

LEGAL AND LIABILITY ISSUES FOR USE OF CRYPTOGRAPHY

Panel Moderator

Joan D. Winston, Trusted Information Systems, Inc.

Panelists

Michael S. Baum, VeriSign, Inc.

Hoyt Kesterson, Bull HN Information Systems, Inc.

Robert L. Meuser, Attorney at Law (*invited*)

Increasingly, digital signatures and confidentiality are seen as the major means for safeguarding information as it is stored or transferred in electronic form. What will constitute business “best practices” for use of these methods? What will be required for “due care” in their use to safeguard stored files and archival records? Where is the balance between the need for powerful encryption technologies and the concern that encryption that is “too powerful” may be misused? What are the liability concerns for use of products that provide digital signatures and/or confidentiality, and who will bear the risks? How can these risks be mitigated? How do issues surrounding the products and services that provide digital signatures and confidentiality mesh with the emerging legal and institutional frameworks for electronic transactions?

This panel will explore these and other questions regarding legal and liability issues associated with use of cryptography. There will be ample time for audience participation and discussion.

Panelist Contact Information

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Panelist Biographies

Joan D. Winston is Director of Policy Analysis at Trusted Information Systems, Inc. (TIS). Much of her current work involves government information-security standards and policies, including cryptography issues related to TIS's RecoverKey™ technology. Before joining TIS in 1995, Ms. Winston was a Senior Associate at the congressional Office of Technology Assessment (OTA), where her publications included OTA's 1994 and 1995 studies on information security and privacy in network environments. Prior to OTA, she was at the Congressional Research Service at the Library of Congress and was a member of the technical staff of The Charles Stark Draper Laboratory, Inc. in Cambridge, MA.

Michael S. Baum is Vice President of Practices and External Affairs, VeriSign, Inc., where his responsibilities include developing practices and controls under which VeriSign conducts its public Digital ID and private label certificate operations, as well as spearheading the company's efforts in practice consulting and legislative oversight. Mr. Baum serves as Chair, Information Security Committee, and Council Member of the Section of Science and Technology of the American Bar Association; Chairman of the International Chamber of Commerce (ICC) ETERMS Working Party and Vice Chairman of the ICC's E-100 Project; a delegate to the United Nations Commission on International Trade Law on behalf of the ICC; and member of various digital signature legislative advisory committees. He is co-author (with Warwick Ford) of Secure Electronic Commerce (Prentice Hall, 1997) and is author of numerous other information security and EDI publications.

Hoyt Kesterson is a Fellow at Bull HN Information Systems Inc. in Phoenix, Arizona. He has chaired the international committee responsible for defining the OSI Directory standard, X.500, and its associated Authentication Framework, X.509, since 1986. He participated in the American Bar Association (ABA) digital signature guidelines work and is currently participating in the ABA efforts on key recovery.

Robert L Meuser (*biography not available at time of publication*)