



# Second Internet of Things (IoT) National Institute

*Everything will be connected.*

ABA Section of Science & Technology Law  
**May 10 and 11, 2017**

51 Louisiana Avenue, N.W., Washington, DC (Jones Day)

A game-changer has emerged for businesses, policymakers, and lawyers, and it's called the "Internet of Things" (IoT). It is one of the most transformative and fast-paced technology developments in recent years. Billions of vehicles, buildings, process control devices, wearables, medical devices, drones, consumer/business products, mobile phones, tablets, and other "smart" objects are wirelessly connecting to, and communicating with, each other . . . and raising unprecedented legal and liability issues.

Recognized as a top new law practice area, and with global spending projected to hit \$1.7 trillion by 2020, IoT will require businesses, policymakers, and lawyers (M&A, IP, competition, litigation, health law, IT/outsourcing, and privacy/cybersecurity) to identify and address the escalating legal risks of doing business in a connected world. Join us in Washington, D.C., on May 10-11, 2017, for our second IoT National Institute, which will feature:

- Overviews and demos of the powerful technology driving the legal and liability issues.
- Practical guidance and the latest insights on the product liability, mass tort, big data, privacy, data security, intellectual property, cloud, and regulatory issues raised by IoT.
- Dynamic new additions: a mock trial, tabletop exercise, corporate counsel roundtable, and *Fast Forward* mini-updates to get up to speed on key emerging issues.
- Complimentary Law Library of Congress Tour (May 9)
- Two days of CLE credit (including ethics credit), plus two breakfasts, two lunches (with keynote speakers), and a cocktail reception.

Our distinguished faculty includes prominent legal and technical experts and thought-leaders from companies, government entities, universities, think-tanks, and private practice.

Organized by the American Bar Association's Section of Science & Technology Law, the IoT National Institute offers an unparalleled learning and networking opportunity. With billions of devices and trillions of dollars in spending, IoT is a rapidly growing market that everyone wants to get in on. Don't get left behind.

[ambar.org/iot2017](http://ambar.org/iot2017)



# Second Internet of Things (IoT) National Institute

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**Lucy L. Thomson**, Founding Principal, Livingston PLLC; Past Chair, ABA Section of Science & Technology Law, Washington, DC



## Wednesday, May 10, 2017

**7:30 – 8:30 AM | Breakfast/Networking**

**7:30 – 5:30 PM | Registration**

**8:30 – 9:15 AM | Opening Remarks and Keynote Address**

Eileen Smith Ewing, Chair, ABA Section of Science & Technology Law

**Keynote Speaker – Rajesh De**, Partner, Mayer Brown LLP; former General Counsel, U.S. National Security Agency (NSA)

**9:15 – 10:15 AM | A Crash Course on the Power and Risks of IoT Technology**

Lawyers must understand IoT technology to competently address the corresponding legal challenges that are continually emerging. IoT can endanger homes and offices by outsiders taking control of IoT devices remotely, accessing bank accounts, and using IoT devices to hack into other parts of a network. This panel will provide a crash course on IoT technology that includes captivating demos and a deep-dive discussion that is informative for those new to the issues and enlightening for seasoned professionals.

**Eric Hibbard**, CTO Security & Privacy, Hitachi Data Systems

**Dr. Laura DeNardis**, Professor and Associate Dean, School of Communication, American University

**Serge Jorgensen**, Founding Partner & President, Sylint Group

**Devin Laiho**, Senior Assistant Attorney General, Colorado Attorney General's Office

**10:15 – 10:30 AM | Break**

**10:30 – 11:30 AM | A Crash Course on the Power and Risks of IoT Technology**

IoT has the potential to transform how individuals and businesses communicate and interact. Learn about innovative industry initiatives that may have a profound impact on the world, including homes and offices, healthcare, driverless vehicles, factories, critical infrastructure, and smart cities. The stakes are high, as each of these game-changer initiatives raises unprecedented legal and liability issues.

**UAVs (Unmanned Aerial Vehicles, aka drones) | Matthew T. Henson**, Partner, Henson Klein, LLP

**Smart Cities | Angela M. Hinton**, Chief Counsel, City of Atlanta, Georgia

**Driverless Cars | Mark Pendergrast**, Director, Product Marketing, Microsoft

**11:30 AM – 12:00 PM | IoT Future Shock: Too Much Change, Too Fast?**

It's been said that the only constant is change, but it is the velocity of change today that is remarkable and increasingly challenging to navigate. Pew Research Center's report titled *The Internet of Things Will Thrive by 2025* presents the views of hundreds of "technology builders and analysts" on the question of whether IoT will have widespread and beneficial effects on the everyday lives of the public. Mr. Rainie will highlight the implications of Pew's IoT report and its January 2017 report on *Americans and Cybersecurity*.

**Lee Rainie**, Director, Internet, Science, and Technology Research, Pew Research Center

**12:00 – 1:00 PM | Lunch and Keynote Speaker – Chris Tonjes**, Chief Information Officer, Office of the Attorney General for the District of Columbia

*Lunch sponsored by Potomac Law Group, PLLC*

## 1:00 – 2:00 PM | **The Dark Side of IoT: Privacy, the Surveillance State, and the Battle for Data**

Do we have zero privacy in an IoT world where “smart” devices are continually connecting to and communicating with each other, often without our knowledge? Companies from A to Z are creating products with cloud-connected sensors that collect data about our movements, preferences, interests, habits, health, and relationships. Digital dossiers and location trackers provide golden opportunities for surveillance. Big data is getting bigger, and the corresponding privacy issues (collection, use, notice, consent, and more) are growing exponentially. IoT is a force to be reckoned with, and this panel will explore its dark side when it comes to privacy, the surveillance state, and the battle for data.

**Ruth Hill Bro**, Privacy Attorney; Past Chair, ABA Section of Science & Technology Law (Moderator)

**Naomi Lefkowitz**, Senior Privacy Policy Advisor, National Institute of Standards and Technology (NIST)

**Maneesha Mithal**, Associate Director, Division of Privacy & Identity Protection, Federal Trade Commission (FTC)

**Denise Zheng**, Director and Senior Fellow, Technology Policy Program, Center for Strategic and International Studies (CSIS)

## 2:00 – 3:00 PM | **Fast Forward Mini-Updates on Key Emerging Issues**

### **The Challenges of Identity and Trust in the Black Box World of IoT**

**Thomas J. Smedinghoff**, Of Counsel, Locke Lord LLP; Past Chair, ABA Section of Science & Technology Law

IoT’s future depends on answering two key questions: Who is doing it, and what are they doing? An internationally recognized authority on identity management will illuminate the risks lurking in the black box world of IoT and provides some ways to think outside that box.

### **IoT: The Next Big Thing in Litigation**

**Ian C. Ballon**, Litigation Shareholder, Greenberg Traurig, LLP

The marketplace is changing at lightning speed, and so are the law and litigation. Join us for a whirlwind tour of the top emerging IoT litigation issues conducted by a speaker known for his encyclopedic knowledge of technology and litigation.

### **IoT Challenges for Lawmakers and Regulators**

**David L. Strickland**, Partner, Venable LLP; former Administrator, National Highway Traffic Safety Administration (NHTSA)

IoT presents difficult policy challenges for government officials. A preeminent policy expert who has addressed NHTSA, FTC, and CPSC issues on Capitol Hill and in the executive branch will present an insider’s view.

## 3:00 – 3:15 PM | **Break**

## 3:15 – 4:15 PM | **Fifty Shades of Grey: Exploring IoT Ethical Issues**

IoT has arrived, bringing with it countless new ethical issues. Data collection via wearables, mobile devices, and smart technology is creating a treasure trove of information for discovery, with implications for corporate litigators, family law practitioners, personal injury attorneys, and others. Business advisors must consider how to advise clients about data analytics, including collection, use, and storage of sensitive and confidential information. ABA Ethics Rules make clear that a lawyer’s duties of competence and confidentiality extend to technology, which is challenging in a world where everything is connected. Ethics rules still apply in what often feels like a virtual wild west. This stimulating and highly interactive panel will explore these 50 shades of grey.



**Merri A. Baldwin**, Shareholder, Rogers Joseph O’Donnell, PC

**Thomas B. Mason**, Partner, Harris, Wiltshire & Grannis LLP

## 4:15 – 5:30 PM | **Inside IoT: Corporate Counsel Insights**

Hear from leading corporate counsel about the IoT challenges facing their companies and how they are meeting those challenges. What vulnerabilities do these attorneys see for their companies or their clients? How are those vulnerabilities being addressed, and what else should be done? What are the biggest concerns about IoT issues that may arise in the future? What benefits do our panelists see for their companies from the dramatic advances in IoT? What advice do they have for other corporate counsel regarding IoT issues?

**Cynthia H. Cwik**, Of Counsel, Jones Day; Past Chair, ABA Section of Science & Technology Law (Moderator)

**Daniela Kresic Combe**, Vice President & Assistant General Counsel, IBM Cognitive & Business Solutions and IBM Cloud Platform

**Alfred Crews**, Vice President, Legal & Chief Counsel, BAE Systems Intelligence & Security

**Jonathan Gannon**, Assistant Vice President – Senior Legal Counsel, AT&T Inc.

**Arash Heidarian**, Senior Corporate Counsel, Amazon

**Joe Lee**, Assistant General Counsel, Azure Cloud Business, Microsoft

## 5:30 – 6:30 PM | **Cocktail Reception and Networking**

## Thursday, May 11, 2017

### 7:30 - 8:30 AM | Breakfast/Networking and Chairs' Welcome

### 8:30 - 9:45 AM | IoT Litigation and Liability Wake-Up Call (Mock Trial/Panel Discussion)

Because of the high likelihood of personal injury and property damage, IoT could greatly expand liability for developers, manufacturers, software vendors, users, and others. The mock trial and panel discussion will address a wide range of issues, including how traditional theories of liability apply to IoT-related litigation, who can sue, how liability may be established, and what role insurance will play.

**Cheryl A. Falvey**, Partner, Crowell & Moring LLP; former General Counsel, U.S. Consumer Product Safety Commission (Moderator)

**Serge Jorgensen**, Founding Partner & President, Sylint Group

**Kristin Madigan**, Counsel, Crowell Moring

**Michael A. Oakes**, Partner, Hunton & Williams LLP

**Hon. Andrew J. Peck**, U.S. Magistrate Judge, Southern District of New York

**Clifford Zatz**, Partner, Crowell Moring

### 9:45 - 10:45 AM | *Fast Forward* Mini-Updates on Key Emerging Issues

#### Above the Cloud: Drones and the IoT

**Donna Ann Dulo**, President & Founder, Unmanned Aircraft Safety & Security Society, Inc.

The lead author and editor of the innovative ABA book, *Unmanned Aircraft in the National Airspace: Critical Issues, Technology, and the Law* will delve into the IoT challenges presented by unmanned aerial vehicles.

#### Connecting IoT: Spectrum Issues

**Scott Delacourt**, Partner, Wiley Rein LLP

Explore IoT on a different wavelength. This session, conducted by a former FCC Deputy Bureau Chief and Senior Counsel, will explore legal and regulatory issues regarding the use of licensed and unlicensed radio spectrum to connect the Internet of Things.

#### IoT Healthcare Check-Up: Top Emerging Issues and Potential Headaches

**Ericka Watson**, Lead Counsel, Global Data Privacy, Danaher Corporation

The applications of IoT to healthcare are endless — the Internet of Medical Things (IoMT) includes connected medical devices, wearables and wellness devices, and mobile medical apps. Gain insights from a seasoned privacy attorney with an in-house perspective about the risks associated with IoT, and hear steps that businesses should take when managing IoT devices and the data they create.

### 10:45 - 11:00 AM | Break

### 11:00 AM - 12:00 PM | The New Normal: IoT Policy, Regulation, and Standards

This panel will explore evolving norms — laws, regulations, standards, and best practices — for IOT. Dozens of Standards Development Organizations (SDOs) and other bodies such as the National Institute of Standards and Technology (NIST), the UN International Telecommunication Union (ITU), and industry organizations are in a period of hyperactivity. They have produced an array of documentation that must be understood by the legal community and other stakeholders, including technology developers and manufacturers, users, and regulators. The panel will discuss “frameworks,” reference architecture and standards for data exchange, interoperability, cybersecurity, and other critical elements of the IoT ecosystem.

**Michael A. Aisenberg**, Principal Cyber Policy Counsel, MITRE Corporation (Moderator)

**Robert A. Martin**, Senior Principal Engineer, The MITRE Corporation; Steering Committee Member, Industrial Internet Consortium

**Robert S. Metzger**, Shareholder, Rogers Joseph O'Donnell, PC; Advisor, Defense Science Board

**Mauricio F. Paez**, Partner, Jones Day

**Kimberly Kiefer Peretti**, Partner, Alston & Bird LLP

**Andras R. Szakal**, Vice President and Chief Technology Officer, IBM U.S. Federal

### 12:00 - 1:00 PM | Lunch and Keynote Speaker — Ann Marie Buerkle, Acting Chairman, U.S. Consumer Product Safety Commission (CPSC)

*Lunch sponsored by Wiley Rein LLP*

## 1:00 – 1:45 PM | IoT Policy and Licensing

We have a new world of connectivity. Industries that were not typically associated with wireless communication are now incorporating these technologies (cell, Wi-Fi, Bluetooth, etc.) into their products. What does this mean for businesses in this space? How will the prevalent and developing licensing practices in this highly sophisticated area affect new market entrants, existing market players, and consumers? What are the key policy choices and issues now and in the near future?

**Jorge L. Contreras**, Associate Professor, University of Utah College of Law (Moderator)

**Luke McLeroy**, Vice President – Business Development, Avanci

**Nicolas Schifano**, Senior Director, Cloud IP Policy & Strategy, Microsoft

**Paul Zeineddin**, Principal, Zeineddin PLLC

## 1:45 – 3:00 PM | The Top IoT Security Challenges and What to Do About Them

Where is security in the IoT ecosystem? Malware on IoT devices has been the attack vector for massive breaches of leading popular websites. IoT devices and their implementations create numerous weaknesses that can compromise the security of individuals, homes, businesses, and industrial control systems (ICS). This panel will discuss potential vulnerabilities and ways to mitigate the risks when low-cost or high-longevity devices (some with no security or with software that is not designed to be updated or is not supported) are installed in a network, potentially creating the weakest link in an organization's IT environment.

**Jody Westby**, CEO, Global Cyber Risk LLC (Moderator)

**Paul Bond**, Partner, Reed Smith LLP

**David Dagon**, Co-Director, Astrolavos Lab, College of Computer Science, Georgia Institute of Technology

**Michael B. Hazzard**, Partner, Jones Day

**Brad Marr**, IT Director, Global Strategy & Architecture, Xylem Inc.

**Kimberly Kiefer Peretti**, Partner, Alston & Bird LLP

## 3:00 – 3:15 PM | Break

## 3:15 – 5:00 PM | IoT Is Not La La Land: A Reality-Check Tabletop Exercise

The tabletop exercise will draw upon the legal and technology requirements, principles, and insights presented during this IoT National Institute to develop an understanding of options for policy norms — best practices, standards, or legislative guidance — for the IoT environment. Using a straw-man draft “regulatory” bill, attendees will divide into stakeholder teams and role-play the views and concerns of each regarding the need for, and shape of, IoT policy norms. Teams will represent the federal executive and legislative branches, States, consumers, federal regulators (e.g., FTC, SEC, FCC, CPSC), consumer and industrial product manufacturers, vendors, and standards bodies.

**Lucy L. Thomson**, Founding Principal, Livingston PLLC; Past Chair, ABA Section of Science & Technology Law (Co-Moderator)

**Michael A. Aisenberg**, Principal Cyber Policy Counsel, The MITRE Corporation (Co-Moderator)

Agenda subject to change without notice based on speaker schedules.





**Who should attend:** Lawyers (litigation, corporate, IT, IP, health law, etc.), regulators, legislators, policymakers, developers, manufacturers, service providers, marketers, business executives, privacy and security professionals, academics, and students

**For complete details and to register, [ambar.org/iot2017](http://ambar.org/iot2017).**

	Rates
ABA Section of Science & Technology Law and ABA Co-Sponsors	\$ 1080
ABA Member	\$1225
Non-Member	\$1325
Government, Judges, and Public Interest	\$450
Student	\$59

# General Information

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## Registration

To register, please call the ABA Service Center at (800) 285-2221, or see the on-site registration desk.

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Washington, DC

For reservations, call the hotel directly at 202.737.1234.

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Washington, DC 20036

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Washington, DC 20004

For reservations, call the hotel directly at 202.661-2400.

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Under the guidance of the Standing Committee on Continuing Legal Education, the Center for Professional Development administers and produces National Institutes, webinars, other technology-based products, and written course materials to assist lawyers' continuing legal education efforts.

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