

SPOTLIGHT ON: CYBER SECURITY, DATA PRIVACY & EMERGING TECHNOLOGIES

The Future Awaits You! Enroll in the Newest CMBA Section

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“If you don’t like change, you *really* won’t like extinction!” declared Beth Mooney, Chairman and CEO of KeyCorp with ATT Technology’s CEO, John Donovan on stage at Cleveland’s December 2018 exciting Blockland Solutions Conference. The truth of Bob Dylan’s refrain “The Times They Are A-Changin’” is now.

As Dylan wrote those 1963 lyrics, the word “cybersecurity” was decades away from first use. Artificial Intelligence became a 1968 SciFi catch phrase from Stanley Kubrick’s epic “2001: A Space Odyssey” film as the computer HAL took over an interplanetary spacecraft. ‘Blockchain’ was a word mistaken in high school physics classes in block & tackle rope lifting problems. On February 27, 1995, *Newsweek* magazine featured frequent contributor Clifford Stoll, Ph.D., addressing a visionary future of “telecommuting workers, interactive libraries and multimedia classrooms,” “electronic town meetings and virtual communities” where “commerce and business will shift from offices and malls to networks and modems.” Stoll strongly dismissed this: “Baloney!”

And yet today, here we are. Data is a currency of the 21st Century. The Internet of Things sends heartbeat data from wristwatches to cardiologists. Municipalities, service providers, and retailers keep Personally Identifiable Information regarding taxpayers and customers, thereby constantly suffering the consequences of major hacks, phishing and malware that steal this PII, converting it to nefarious purposes. Deep machine learning and virtual neural networks of computers bring autonomous vehicles to our streets via artificial

intelligence. Title companies contemplate converting chains of title to blockchains of immutable permanence and transparency. Insurers crunch massive amounts of data to better predict risk and assess costs. Machine bias skews facial recognition programming.

Our profession is being swept into this swiftly changing tempest. We lawyers are asked to develop regulations, standards, case law, and warnings as clients pull us deeper into practice areas that did not exist five or ten years ago. Every lawyer today, no matter what their practice area *must* keep abreast of these constantly developing concepts and vocabularies to assist their clients. Entire communities beckon lawyers to educate them on these latest and newest technologies and related rules while other communities seek us to develop the very laws being taught.

Our Cleveland Metropolitan Bar Association is addressing this growth head on. Unique in Ohio, and almost alone among local bar associations throughout the United States, the CMBA formed this new section of law, the Cyber Security, Data Privacy & Emerging Technologies Section, asking us to co-chair and develop it for the good of the bar and our community. Over the last two months, our section sponsored or co-sponsored well attended and excellent programs such as “Blockchain, IoT and AI, Oh My!”, and “Are the Russians Really Our Friends?,” a discussion of investigation and impact of recent newsworthy hacks. BusinessTech 2018, and Blockland Solutions and the Legal Node for Blockland Cleveland have all seen our burgeoning impact.

Three points of focus for this new section are: 1) Educate lawyers in the Greater Cleveland area to these developments;

2) Foster, develop, and share knowledge excellence and best practices at the highest levels among lawyers already developing expertise in these areas; and 3) Work better with clients and communities to educate the corporate and individual citizens of Greater Cleveland in the law applicable to these areas as these economies and industries develop.

Be informed, learn, and share ideas as this new section organizes into one of the CMBA’s most active and vibrant sections. Watch for and attend our upcoming monthly programs and meetings. Be available as a speaker or writer to meet needs and demands. Join us by emailing Bill and/or me at william.berglund@tuckerellis.com and cmarvinney@walterhav.com, respectively.

Craig Marvinney is a partner with Walter | Haverfield whose practice is focused in Intellectual Property, Medical Device, Product Liability and Insurance Litigation as well as areas of Cyber Security and Emerging Technologies. Bill Berglund is counsel with Tucker Ellis whose practice focuses on Medical Privacy, Data Security, and Compliance, Class Actions, and Complex Medical Device and Product Liability Litigation. Together they co-chair the CMBA Cyber Security, Data Privacy & Emerging Technologies Section.

GET ENGAGED!

For information on how to join a section or committee, contact Samantha Pringle at (216) 696-3525 x 2008 or springle@clemetrobar.org.