

Beyond IT Security – Legal and Cyber Security Considerations in the OT World

University of Texas School of Law CLE

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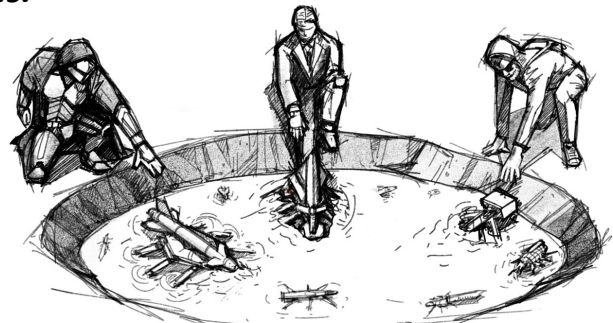
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Our rapidly evolving world demands a more intentional, more coordinated, and more well-resourced approach to cyber defense. We face a complex threat environment, with state and non-state actors developing and executing novel campaigns to threaten our interests. At the same time, next-generation technologies are reaching maturity at an accelerating pace, creating new pathways for innovation while increasing digital interdependencies.

White House, National Cybersecurity
Strategy, March 2023





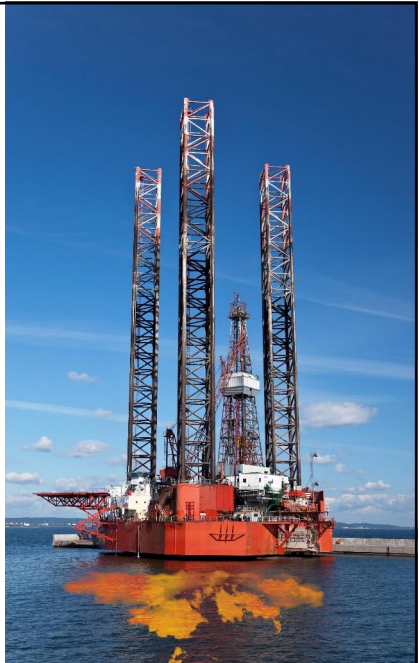
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What are Industrial Control Systems & Operational Technologies

- Human Machine Interfaces (HMI)
- Supervisory Control & Data Acquisition (SCADA)
- Programmable Logic Controllers (PLC)
- Computer Numerical Control (CNC)

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OT/ICS Risks

- Industrial Accidents
- Service Delivery Disruption
- Data Disclosure or Theft
 - Trade Secrets
 - System and Security Details
 - Connected IT

4



OT/ICS Technological Challenges

- Long refresh cycle (decades)
- Integration with physical equipment (airplanes, powerlines, production lines)
- Low tolerance for interruption
- Backup & Recovery complexities

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OT/ICS Legal Risks and Challenges

- Extortion / Crisis Management
- Compliance
 - Security Program
 - Incident Response, Recovery, and Resilience
 - Reporting
- Contractual Obligations – ongoing service commitments
- Service Provider Controls and Contracts
- Intellectual Property and Sensitive Operational Data

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