperate with the Office of the Attorney General and other law enforcement agencies in New Hampshire. Should you need to speak with anyone at Motorola, please do not hesitate to contact the undersigned.

Sincerely,



David C. Carroll
Director & Lead Counsel,
Trademarks, Marketing & Privacy



Downloaded on 03/02/2012
Released on 03/02/2012 12:00

03/02/2012 12:00

Motorola Mobility Notifies Certain Purchasers of Refurbished Motorola XOOM™ Wi-Fi Tablets of Refurbishment Process Error

LIBERTYVILLE, Ill. – Feb. 3, 2012 - Motorola Mobility, Inc. today announced that it has recently learned that approximately 100 out of a batch of 6,200 Motorola XOOM™ Wi-Fi tablets that were refurbished by Motorola Mobility may not have been completely cleared of the original owner's data prior to resale. The affected tablets were resold by Woot.com between October and December 2011. While this matter likely affects only a small number of refurbished units, Motorola has a strong commitment to its consumers, and is proactively responding to mitigate any risk to its customers. Motorola has confirmed that any refurbished units sold outside the time period in question were properly refurbished.

The information that may be accessible to the purchasers of the impacted refurbished tablets may include any information that the original user elected to store on the tablet. It is possible that users might have stored photographs and documents. They may have also stored user names and passwords for email and social media accounts, as well as other password-protected sites and applications.

Motorola is offering customers who purchased and then returned a Motorola XOOM Wi-Fi tablet to Amazon.com, Best Buy, BJ's Wholesale, eBay, Office Max, Radio Shack, Sam's Club, or Staples and a few other independent retailers between March and October 2011 a complimentary two-year membership of Experian's ProtectMyID™ Alert to mitigate any risks. Original owners are advised to contact Experian at 1-866-926-9803 to sign up for the credit monitoring service. These original owners are also advised to take precautionary measures to protect their identity, such as changing their email and social media passwords. Original owners who performed a factory data reset prior to returning the device are not impacted.

In conjunction with today's announcement, Motorola is also actively pursuing the return of the impacted refurbished units to ensure that the memory of each device is cleared. Customers who purchased a refurbished Motorola XOOM Wi-Fi tablet from Woot.com between October and December 2011 are encouraged to visit motorola.com/xoomreturn or to call Motorola Mobility Customer Support at 1-800-734-5870, select Option 1, in order to determine if their tablet is affected.

Motorola sincerely regrets and apologizes for any inconvenience this situation has caused the affected customers. Motorola is committed to rigorous data protection practices in order to protect its customers, and will continue to take the necessary steps to achieve this objective.

About Motorola Mobility

Motorola Mobility, Inc. (NYSE:MMI) fuses innovative technology with human insights to create experiences that simplify, connect and enrich people's lives. Our portfolio includes converged mobile devices such as smartphones and tablets; wireless accessories; end-to-end video and data delivery; and management solutions, including set-tops and data-access devices. For more information, visit motorola.com/mobility.

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MOTOROLA XOOM WI-FI DATA PROTECTION ALERT

If you are visiting this page, you have received a notice that the Motorola XOOM™ Wi-Fi tablet you returned between March 2011 and October 2011 may not have been properly refurbished before it was resold, which may have resulted in the inadvertent disclosure of user names and passwords for email accounts, social media access, and other password-protected sites and applications, as well as photographs, documents, and other content stored on the tablet.

Your information is **not** at risk if, prior to returning it: 1) you did not store personal information, such as passwords, photographs or other information on the tablet; 2) you performed a Factory Data Reset to clear the device of all user information; 3) you did not use or set up the Motorola XOOM Wi-Fi tablet; 4) you did not set up accounts on the Motorola XOOM Wi-Fi tablet to access email or social networking sites; or 5) you never added or transferred data to the Motorola XOOM Wi-Fi tablet.

This is very limited issue and Motorola has confirmed that any refurbished units sold prior to and after the time period in question were properly refurbished. Also, Motorola is not aware of any fraud related to this matter and has received only a very small number of related reports.

Still, Motorola takes this incident seriously and is committed to assuring the security of customer's personal information. We sincerely apologize for this incident and regret any inconvenience it may cause you. In addition to the protection offered in the letter you received, you should consider taking steps to protect yourself, which may include:

A. GUARD AGAINST FRAUD

- Change passwords on accounts such as email, social networks, and ecommerce services that you may have had stored on your tablet before you returned it.
- Monitor your credit card account statements and credit reports to ensure that your credit card information is not being used fraudulently.
- Consider putting a "freeze" on your credit report by contacting one of the three credit reporting agencies listed below.
- Be cautious if you receive emails asking for your personal information, and be on the lookout for unwanted spam or "phishing attacks," where you might be asked to provide personal or sensitive information in response to an email message. In particular, do not respond to emails that threaten to take action if you do not immediately provide personal information.

B. MONITOR YOUR CREDIT REPORTS

Under federal law, you are entitled to obtain two free credit reports each year to help you monitor your credit status. Go to www.annualcreditreport.com, call 1-877-322-8228, or contact one of the three agencies directly:

Equifax
PO Box 740241
Atlanta, GA 30374
Tel: 1-800-685-1111

Experian
475 Anton Boulevard
Costa Mesa, CA 92626
Tel: 1-888-397-3742

TransUnion
2 Baldwin Place, PO Box 2000
Chester, PA 19022
Tel: 1-800-680-7289

Consider putting a freeze on your credit report by contacting one of the three credit reporting agencies listed above. Each agency may charge a fee to place or lift a credit freeze, but the amount is regulated by state law, and in some cases will be waived, including if you have obtained a police report, which you have a right to do. If charged, fees to place or lift a freeze on your credit usually range from \$3 to \$12 (see each agency's website for typical fee information). The information the reporting agencies may ask could vary, but in general you will be required to provide information and documentation sufficient to establish your identity, like your name, social security number, date of birth, and current and prior addresses.

C. REPORT IDENTIFY THEFT

Report suspected incidents of identity theft to local law enforcement, your state Attorney General, or the Federal Trade Commission (FTC):

Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue, NW
Washington, DC 20580
Identity Theft helpline: 1-877-438-4338

You can also visit the FTC online for more information on protecting yourself from identity theft:

<http://www.ftc.gov/bcp/edu/microsites/idtheft/index.html>

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