

**25<sup>th</sup> Annual Technology Law Conference**  
**May 24-25, 2012 • AT&T Conference Center • Austin, TX**

**Thursday Morning, May 24, 2012**

**Presiding Officer:**

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

8:00 am	<b>Registration Opens</b>  Includes continental breakfast.
8:50 am	<b>Welcoming Remarks</b>
9:00 am 0.75 hr	<b>Advanced Licensing: Select Topics</b>  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 am 0.75 hr	<b>Advanced Licensing Workshop: Negotiating and Drafting Indemnification and Limitation of Liability Provisions</b>  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, Inc - Round Rock, TX Panelists: Keith E. Witek, Advanced Micro Devices, Inc. - Austin, TX
10:30 am	<b>Break</b>
10:45 am 0.50 hr	<b>Cloud Computing: Contracting for Vendor Services and Risk Management Issues</b>  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 am 0.67 hr	<b>Trademark Current Developments: Domain Names, Disputes and Generic Top-Level Domain Names (gTLD)</b>  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 am

**Lunch On Your Own**

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## Thursday Afternoon, May 24, 2012

### Presiding Officer:

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

1:15 pm  
0.50 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

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1:45 pm  
0.75 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

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2:30 pm  
0.50 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

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3:00 pm

### **Break**

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

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3:15 pm  
0.75 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

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4:00 pm 1.50 hrs 0.25 hr ethics	<p><b>M&amp;A in the Technology Sector Workshop</b></p> <p>Experienced deal lawyers highlight essential issues and market practice in structuring, negotiating and executing acquisitions involving technology companies.</p> <p>Moderator: Richard E. Climan, Weil, Gotshal &amp; Manges LLP - Redwood Shores, CA</p> <p>Panelists: Wilson Chu, K&amp;L Gates LLP - Dallas, TX</p> <p>Panelists: Steven F. Coleman, NetSpend Corporation - Austin, TX</p> <p>Panelists: J. Robert Suffoletta, Wilson Sonsini Goodrich &amp; Rosati, P.C. - West Lake Hills, TX</p>
5:30 pm	<p><b>Adjourn to Reception</b></p> <p>Many Thanks to Our Sponsors</p>

## Friday Morning, May 25, 2012

### Presiding Officer:

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

8:00 am	<p><b>Conference Room Opens</b></p> <p>Includes continental breakfast.</p>
8:30 am 0.50 hr	<p><b>Five Top Takeaways of the America Invents Act for Technology and Business Lawyers</b></p> <p>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.</p> <p>Andrew Scott Ehmke, Haynes &amp; Boone, LLP - Dallas, TX</p>
9:00 am 0.50 hr	<p><b>Anatomy of a Facebook Scam</b></p> <p>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.</p> <p>Slade Steven Cutter, Cutter Law, P.C. - Austin, TX</p>

9:30 am 1.00 hr	<p><b>Advertising in the Digital Age: Avoiding Privacy Snafus in Data Collection, Marketing and Messaging</b></p> <p>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.</p> <p>Moderator: Bart W. Huffman, Locke Lord LLP - Austin, TX Panelists: Slade Steven Cutter, Cutter Law, P.C. - Austin, TX Panelists: John Heitmann, Kelly Drye &amp; Warren LLP - Washington, DC</p>
10:30 am	<b>Break</b>
10:45 am 0.50 hr	<p><b>How to Approach an International Deal: Best Practices, Tips and Checklists</b></p> <p>Advice, tips and checklists on how corporate and business lawyers should approach international deals and contractual arrangements.</p> <p>D. Marie Wagner, Anadarko Petroleum Corporation - The Woodlands, TX</p>
11:15 am 0.75 hr	<p><b>What Does that Language Mean? Judicial and Litigator Perspectives on Technology License Drafting and Disputes</b></p> <p>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 that were 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 juror—to help you write better, tighter and clearer agreements.</p> <p>Moderator: Peter D. Kennedy, Graves Dougherty Hearon &amp; Moody - Austin, TX Panelists: Lance A. Jones, Lancaster Helling Jones Grable &amp; Wittliff L.L.P. - Austin, TX Panelists: Hon. Stephen Yelenosky, 345th Judicial Civil District Court - Austin, TX</p>
12:00 pm	<p><b>Break for Buffet Lunch</b></p> <p>Included in conference registration fee.</p>

## Friday Afternoon, May 25, 2012

### Presiding Officer:

**Michael P. Adams**, Winstead PC - Austin, TX

	<b>Luncheon Presentation</b>
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12:20 pm 1.00 hr	<p><b>Data Security Breaches: Lessons Learned from Major Hacks of Corporate Web Sites—Are You Ready for Anonymous?</b></p> <p>Learn best practices in protecting 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.</p> <p>Moderator: Jonathan E. Lass, Jackson Walker L.L.P. - Austin, TX</p> <p>Panelists: Neal Maguire, Verizon - Dallas, TX</p> <p>Panelists: Craig A. Robinson, GlobalSCAPE, Inc. - San Antonio, TX</p>
1:20 pm	<b>Break</b>
1:30 pm 0.50 hr	<p><b>Effective Use of Electronic Documentation for Both Consumer-Facing and Business Agreements</b></p> <p>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.</p> <p>Patrick Joseph Hatfield, Locke Lord LLP - Austin, TX</p>
2:00 pm 0.75 hr ethics	<p><b>Who is the Client? It Is Not as Easy as We Think</b></p> <p>Thomas H. Watkins, Brown McCarroll, L.L.P. - Austin, TX</p>
2:45 pm	<b>Adjourn</b>