News had just broken that the online marketplace eBay suffered a massive security breach when experts at Georgetown Law’s second annual Cybersecurity Law Institute, held May 21-22 at the Law Center, sat down to help law firms and businesses understand and minimize similar risks.

“I don’t think it’s at all hopeless — any more than it would be hopeless to think that we needed to stop terrorist attacks,” said former FBI Director Robert Mueller, as he discussed cybersecurity challenges in the 21st century with WilmerHale’s Benjamin Powell. Yet if we were “playing one-dimensional chess before with terrorism,” Mueller said later, “we’re now playing three-dimensional chess with cyber.”

Many participants, including Mueller, emphasized the importance of collaboration and cooperation, especially among law enforcement and the private sector. Suzanne Spaulding, undersecretary of the national protection and programs directorate at the Department of Homeland Security, noted that the private sector has traditionally been viewed as a victim not a collaborator. Security clearance rules need to be changed so that people have the information they need to protect themselves, she said.

Assistant Dean Larry Center and Dean William M. Treanor introduced the two-day event, in which participants explored risks, enforcement, enterprise security programs, cybersecurity frameworks and the role of the general counsel. Simulated hypotheticals dealt with legal exposure in the aftermath of a breach, global incident management and cyber self-defense. What sorts of responses are legal? (Even the experts are divided.) When should general counsel be brought in to the discussion? (As soon as possible.)

As Nuala O’Connor (L’95), president and chief executive officer of the Center for Democracy and Technology, pointed out, the notion of driverless cars is exciting, but the day may come when a line of code tells all the cars to turn left. “If we are going to harness the possibility of living in an increasingly digital world … we have got to be sure that those systems are secure.”