29TH ANNUAL
TECHNOLOGY LAW CONFERENCE

May 26–27, 2016
Four Seasons Hotel • Austin, Texas

Live Webcast on May 26–27

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THURSDAY MORNING, MAY 26, 2016

Presiding Officer:
Bart W. Huffman, Locke Lord Edwards, Austin, TX

7:30 a.m.  Registration Opens
Includes continental breakfast.

8:20 a.m.  Welcoming Remarks

8:30 a.m.  .50 hr
Protecting Your Technology Post-Alice?
The Alice case has reestablished Section 101 as a real test of patent validity and scope. How does this case change a company’s strategy toward patent acquisition and valuation? Do portfolios need to be reevaluated or reorganized? Do filing targets and budgets need to be reevaluated?

Kevin J. Meek, Baker Botts, Austin, TX

9:00 a.m.  .75 hr
Open Source Software Licensing Compliance in the Age of Community and Containers
A look at the latest developments in open source community compliance initiatives, as well as trends in technology that present new challenges for compliance initiatives.

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

9:45 a.m.  .50 hr
Understanding Dispute Resolution Options in Technology Agreements
A discussion of key strategies for determining the best options for your technology agreement, including a look at the types of ADR in domestic and international disputes, treaty obligations applicable to litigation and ADR, and model ADR clauses.

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

10:30 a.m.  1.00 hr
The Evolving U.S. and E.U. Privacy Framework
Explore the E.U. and U.S. approaches to addressing the need to provide national security while maintaining privacy protections for individuals, examining international data transfer protections including the end of Safe Harbor and the creation of Privacy Shield.

Lisa E. Zolidis, Dell, Round Rock, TX
Speaker TBD

11:30 a.m.  .75 hr ethics
The Ethics of Using of Big Data
Traditional legal compliance just doesn’t cut it for governing big data processes. Data is re-purposed for uses beyond expectations. The Federal Trade Commission is concerned with hidden discrimination. Privacy regulators are concerned with secret outcomes. To be acceptable, the process needs to be legal, fair, and just—how can companies meet these expectations?

Martin Abrams, The Information Accountability Foundation, Plano, TX

12:15 p.m.  Pick Up Lunch
Included in registration.

LUNCH PRESENTATION

12:35 p.m.  .50 hr | .25 hr ethics
Data Mining and Democracy: The Use of Technology and Data for Political Activities

Marcia Harris, POPVOX, San Francisco, CA

1:05 p.m.  Break

1:20 p.m.  .75 hr | .25 hr ethics
eHealth: Where Are We Now?
Explore recent trends arising from the intersection of technology and health care, including the use of telemedicine/telehealth, wearable health technology, mobile medical apps, and a review of current data sharing issues and how health data can be shared among payors, providers, and employers, and for what purposes.

Jennifer L. Rangel, Locke Lord Edwards, Austin, TX

THURSDAY AFTERNOON

Presiding Officer:
Gavin D. George, Haynes and Boone, LLP, Dallas, TX

9:45 a.m.  .50 hr
Understanding Dispute Resolution Options in Technology Agreements

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

10:15 a.m.  Break

2:05 p.m.  .75 hr
Recent Developments in Cybersecurity Law and Policy
An overview of recent developments in cybersecurity law and policy, including executive branch initiatives and regulatory efforts, with a focus on the recently-enacted Cybersecurity Information Sharing Act of 2015—the result of several years of debate about how Congress should address cybersecurity issues.

Jonathan W. Gannon, AT&T Services, Inc., Columbia, MD

2:50 p.m.  Break

3:00 p.m.  1.00 hr
Development and Testing of Incident Response Plans
Across industries, the threat of increasingly inevitable—and devastating—data breaches has increasingly become a Board of Directors concern. Learn critical best practices to consider adopting—and key pitfalls to avoid—in conducting proactive data breach response planning, including identifying critical vulnerabilities, assembling an effective incident response team, defining training exercises that will prepare the response team to mobilize when crises hit, and addressing legal and regulatory requirements and risks.

Moderator:
Christopher M. Koa, Dorsey & Whitney, Seattle, WA
Panelists:
Bill F. Odom, EY, Houston, TX
R. Jason Straight, UnitedLex Corp., New York, NY
Luke Tenery, Kroll, Chicago, IL

4:00 p.m.  .75 hr | .50 hr ethics
Cyber Risk Management
Survey the current cyber threat landscape and explore ways to manage the related risks. Gain a view from the front lines of recent attacks along with tips on how to mitigate the risks and manage a crisis should a company become a victim.

Gerard M. Stegmaier, Goodwin Procter LLP, Washington, DC
Robert Wallace, Mandiant, Dallas, TX

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 14.50 hours, of which 3.25 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).
9:30 a.m. Protecting Trademarks and Copyrights Online: Perspectives and Strategies from In-House and Outside Counsel

For many companies and other IP owners, trademark and copyright issues involving domain names, websites, online marketplaces, and social media platforms continue to account for a significant amount of legal spend and effort, especially as infringements may occur across the globe and IP owners receive backlash in the media and on social networks. Trademark and copyright owners need to develop strategies to determine how and when to protect their IP. Examine recent legal developments in this area, and hear practical discussion and tips on these topics from both in-house and outside counsel perspectives.

Alicia Morris Groos, Norton Rose Fullbright, Austin, TX
Sanjiv Sarwate, Dell, Round Rock, TX

10:45 a.m. The Case of the Moonlighting Employee

When your company’s employee creates IP for the competitor, who owns it? Hear litigation options as well as state-of-the-art agreements for such a scenario and learn how employers can protect themselves when they discover that their employee has been secretly competing while on the company payroll.

Allison L. Bowers, Hutcheson | Bowers LLP, Austin, TX
Brenna Holmes Nava, Rackspace Hosting, Inc., San Antonio, TX

11:30 a.m. Working for the App

Explore the effects of the sharing economy on the traditional employment model as companies use technology to connect providers and end-users in novel ways, and employees increasingly view themselves as individual entrepreneurs with their own business aspirations. Understand more about the scope and limitations of the employee–vs.–contractor classification system, the use of arbitration agreements as a response to judicial second-guessing, the scope of an employee’s fiduciary duty, the ownership of employee inventions, and some of the potential consequences associated with replacing the traditional employment model with individually-defined, market-driven, peer-to-peer business relationships.

Jason Boulette, Boulette Golden & Marin LLP, Austin, TX

12:15 p.m. Pick Up Lunch

Included in registration.

3:50 p.m. Adjourn
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May 26–27, 2016 • Four Seasons Hotel • Austin, Texas

AUSTIN
May 26–27, 2016

CONFERENCE LOCATION

Four Seasons Hotel
98 San Jacinto Boulevard
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Special Room Rate: $259
good through April 24
(subject to availability)

Parking:
$12 daily self-parking; $16 valet
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KEY DATES

May 18, 2016
last day for early registration
add $50 for registrations
received after this time

May 20, 2016
last day for cancellation (full refund)

May 23, 2016
last day for cancellation (partial refund)
$50 processing fee applied

May 26, 2016, 8:20 a.m.
Conference begins

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• Advanced licensing—learn practical negotiation and drafting strategies, including key clauses in light of recent developments
• Open source software licensing and developments in compliance initiatives
• The Evolving U.S. and EU Privacy Framework, with insight from Dell and BP International
• Ethical issues involved in the use and regulation of big data, as well as the intersection of data mining and political activities
• Cybersecurity—recent legal and regulatory developments, tips for developing and testing incident response plans, and best practices for cyber risk management
• A look at how technology is changing the employee-employer relationship—agreements for protecting yourself from the “moonlighting employee,” as well as the evolving difference between employees and “end-users” when Working for the App
• Key Issues in Corporate Transactions, plus legal and business considerations for taking a company public
• A panel of U.S. District Court Judges discuss current issues in technology law and best practices as they occur in federal litigation