Message from the Chair

Dear Cyberspace Law Colleagues:

Happy summer travels!

Some of us are on the road... and the more we travel the more we realize we are always dealing with cyber-issues these days. How do I connect safely to Wi-Fi at the airport? What's the best connectivity choice when staying at the lake? What about checking in from the air or from the car? Is my data being saved or tracked? Can I work on the client document, send the redline from the plane, and do a conference call in the airport? Am I risking privacy, confidentiality, security problems? What security choices are available for remote access? With so many communication choices the security, privacy, and—not to mention—pricing issues are even more complicated than before.

We addressed some of these issues at the last spring meeting in a program that addressed professional responsibility issues and accessing technology—and there is a lot more to consider, which we will address in meetings to come. Stay safe, secure, and connected.

Jonathan T. Rubens
Chair, Cyberspace Law Committee, Business Law Section
Jon@jrlegalgroup.com

Upcoming CLCC Programs

Business Law Section Annual Meeting
September 11-13, 2014
Chicago, IL
Kristine Dorrain, Programming Director

We hope you have registered for the new Business Law Section annual meeting this September in Chicago. Please note that early registration ends July 18. So register by then to take advantage of the early bird discount.

Our Cyberspace Law Committee is sponsoring three CLE programs, along with a full day of committee and subcommittee/task force meetings. We also have a fun dinner planned for Thursday, September 11 in conjunction with the Corporate Counsel, Intellectual Property, Health Law, and Young Lawyers Committees. More details on the dinner, which will rival the Korean BBQ in LA, will be out soon. Our sponsored programs and activities include:

Thursday, September 11

- 8 - 9 am: mCommerce Subcommittee meeting
- 9 - 10 am: Cyberspace Law Committee meeting
- 10 - 11 am: Financial Services and Payments Subcommittee meeting
- 11 am - noon: Professional Responsibility and Technology Task Force meeting
- Noon - 1 pm: Identity Management Task Force meeting
- Noon - 1 pm: Internet Governance Task Force meeting
- 1 - 2 pm: Cybersecurity Subcommittee meeting
- 2 - 3 pm: Consumer Protection Subcommittee meeting
- 3 - 4 pm: International Trade Subcommittee meeting
- 4 - 5 pm: Cloud and IT Services Subcommittee meeting
7:30 - 10 pm: Committee dinner

**Friday, September 11**

- 8 - 10 am: "Virtual and Digital Currencies: the Path to Legitimacy and the Need (or Not) for a Regulatory Framework for Consumer Protection"
- 2:30 - 4 pm: "Soup to Nuts: Enterprise Security Before and After a Data Breach"

**Saturday, September 12**

- 8:30 - 10 am: "There's No Business Like Drone Business: What to Tell Clients That Want to Use Drones in Their Business"

Of course, there are dozens of other CLE programs across the three days. In addition, you will want to take advantage of some of the many opportunities to socialize, including:

**Wednesday, September 10**

- 5:30 p.m. - Membership Reception (Free)
- 6:30 p.m. - Diversity Networking Reception (Free)

**Thursday, September 11**

- 5:00 p.m. - Icebreaker Reception (Free)
- 6:00 p.m. - Welcome Reception (Free)
- 7:30 p.m. - Our Joint Committee Dinner (Ticketed)
- 10:00 p.m. - WBLN Sweet Endings Dessert Reception (Free)

**Friday, September 12**

- 7:30 a.m. - Pro Bono Breakfast (Free)
- 12:30 p.m. - Section Luncheon (Ticketed $50)
- 7:00 p.m. - Section Dinner (Ticketed $125)
- 10:00 p.m. - Section Suite Crawl (Free)

Make a point of registering before July 18 to obtain the early bird discount. And be sure to book your room reservation before the discounted rates sell out. We look forward to seeing you in Chicago.

**Cyberspace Law Institute and Winter Working Meeting**

**January 23 - 24, 2015**

**Charlotte, NC**

*Ted Claypoole, Incoming Chair of Cyberspace Law Committee*

It is not too early to start planning for our 2015 Cyberspace Law Institute and Winter Working Meeting. The meeting will be held January 23-24 (with cocktail party for early arrivals on the evening of the 22nd) in Charlotte, North Carolina. The event will be hosted by the Omni Hotel in Center City and guests will not need a car to attend any event or to enjoy Charlotte. The Winter Working Meeting will include at least 3 hours of CLE and meetings of the Cyberspace subcommittees and task forces. It is a great way to learn about the Committee, meet our great members, and find or create the projects that interest you.

Charlotte is a city of a million people and is center of a metropolitan area of more than 2.2 million. January temperatures average 54 degrees as a high and 32 as a low. Air travel is easy, with direct flights to and from 143 cities. Uptown Charlotte is small enough to be walkable (with inside connections that run for ten blocks) but includes museums, restaurants, theaters, sports arenas, colleges, and other areas of interest. We will be providing Charlotte interest maps and day trip locations with this and subsequent newsletters. You can access a map for the [Uptown Charlotte Walking Art Tour here](http://apps.americanbar.org/buslaw/committees/CL320000pub/newsletter/201407/).

We will be issuing a formal request for programs soon, but let Ted Claypoole know now if you already have an idea for an engaging program.
### Other Programs of Interest

**The Mobile Transformation: The Extraordinary Legal Implications of Billions of Mobile Devices**

Date: July 21, 2014  
Location: N/A  
Format: Webinar

**The Future of Bulk Data Collection**

Date: July 24, 2014  
Location: N/A  
Format: Webinar

**Cyber Security Summit 2014**

Date: October 21-22, 2014  
Location: Minneapolis, MN

The Cyber Security Summit was started in 2011 out of a concern positioned by the University of Minnesota based on what they saw as a pending national threat, cyber-attacks. The first summit was developed with content focused on changing the paradigm of how we look at digital space and security while educating on cyber threats and providing actionable solutions. The fourth annual summit will take place this fall. For more information, contact the Cyber Security Summit 2014 [website](http://apps.americanbar.org/buslaw/committees/CL320000pub/newsletter/201407/).

### CLCC Projects

#### Update from the Cybersecurity Subcommittee

*Co-Chairs Roland Trope and Tom Smedinghoff*

In addition to preparing for the upcoming BLS annual meeting, the Cybersecurity Subcommittee continues to monitor closely the landscape for publications of interest to Cyberspace Law Committee members. Recent significant publications include:

- [Cybersecurity Procurement Language for Energy Delivery](http://draft.energystorage.org/energy-transparency.html) - by the U.S. Department of Energy, Office of Electricity Delivery and Energy Reliability
- [DoD Final Rule on DFARS Avoidance and Detection of Counterfeit Electronic Parts](http://www.asapdod.com/dfars)  
- [Risk Alert: OCIE Cybersecurity Initiative](http://www.sec.gov/) - by SEC Office of Compliance, Inspection, and Examination

Editors’ note: This update had been submitted for the June 2014 newsletter and inadvertently omitted. We apologize for the late communication.

#### Update from the International Trade Subcommittee

*Co-Chairs John Gregory and Hal Burman*

The International Trade Subcommittee continued its examination of a United Nations draft treaty on paperless trade (i.e., electronic commerce) designed for the Asia-Pacific region. A conference call was held on June 19 and a follow-up conversation is due to be held in early July. It is expected that the comments made will find their way to the negotiating table, through the US delegation or otherwise.

For the September meeting, the subcommittee expects to review the principal international initiatives affecting e-commerce, especially American interests in such commerce, and to discuss priorities for work by the Subcommittee. There is always more analysis to be done than volunteer time available, so it will be helpful to canvass the interests of members of the subcommittee—and of the Cyberspace Committee generally—about what is most useful to know and where the knowledge of the Subcommittee members should be applied.
Presentations and Publications of Interest

Defense Procurement in the Cyber Age

During the week of May 26 - 30, 2014, Roland Trope, partner at Trope and Schramm LLP, participated in a conference in Riga, Latvia, hosted by the Latvian Ministry of Defence and by the International Society on Military Law and the Law of War. The theme of the Riga Conference was Defence Procurement in the Age of Cyber: Recalibrating Government and Contractor Responsibilities. During the conference, Roland delivered the keynote address and was a speaker on two of the panels: "Protecting the Supply Chain for Critical Infrastructure from Cyber Risks" and "Intellectual Property Rights in International Defense Procurements."

Other speakers at the conference included The Hon. Mr. Justice Haddon-Cave, Queen's Bench Division of the High Court of England and Wales; Air Vice Marshall Paul Atherton, Director Operations, Military Aviation Authority, Royal Air Force; Professor David P. Fidler, Senior Fellow, Indiana University Center on Applied Cybersecurity Research; and Fernand A. Lavallee, partner Jones Day, Washington, DC.

Your Articles Are Welcome

We are always looking for fresh and relevant content for the CLCC newsletter. Have you written or presented on something your fellow committee members would be interested in? Let them know! Email your contribution to committee communications co-directors Cheryl Balough and Lois Mermelstein.