Message from the Chair

We hope you are enjoying your summer. The schedule is set for the ABA Business Law Section Annual Meeting in Chicago this September 17-19 and we have a fantastic line-up of meetings and panel discussions.

We will be discussing our current book projects (Data Security in M&A Transactions, and Social Media and the Law), new ideas for publications, our upcoming mini-theme in Business Law Today and other opportunities to add your contributions to the legal community. Our Cyberspace Law Committee meeting will include a talk on how connectivity is making train transportation safer and more cost efficient. We are directly sponsoring eight panel discussions including Making Bitcoin a Crime: Recent Prosecutions of Unlicensed Money Transmitters under the PATRIOT Act (Co-sponsors: Credit Unions, Consumer Financial Services, White Collar Crime) and Mobile Health Apps: You Are Probably Violating the Law (Co-sponsors: Health Law and Life Sciences, Corporate Compliance). We are also co-sponsoring several panels proposed by other Committees. Read on for the full list later in this newsletter.

The winter working meeting is set for the last Friday/Saturday in January 2016 in Ft. Lauderdale. We will be staying on the beach, and working at the Shepard Broad Law Center at the Nova Southeastern University where our good friend and committee member Jon Garon is Dean. More information to come on this as well.

But for now, work hard and stay cool.

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Registration is open for the 2015 BLS Annual Meeting to be held in Chicago on September 17-19. The Cyberspace Law Committee will have a full day of committee/subcommittee meetings and will present eight CLE programs during the three-day meeting. (See article above.) The full program schedule for the Annual Meeting is available here. Register now for discounted rates, which end July 24. We will have information out soon on our committee Thursday, September 17 dinner, which will be a joint affair with other committees. We hope to see you in Chicago!

2015 BLS Annual Meeting Schedule for Cyberspace Law

The Cyberspace Law Committee has a packed agenda for the BLS Annual Meeting. We start off with a full day of meetings on Thursday, September 17:

- 8 - 9 am: International Trade Subcommittee meeting
- 8 - 9 am: Federated Identity Management Task Force meeting
- 9 - 10:30 am: Cyberspace Law Committee meeting (including a presentation "Trains, Boats, and Mobile Assets: How the IoT Keeps Them Safe and Reliable" about how an Illinois-based company's mobile asset monitoring system generates real-time data from trains and marine..."
vessels to prevent accidents, save money, and enhance performance)
  
- 10:30 - 11:30 am: Financial Services and Payments Subcommittee meeting
- 10:30 - 11:30 am: Electronic Contracting Task Force meeting
- 11:30 am - 12:30 pm: Cloud, Platforms, and Analytics Subcommittee meeting
- 1 - 2 pm: Enterprise Technology Subcommittee meeting
- 1 - 2 pm: Internet Governance Task Force meeting
- 2 - 3 pm: Mobile and Connected Devices Subcommittee meeting
- 2 - 3 pm: Non-U.S. Cyber Regulations Task Force meeting
- 3 - 4 pm: Social Media Subcommittee meeting
- 4 - 5 pm: Cybersecurity Subcommittee meeting
- 4 - 5 pm: Cyberspace Law Committee Publications meeting

We also have eight CLE programs (all of our proposals having been accepted), which begin on Thursday and go through Saturday. The BLS leadership has worked with us to avoid conflicts as much as possible. The schedule (with Cyberspace program coordinator) is as follows:

**Thursday, September 17**

- 10:30 - 11:30 am: Achieving Digital Trust: Conquering the Last Frontier (Jeffrey Ritter)
- 2:30 - 3:30 pm: Cybersecurity Damages: An Overview of Economic Harm Resulting from Data Security Breaches (Glenn Perdue)
- 4 - 5 pm: Data as a Product (Chris Achatz)

**Friday, September 18**

- 8 - 10 am: Autonomous Vehicles: Steering Your Client around the Legal Potholes (Richard Balough)
- 10:30 am - 12:30 pm: Mobile Health Apps: You Are Probably Violating the Law (Dina Ross)
- 2:30 - 4:00 pm: Making Bitcoin a Crime: Recent Prosecutions of Unlicensed Money Transmitters under the PATRIOT Act (Stephen Middlebrook)

**Saturday, September 19**

- 8 - 10 am: Tracking People across Web Platforms: Are Your Privacy and Compliance Programs Ready for the Next Generation of Behavioral Ads? (Cheryl Burtzel)
- 10:30 am - 12:30 pm: Avoiding Still Sanctionable Dealings with Iran and Cuba: Look Out for Icebergs! (Roland Trope)

Many thanks to the program coordinators who are putting together these programs, which we encourage all of you to attend. See you in Chicago!

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**Committee Doings**

**From the Mobile and Connected Devices Subcommittee**

*Co-chairs Richard Balough and John Rothchild*

Need to steer around the legal potholes when talking to clients about autonomous vehicles? Then you will want to attend the Mobile and Connected Devices Subcommittee's panel discussion at the Business Law Section annual meeting.

The panel includes a consumer advocate, an attorney specializing in autonomous vehicle security issues, an attorney from the insurance industry, and a copyright/IP attorney. Among the discussion items are:

1. The liability of businesses using autonomous vehicles either for delivery or for their employees.
2. Intellectual property rights such as copyright protection and trade secrets.
3. Data security both from the perspective of hacking and from disclosure of the data (privacy) of those using autonomous vehicles.

The session is set for Friday, September 18 from 8 to 10 a.m.

From the Identity Management Task Force
Chair Tom Smedinghoff

The proposal submitted to the UN Commission on International Trade Law (UNCITRAL) recommending a project to address legal issues relating to Identity Management and Trust Services has now been posted at the UNCITRAL website.

You can access the Proposal by going to the Commission page at http://www.uncitral.org/uncitral/en/commission/sessions/48th.html and selecting the document near the bottom of the list titled "A/CN.9/854 - Possible future work in the area of electronic commerce - legal issues related to identity management and trust services."

The Proposal was submitted by the countries of Austria, Belgium, France, Italy and Poland, and by the ABA IdM Legal Task Force (via the Business Law Section). This Proposal will be discussed during the upcoming meeting of UNCITRAL from June 29 to July 16. Comments and thoughts welcome.

From the Enterprise Technology Subcommittee
Co-chairs Cheryl Burtzel and Candace Jones

The Enterprise Technology Subcommittee will present a 2-hour panel program, Tracking People across Web Platforms: Are Your Privacy and Compliance Programs Ready for the Next Generation of Behavioral Ads? at September's Annual Meeting of the Business Law Section. A number of other Committees also have agreed to co-sponsor the program, including the Corporate Counsel, Technology, Commercial Finance, Consumer Financial Services, and Corporate Compliance Committees of the Business Law Section.

The panel will cover three key topics: (1) technology developments in cross-device/cross-platform tracking, (2) regulatory risk, particularly those related to privacy-related law and policy, and (3) practice tips with a particular focus on privacy policies and information management. We are working now to invite speakers for the program. We expect to have an industry representative who can help set the stage with a presentation about the technology and the purposes for which it is being deployed. We are also inviting in-house counsel to provide some practical guidance about how company legal departments stay in the loop on these developments and use of these technologies by their companies.

We look forward to a great panel and a lively discussion of these issues in September. Please plan to attend this important and timely session.

Cheryl can be reached by email at cburtzel@dwmrlaw.com, and Candace can be reached by email at Candace.Jones@ny.frb.org.

Member News

Sarah Jane Hughes was appointed Reporter for the Uniform Law Commission's Drafting Committee on Alternative and Mobile Payments by ULC President Harriet Lansing. Long-time friend of the Cyberspace Committee Professor Fred Miller will chair the drafting committee. In addition, SJH was interviewed by Law 360 in late May about banks' roles in the emerging FIFA soccer bribery and gratuity scandal, particularly banks' possible involvement in money laundering to hide payments being made, and by the American Banker about the apparent up-tick in BSA/AML investigations of banks and non-banks.

Other Programs of Interest
**A Note from the Editor**

In addition to reporting on the committee’s work and what its members are up to, we’d like the newsletter to include articles on topics of interest to members. Articles should be 250-500 words, timely, and original content not already published elsewhere (including on your firm’s website). To submit an article or ask questions, please contact the editor, Lois Mermelstein.