

25<sup>TH</sup> ANNUAL  
**TECHNOLOGY LAW CONFERENCE**



**May 24–25, 2012**  
**AT&T Conference Center • Austin, Texas**

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**THURSDAY MORNING, MAY 24, 2012**

**Presiding Officer:**

**Bart W. Huffman, Locke Lord LLP,  
Austin, TX**

**8:00 a.m. Registration Opens**

Includes continental breakfast.

**8:50 a.m. Welcoming Remarks**

**9:00 a.m. .75 hr**

**Advanced Licensing: Select Topics**

A business lawyer's guide to effectively representing clients on both sides of a transaction on the following licensing issues: drafting and interpreting efforts clauses, dispute resolution provisions, most favored nation (MFN) provisions, and representations and warranties.

Jordan J. Herman, Baker Botts L.L.P., Austin, TX

**9:45 a.m. .75 hr**

**Advanced Licensing Workshop:  
Negotiating and Drafting Indemnification  
and Limitation of Liability Provisions**

This workshop combines mock negotiation with a close look at problematic issues and drafting approaches involving indemnification and limitation of liability provisions in a licensing context.

**Moderator:**

Jeff Dodd, Andrews Kurth LLP, Houston, TX

**Panelists:**

Anthony E. Peterman, Dell, Round Rock, TX  
Keith E. Witek, Advanced Micro Devices, Inc.,  
Austin, TX

**10:30 a.m. Break**

**10:45 a.m. .50 hr**

**Cloud Computing: Contracting for Vendor  
Services and Risk Management Issues**

More and more companies are storing data in the cloud using a variety of vendor services and mobile applications, including Gmail, Dropbox, Salesforce, etc. This session examines key provisions in these vendor contracts with particular attention to liability and risk management involving service outages, and lost or compromised data.

Edward A. Cavazos, Bracewell & Giuliani LLP,  
Austin, TX

**11:15 a.m. .67 hr**

**Trademark Current Developments:  
Domain Names, Disputes and Generic  
Top-Level Domain Names (gTLD)**

Current developments and case law involving domain names, improper use, top-level domain names and other hot topics.

Erin S. Hennessy, Bracewell & Giuliani LLP, Seattle, WA

**11:55 a.m. Lunch On Your Own**

**THURSDAY AFTERNOON**

**Presiding Officer:**

**William L. LaFuze, Vinson & Elkins LLP,  
Houston, TX**

**1:15 p.m. .50 hr**

**Copyright Developments: Current Issues and  
Case Law Update**

A review of recent copyright developments, current issues and the latest case law.

David G. Swenson, Baylor University School of Law,  
Waco, TX

**1:45 p.m. .75 hr**

**Contract Employees in the Technology  
Sector: Employment Issues, IP Protection  
and Export Control**

Best practices and policies for managing contractors and employees with access to corporate intellectual property, including key export control issues.

Jason Boulette, Boulette & Golden L.L.P., Austin, TX  
Michael X. Marinelli, Greenberg Traurig, LLP,  
Washington, DC

**2:30 p.m. .50 hr**

**The Seven Deadly Sins of Outsourcing  
Litigation**

High-stakes outsourcing litigation repeatedly encounters nearly identical legal and factual minefields. Learn the seven deadly sins that expose both sides to significant liability in these highly contentious matters, gleaned from experience representing both providers and customers in large outsourcing disputes.

Steven G. Schortgen, K&L Gates LLP, Dallas, TX

**3:00 p.m. Break**

**M&A in the Technology Sector**

**3:15 p.m. .75 hr**

**Open Source Issues Involving M&A  
Transactions: Lessons Learned after 21 Years  
of GPL**

Best practices in M&A for handling open source risks have matured as the use of open source has become ubiquitous in business. This session provides practical approaches to solving problems that arise in open source diligence, and gives an update on custom and practice in M&A transactions.

Heather J. Meeker, Greenberg Traurig, LLP,  
East Palo Alto, CA

**4:00 p.m. 1.50 hrs including .25 hr ethics**

**M&A in the Technology Sector Workshop**

Experienced deal lawyers highlight essential issues and market practice in structuring, negotiating, and executing acquisitions involving technology companies.

**Moderator:**

Richard E. Climan, Dewey & LeBoeuf LLP,  
East Palo Alto, CA

**Panelists:**

Wilson Chu, K&L Gates LLP, Dallas, TX  
J. Robert Suffoletta, Wilson Sonsini Goodrich &  
Rosati, West Lake Hills, TX  
Steven F. Coleman (Invited), NetSpend Corporation,  
Austin, TX

**5:30 p.m. Adjourn to Reception**

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**FRIDAY MORNING, MAY 25, 2012**

**Presiding Officer:**

**David Andrew Bain, Datacert, Inc.,  
Houston, TX**

**8:00 a.m. Conference Room Opens**

Includes continental breakfast.

**8:30 a.m. .50 hr**

**Five Top Takeaways of the America Invents  
Act for Technology and Business Lawyers**

The America Invents Act has been labeled the most significant reform of the Patent Act since 1952. While the AIA focuses heavily on patent prosecution and reexamination matters, there are a number of wrinkles to the law that can and will affect technology and business lawyers.

Andrew S. Ehmke, Haynes and Boone, LLP, Dallas, TX

9:00 a.m. .50 hr

### Anatomy of a Facebook Scam

This session uncovers how unscrupulous publishers use deceptive practices to exploit the world's largest online social network, earning massive advertising revenue in the process. The session also provides an overview of the legal issues associated with Facebook scams.

Slade Cutter, Cutter Law, P.C., Austin, TX

9:30 a.m. 1.00 hr

### Advertising in the Digital Age: Avoiding Privacy Snafus in Data Collection, Marketing and Messaging

An in-depth discussion of the emerging areas where technology companies and advertisers have faced legal privacy and consumer protection legal scrutiny associated with their online and mobile data collection, disclosure and data usage. Learn how key federal and state regulatory enforcement and industry best practices are establishing a framework for compliance, and gain practical tips for when an advertiser finds itself the target of a privacy regulatory investigation.

**Moderator:**

Bart W. Huffman, Locke Lord LLP, Austin, TX

**Panelists:**

Alysa Zeltzer Hutnik, Kelley Drye & Warren LLP,  
Washington, DC

Slade Cutter, Cutter Law, P.C., Austin, TX

10:30 a.m. Break

10:45 a.m. .50 hr

### How to Approach an International Deal: Best Practices, Tips and Checklists

Advice, tips and checklists on how corporate and business lawyers should approach international deals and contractual arrangements.

D. Marie Wagner, Anadarko Petroleum Corporation,  
The Woodlands, TX

11:15 a.m. .75 hr

### What Does that Language Mean? Judicial and Litigator Perspectives on Technology License Drafting and Disputes

You may think you know what your technology license means, but when push comes to shove, a judge or possibly even a jury will have the final say. Illustrated by specific cases decided in court, hear perspectives from both sides of the bench on how complex technology licenses and agreements are presented to, interpreted, and enforced by non-technical judges and lay jurors—to help you write better, tighter and clearer agreements.

**Moderator:**

Peter D. Kennedy, Graves Dougherty Hearon &  
Moody, Austin, TX

**Panelists:**

Lance A. Jones, Lancaster, Helling, Grable &  
Wittliff, L.L.P., Austin, TX

Judge TBA, 250th District Court, Austin, TX

12:00 p.m. Buffet Lunch

## FRIDAY AFTERNOON

### Presiding Officer:

Michael P. Adams, Winstead PC,  
Austin, TX

### LUNCHEON PRESENTATION

12:20 p.m. 1.00 hr

### Data Security Breaches: Lessons Learned from Major Hacks of Corporate Websites— Are You Ready For Anonymous?

Learn best practices to protect your company and client data from both inadvertent disclosure and third party system intrusions. This session explores physical and technical data security measures, including software, services and process solutions to protect credit card information, FTP servers, hosted services, mobile file sharing and file transfers.

**Moderator:**

Jonathan E. Lass, Jackson Walker L.L.P., Austin, TX

**Panelists:**

Christopher T. Brown, Attorney at Law, PLLC,  
Austin, TX

Craig Robinson, GlobalSCAPE, Inc., San Antonio, TX  
Additional Security Expert TBA

1:20 p.m. Break

1:30 p.m. .50 hr

### Effective Use of Electronic Documentation for Both Consumer-Facing and Business Agreements

It has been nearly twelve years since the Electronic Signatures in Global and National Commerce Act (ESIGN) became the law and electronic signatures, delivery and fulfillment methods have become a standard way to do business. Since then, forty-six states have also enacted the Uniform Electronic Transaction Act (UETA). This session describes how a thoughtful e-process can actually reduce a company's risk, relative to traditional paper processes. Among the topics covered are a Six-Point Risk Assessment Framework and what the courts are saying about the enforceability of records signed with electronic signatures or sent solely via e-delivery.

Patrick J. Hatfield, Locke Lord LLP, Austin, TX

2:00 p.m. .75 hr ethics

### Who is the Client? It Is Not as Easy as We Think

Thomas H. Watkins, Brown McCarroll, L.L.P.,  
Austin, TX

2:45 p.m. Adjourn

This program has a wonderful mix of  
diverse technology-related topics.

Keep up the good work. I encountered virtually  
every topic in the last twelve months.

Every year, this course has a wonderful description  
of a topic regarding select licensing topics.

This conference is excellent in all respects.

Course format/content was logically presented. Speakers were  
knowledgeable in the area of their presentations.

I liked everything. Excellent topics and speakers.

The topics and formats were great. Good variety. Well done.

The topics were good and relevant to my IP section practice.  
Solid, entertaining speakers throughout the conference.

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## MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.25 hours, of which 1.00 credit hour will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

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Attn. Registration  
P.O. Box 7759  
Austin, TX 78713-7759

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512-475-6876

**Questions? Call us at 512-475-6700**

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\*Texas MCLE credit only.

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### GREEN REGISTRATION—Includes Electronic Materials on USB Key (only), Thursday Evening Sponsored Reception and Friday Luncheon Presentation

- ☐ Early Registration Fee due by Wednesday, May 16, 2012 .....\$545
- ☐ Registration Fee after Wednesday, May 16, 2012 .....\$595

### STANDARD REGISTRATION—Includes Printed Course Binder (only), Thursday Evening Sponsored Reception and Friday Luncheon Presentation

- ☐ Early Registration Fee due by Wednesday, May 16, 2012 .....\$575
- ☐ Registration Fee after Wednesday, May 16, 2012 .....\$625

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### AUSTIN

May 24–25, 2012

#### CONFERENCE LOCATION



#### AT&T Conference Center - Hotel at UT

The University of Texas at Austin  
1900 University Avenue  
Austin, TX 78705  
512-404-3600

#### Special Room Rate: \$169

good through April 23, 2012  
(subject to availability)

#### Parking:

Free daily self-parking at UT garages.  
Separate fees apply for valet and  
overnight parking.

#### KEY DATES

##### May 16, 2012

*last day for early registration*  
add \$50 for registrations  
received after this time

##### May 18, 2012

*last day for full refund*

##### May 21, 2012

*last day for partial refund*  
\$50 processing fee applied

##### May 24, 2012, 9 a.m.

*Conference begins*

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