

# **2006 Technology Law Conference**

## **June 7-9, 2006 • Four Seasons Hotel • Austin, TX**

### **Wednesday Evening, June 7, 2006**

6:00 pm  
2.00 hrs

#### **Drafting and Negotiating Strategic Technology Agreements**

A discussion of current hot button issues in transactions involving technology assets, with special attention to representative agreements, forms, and provisions. Topics covered include: frequently negotiated issues in acquisitions of technology and intellectual property; reseller and distribution agreements; joint development and other collaborative agreements; and technology transfer agreements.

Walter Earl Bissex, Fulbright & Jaworski L.L.P. - Austin, TX  
Edward A. Cavazos, Fish & Richardson P.C. - Austin, TX  
Barton E. Showalter, Baker & Botts L.L.P. - Dallas, TX

### **Thursday Morning, June 8, 2006**

#### **Presiding Officer:**

**William Reid Wittliff**, Graves Dougherty Hearon & Moody P.C. - Austin, TX

9:00 am  
0.00 hr  
0.25 hr ethics

#### **Advanced Licensing Issues Involving Software and Hardware**

Advanced licensing issues including hardware and software intellectual property warranties and indemnities, export compliance, patent and copyright misuse, and other topics.

Edward A. Cavazos, Fish & Richardson P.C. - Austin, TX  
Randall E. Colson, Haynes & Boones, L.L.P. - Dallas, TX

10:00 am  
0.50 hr

#### **Legal Liability for Software Security Flaws and/or Spyware**

An examination of the legal dangers companies face from computer security flaws and what they can do to limit their liability.

William Reid Wittliff, Graves Dougherty Hearon & Moody P.C. - Austin, TX

10:45 am  
0.00 hr  
0.50 hr ethics

#### **Malpractice Issues in the Technology Sector**

This presentation will discuss computers, emails, attorney-client privilege, malpractice, and the brave new world.

Thomas H. Watkins, Brown McCarroll LLP - Austin, TX

11:15 am  
1.25 hrs

#### **Digital Copyright**

A conversation about the myriad recent developments in the law governing copyright in works in digital format and the use of copyrighted works over computer networks.

Mark A. Lemley, Stanford Law School - Stanford, CA  
R. Anthony Reese, University of Texas School of Law - Austin, TX

## Thursday Afternoon, June 8, 2006

### Presiding Officer:

**Keith E. Witek**, Advanced Micro Devices, Inc. - Austin, TX

12:45 pm 0.50 hr	<b>Nanotechnology: What Is It About and Where Is It Going?</b>  One of the country's leading experts looks at the possibilities—and the hype—surrounding nanotechnology.
1:30 pm 0.00 hr 0.75 hr ethics	<b>Ethical Issues for Technology Lawyers: Blogging, Confidentiality, UPL, Advertising, Referrals, and More</b>  A discussion of ethical issues for attorneys related to technology, including e-discovery issues, emailing privileged and confidential documents, providing legal advice online, and the use of blogs and listservs.  Jason Boulette, Boulette & Golden L.L.P. - Austin, TX
2:15 pm 0.75 hr	<b>Protecting Trade Secrets, Proprietary IP, and Litigating Employee Departures to Competitors</b>  Practical advice and litigation strategies for both the hiring employer and the former employer.  John Hanson Barr Jr., Bracewell & Giuliani LLP - Houston, TX Thomas Andrew Nesbitt, Fulbright & Jaworski LLP - Austin, TX
3:15 pm 0.75 hr	<b>Recent Developments in Internet Trademark Law</b>  The panelists will bring you up-to-date on the latest cases in the fields of secondary liability, keyword and pop-up advertising, and initial interest confusion.  Matthew James Esber, Ncsoft Corporation - Austin, TX Rose Hagan, Google - Mountain View, CA
4:00 pm 0.50 hr	<b>The Enforceability of Online Agreements</b>  A discussion of what constitutes a binding online agreement, including what constitutes manifestation of assent and the enforceability of passive browsewrap agreements. The latest court cases and the implications of browsewrap agreements in business-to-business transactions will also be reviewed.  William Dean Wiese, Dubois Bryant Campbell & Schwartz LLP - Austin, TX
4:30 pm 1.00 hr	<b>Offshore Outsourcing</b>  The successes and challenges.  Greg Blount, TPI Consulting - Flower Mound, TX Moderator: Milton B. Whitfield, Haynes and Boone, LLP - Washington, DC Sharon Lee Williamson, Dell Computer Corp - Round Rock, TX

## Friday Morning, June 9, 2006

### Presiding Officer:

**Daniel Joseph Brennan**, Dell Inc. - Round Rock, TX

8:30 am 0.50 hr	<p><b>Best Practices to Promote Data Privacy and Security Inside the Enterprise—The View from Redmond</b></p> <p>What practices should be in place to promote data privacy and security, and how should data privacy breaches be dealt with—disclosure, remedies and remediation.</p> <p>Susan Glueck, Microsoft Corporation - Redmond, WA</p>
9:00 am 0.75 hr 0.25 hr ethics	<p><b>Standard Setting Groups</b></p> <p>This session will address recent trends and issues involving agreements by participants in standard setting groups; IP provisions found in such agreements; reasonable and non-discriminatory licensing terms; and patent pooling among participants.</p> <p>Steve R. Borgman, Vinson &amp; Elkins - Houston, TX Anthony E. Peterman, Dell Inc. Legal Department - Round Rock, TX</p>
9:45 am 0.00 hr 0.50 hr ethics	<p><b>Ethics in Negotiations</b></p> <p>A discussion of several real-world fact situations that commonly arise in negotiations, the ethical issues posed by each, and the resolution or occasional lack of resolution of the ethical issue.</p> <p>Thomas Harold Adolph, Jackson Walker L.L.P. - Houston, TX</p>
10:30 am 1.00 hr	<p><b>Open Source: No Longer an Edge Case</b></p> <p>The session will discuss the value proposition that is driving open source adoption and how the industry is addressing the risks that, in the past, seemed so daunting. We will discuss benefits of open source development models, the steps companies are taking to understand the provenance of the code, and how to manage compliance with license obligations.</p> <p>Heather Janine Meeker, Wilson, Sonsini, Goodrich &amp; Rosati - Palo Alto, CA</p>
11:30 am 0.75 hr	<p><b>Internet Telephony</b></p> <p>The collision between the computer/Internet world and the voice/telephone world is just beginning with Voice over Internet Protocol (VoIP) emerging as a marketplace force. Just last year, Skype Technologies, a peer-to-peer VoIP provider, sold out to EBay for \$2.6 billion dollars, and Vonage, the leading independent (i.e., non-facilities-based) VoIP provider, passed the 1 million subscriber mark. This session will discuss this emerging regulatory regime and whether it will facilitate or hinder the rollout of this new technology.</p> <p>Barry Thomas Smitherman, Barry Smitherman, P.C. - Austin, TX Philip J. Weiser, University of Colorado School of Law - Boulder, CO</p>

## Friday Afternoon, June 9, 2006

### Presiding Officer:

**Michael P. Adams**, Winstead Sechrest & Minick PC - Austin, TX

12:30 pm 0.75 hr	<p><b>Lunch Presentation: Investment Trends: Where Is the Money Going?</b></p> <p>Discussion and analysis of where money is going from the VC and strategic corporate investor perspectives, with an emphasis on deals in the semiconductor industry.</p> <p>Moderator:  Christopher Tracy Brown, NetSpend Corporation - Austin, TX  Basil Horangic, Austin Ventures - Austin, TX  Aaron Shagrin, Freescale Semiconductor - Austin, TX</p>
1:30 pm 0.75 hr ethics	<p><b>View from the FTC</b></p> <p>Current initiatives and enforcement activities at the FTC, including CAN-SPAM and the National Do Not Call Registry, identity theft and data security, rebates and other advertising and delivery issues.</p> <p>Lois C. Greisman, Federal Trade Commission - Washington, DC</p>
2:15 pm 0.50 hr	<p><b>Computer Software and Patent Law</b></p> <p>An update and analysis of recent developments in patent law involving computer software.</p> <p>Christopher A. Cotropia, Intellectual Property Institute - Richmond, VA</p>