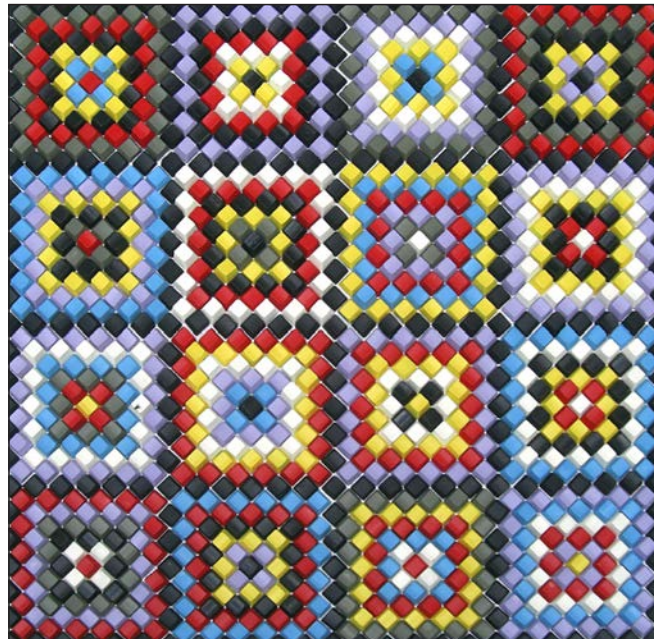


28<sup>TH</sup> ANNUAL

# TECHNOLOGY LAW CONFERENCE



May 21–22, 2015

Four Seasons Hotel ■ Austin, Texas

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 Live Webcast on May 21–22

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**TECHNOLOGY LAW CONFERENCE**  
May 21–22, 2015 ■ Four Seasons Hotel ■ Austin, Texas

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**THURSDAY MORNING, MAY 21, 2015**

**Presiding Officer:**

**Heather J. Meeker, O'Melveny & Myers LLP,  
Menlo Park, CA**

**7:30 a.m. Registration Opens**

Includes continental breakfast.

**8:20 a.m. Welcoming Remarks**

**8:30 a.m. 1.00 hr**

**Advanced Licensing**

With more and more companies monetizing their intellectual property through licensing arrangements and other forms of technology transactions, courts continue to develop licensing law and contract principles at an ever-increasing pace. Review important key agreement clauses in light of recent developments, with an emphasis on practical drafting and negotiating strategies.

Edward A. Cavazos, Pillsbury Winthrop Shaw Pittman LLP, Austin, TX  
Kirk Larson, WP Engine Inc., Austin, TX

**9:30 a.m. 1.00 hr**

**Open Source Licensing Update**

The latest trends in open source licensing, including practical strategies for minimizing risk, plus enforcement updates and the latest in multi-party industry open source collaboration.

Heather J. Meeker, O'Melveny & Myers LLP,  
Menlo Park, CA

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

**10:45 a.m. 1.00 hr**

**Cloud Computing: Critical Business, Technology, Legal, and Regulatory Considerations and Negotiation Strategies**

Gain insight into critical business, technology, legal, and regulatory issues regarding Cloud services, as well as key negotiation points from both customer and provider perspectives.

**Moderator:**

Sheryl A. Falk, Of Counsel, Winston & Strawn LLP,  
Houston, TX

**Panelists:**

James F. Brashear, Zix Corporation, Dallas, TX  
Randall E. Colson, Haynes and Boone, LLP, Dallas, TX  
Christopher M. Koa, BP Americas, Houston, TX

**11:45 a.m. .75 hr**

**Key Dispute Resolution Clauses in Technology-Related Contracts**

Explore the pros and cons of various dispute resolution processes with respect to technology-related agreements. Examine several typical ADR clauses used by in-house counsel in such agreements, with feedback through the lens of outside litigation counsel (including discussion of international arbitration).

**Moderator:**

Jessica Neufeld, Munsch Hardt Kopf & Harr, P.C.,  
Austin, TX

**Panelists:**

David C. Mattka, Munsch Hardt Kopf & Harr, P.C.,  
Austin, TX  
Minh-Hien Nguyen, Dell, Round Rock, TX

**12:30 p.m. Lunch On Your Own**

**THURSDAY AFTERNOON**

**Presiding Officer:**

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

**1:45 p.m. 1.00 hr**

**Take It Down! Getting Material Off the Internet**

Strategies and options for removing or preserving controversial and/or infringing material posted on the internet in the U.S., including the availability of injunctive relief and remedies, copyright and trademark claims, and balancing pros and cons of taking action in the social media sphere, plus how international companies deal with the "right to be forgotten" in foreign jurisdictions.

Peter D. Kennedy, Graves, Dougherty, Hearon & Moody, Austin, TX  
Brandon M. Ress, Norton Rose Fulbright US, LLP,  
Austin, TX

**2:45 p.m. .75 hr**

**Beyond Hashtags: Promotions and Advertising on the Digital Platform**

Hot topics in marketing and promotions using new technologies and social platforms to deliver corporate messages, plus legal updates including the new FTC "Dot Com" disclosures and updates on the Telephone Consumer Privacy Act, Big Data, and Sweepstakes laws.

Tsan Abrahamson, Cobalt Law, LLP, Berkeley, CA

**3:30 p.m. Break**

**3:45 p.m. .75 hr**

**New Payment Systems**

Hear how Moore's Law applies to the growth in innovation in payments with new technology driving down friction and increasing utility.

Robert Courtneidge, Locke Lord LLP, London,  
United Kingdom

**4:30 p.m. 1.00 hr | .50 hr ethics**

**Responses to a Data Breach: Incident Response Planning and Advanced Preparedness**

Hear unique perspectives with extensive experience in breach preparedness and response on suggestions for preparedness and planning, the use of service providers and consultants, and related tips for responsible information security practices in the still-emerging cyber frontier.

**Moderator:**

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

**Panelists:**

Jamie May, AllClear ID, Austin, TX  
Daniel Schroeder, Habif, Arogeti & Wynne, LLP,  
Atlanta, GA  
Sheila D. Stine, Texas Health and Human Services  
Commission, Austin, TX

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

**NETWORKING RECEPTION**

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**5:30 p.m. – 6:30 p.m.**

Join us for drinks and hors d'oeuvres with program faculty and attendees.

**M  
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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13.75 hours, of which 2.75 credit hours 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).

**ABOUT THE COVER**

*Crimea*, 32" x 32", computer keys, acrylic, old law books, is by Philip Durst.

For more information, visit  
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**Presiding Officer:**

**Walter Earl Bissex, Bissex & Watson, P.C.,  
Houston, TX**

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

Includes continental breakfast.

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

**Recent Developments in Technology Law**

A look at changes in the law that technology companies need to know including new law impacting patent and copyright liability for sale of "Apps" and interoperability of software, pending patent reform litigation, U.S. and EU FRAND licensing law developments, limitations on patent demand letters, implementation of Texas Uniform Trade Secrets Act, and other new developments.

David J. Healey, Fish & Richardson P.C., Houston, TX

**9:00 a.m. .50 hr**

**Alice v. CLS Bank: Implications for Technology Transactions and Litigation**

The *Alice* decision and the reawakening of Section 101 as an invalidity weapon against certain classes of patents has altered the playing field of patent litigation with non-practicing entities. What has caused this shift? Is it sustainable? How do practitioners that are building patent portfolios navigate the new landscape?

Kevin J. Meek, Baker Botts L.L.P., Austin, TX

**9:30 a.m. .50 hr**

**Complex Technology and Intellectual Property Transactions**

Technology transactions have unique issues, considerations and uses. Analyze issues central to the success or failure of a technology transaction involving a continuing supply of goods or services, and review some often-overlooked issues such as client considerations, economics of the deal, vendor incentives, performance criteria, use of milestones, trade-offs, termination, transition provisions, technological separation, as well as the risks involved with termination.

Jonathan Lass, Jackson Walker L.L.P., Austin, TX  
Bob Robinson, HYL A Mobile, Farmers Branch, TX

**10:00 a.m. Break**

**10:15 a.m. .50 hr**

**What's New with Crowdfunding: The Texas State Securities Board Takes Action**

Review recent developments in crowdfunding with a focus on the changes to the Texas Securities Act and the implications of such changes from a legal and business perspective.

J. Robert Suffoletta, Wilson Sonsini Goodrich & Rosati, P.C., Austin, TX  
Hall T. Martin, Texas Entrepreneur Networks, Austin, TX

**10:45 a.m. 1.00 hr**

**M&A: Spin-outs and Carve-outs**

Explore unique challenges that arise in spin-out and carve-out transactions, including key issues faced by buyers and sellers, disposition and licensing of intellectual property (including patents, trademarks, know-how, and software), transfer and continued performance of key contracts, dealing with personal data, and performance of integration and transition services.

**Moderator:**

John P. Brockland, Weil, Gotshal & Manges LLP, Redwood Shores, CA

**Panelists:**

Samantha Hale Crispin, Baker Botts L.L.P., Dallas, TX  
John D. Holmes, Freescale Semiconductor, Austin, TX  
Keith E. Witek, Advanced Micro Devices, Inc., Austin, TX

**11:45 a.m. Pick Up Lunch**

Included in registration.

**FRIDAY AFTERNOON**

**Presiding Officer:**

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

**LUNCHEON PRESENTATION**

**12:05 p.m. 1.00 hr ethics**

**Better to Ask Forgiveness than Ask Permission? Tech Startups and Disruptive Business Models**

From the sharing economy to digital money, much of the business action in tech now involves innovation in highly-regulated industries—with products and services that may not fit into long-established rules. How do we navigate the legal and ethical issues when the business runs into a direct conflict with existing law, but management wants to press ahead?

**Moderator:**

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

**Panelists:**

Melissa Frugé, HomeAway, Austin, TX  
John C. Ricci, Green Dot Corporation, Pasadena, CA  
Thomas H. Watkins, Husch Blackwell LLP, Austin, TX

**1:05 p.m. Break**

**1:20 p.m. .50 hr**

**Copyright Update: Digital Media Streaming Issues**

Will the 2015 "Copyright and the Music Marketplace" recommendations from the U.S. Copyright Office resolve or create more issues related to the streaming of music? Take a look at the current state of interactive versus non-interactive streaming, pending cases regarding digital streams of Pre-72 sound recordings, and whether or not the DMCA is working.

Tamera H. Bennett, Bennett Law Office, PC, Lewisville, TX

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

**Coffee Shop Office Blues: Legal Issues for a Mobile Workforce**

An overview of the legal issues implicated by today's co-working, power-commuting, remote office-using mobile workforce, including IP ownership, company property protection, confidentiality preservation, and wage and hour concerns.

Laura M. Merritt, Boulette Golden & Marin L.L.P., Austin, TX

**2:20 p.m. .75 hr | .50 hr ethics**

**Protecting Trade Secrets While Hiring from the Competition**

Analyze the Texas Uniform Trade Secrets Act and its effect on theft of trade secret claims, with in-depth discussion of techniques for minimizing the likelihood of suit and maximizing the probability of success when hiring key talent from direct competitors. Explore the requirements of the Texas Disciplinary Rules of Professional Conduct as they relate to dealing with unrepresented and represented executives while they are still working for the competitor and during any litigation that ensues following their departure.

Jason Boulette, Boulette Golden & Marin L.L.P., Austin, TX

**3:05 p.m. .75 hr ethics**

**Ethics of eDiscovery**

A discussion of best practices and ethical issues in handling electronic discovery during litigation. Judges share their philosophies concerning approaches to managing eDiscovery issues in their courts, including procedural issues, production disputes, noncooperation, noncompliance with court orders, proportionality, waiver, and use of special discovery masters. Hear recent developments in eDiscovery law, including legal holds, predictive coding, proportionality, discovery of social media and personal devices' data pursuant to BYOD policy, privilege preservation, sanctions, spoliation and obstruction. Gain practical insight on reducing unnecessary eDiscovery costs, best use of Rule 26 conferences, considerations in forms of production, and alternative review strategies in document-intensive cases.

**Moderator:**

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

**Panelists:**

Eric J. Mayer, Susman Godfrey LLP, Houston, TX  
Hon. Robert L. Pitman, U.S. District Court, Western District of Texas, San Antonio, TX  
Hon. Xavier Rodriguez, U.S. District Court, Western District of Texas, San Antonio, TX  
Hon. Lee Yeakel, U.S. District Court, Western District of Texas, Austin, TX

**3:50 p.m. Adjourn**

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**Bonus eCourses:** Complimentary 180-day access to Bonus eCourses—with papers, slides, and audio—for CLE credit (TX, CA) you may have missed at the conference. Available in *Your Briefcase* 6–8 weeks after the conference.

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#### 1. Select Registration Type

- Individual registration by Wednesday, May 13 . . . . . \$595
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- Electronic Course Binder Download (PDF) ONLY
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### Live Webcast Registration—Includes Electronic Course Binder Download (PDF) in "Your Briefcase"

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**AUSTIN**

May 21–22, 2015

**CONFERENCE LOCATION**



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Austin, Texas  
512.685.8100

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**KEY DATES**

**May 13, 2015**

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

**May 15, 2015**

*last day for cancellation (full refund)*

**May 18, 2015**

*last day for cancellation (partial refund)*  
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**May 21, 2015, 8:20 a.m.**

*Conference begins*

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**REASONS TO ATTEND**

- Advanced licensing—learn practical negotiation and drafting strategies, including key clauses in light of recent developments
- Cloud computing—gain insight into business, legal and regulatory issues, as well as negotiation strategies for service agreements
- Explore key issues and challenges that arise in spin-out and carve-out transactions
- *What's New with Crowdfunding* and the implications of changes to the Texas Securities Act
- *Better to Ask Forgiveness than Permission?* GCs from HomeAway and Green Dot Corporation discuss the legal and ethical issues faced by tech startups with innovative business models
- Hear an update on the Texas Uniform Trade Secrets Act and get tips for minimizing risk when hiring key talent from direct competitors
- *Responses to a Data Breach: Incident Response Planning and Advanced Preparedness*
- Examine dispute resolution clauses used in technology transactions and gain practical advice on drafting and negotiating key contracts
- A distinguished panel of U.S. District Court Judges and practitioners discuss the *Ethics of Electronic Discovery and New Technology*
- Recent developments in technology case law, plus the latest on open source licensing, digital media streaming, and more