

29th Annual Technology Law Conference
May 26-27, 2016 • Four Seasons Hotel • Austin, TX
May 26-27, 2016 • Live Webcast

Thursday Morning, May 26, 2016

Presiding Officer:

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

7:30 am In Austin Only	Registration Opens Includes continental breakfast.
8:20 am	Welcoming Remarks
8:30 am 0.50 hr	Protecting Your Technology Post-Alice? The <i>Alice</i> 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 am 0.75 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 am 0.50 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. John R. Lane, Fish & Richardson P.C. - Houston, TX
10:15 am	Break
10:30 am 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. Laura Ewbank, Microsoft Corporation - Redmond, WA Gavin D. George, Haynes and Boone, LLP - Dallas, TX Lisa E. Zolidis, Dell - Round Rock, TX

11:30 am 0.75 hr ethics	The Ethics of Using 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 pm In Austin Only	Pick Up Lunch Included in registration.

Thursday Afternoon, May 26, 2016

Presiding Officer:

Gavin D. George, Haynes and Boone, LLP - Dallas, TX

LUNCHEON PRESENTATION

12:35 pm 0.50 hr 0.25 hr ethics	Data Mining and Democracy: The Use of Technology and Data for Political Activities Marci Harris, POPVOX - San Francisco, CA
1:05 pm	Break
1:20 pm 0.75 hr 0.25 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 LLP - Austin, TX
2:05 pm 0.75 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 pm	Break

3:00 pm 1.00 hr	<p>Development and Testing of Incident Response Plans</p> <p>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.</p> <p>Moderator: Christopher M. Koa, Dorsey & Whitney - Seattle, WA</p> <p>Panelists: Bill F. Odom, EY - Houston, TX R. Jason Straight, UnitedLex Corp. - New York, NY Luke Tenery, Kroll - Chicago, IL</p>
4:00 pm 0.75 hr 0.50 hr ethics	<p>Cyber Risk Management</p> <p>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.</p> <p>Gerard M. Stegmaier, Goodwin Procter LLP - Washington, DC Robert Wallace, Mandiant - Dallas, TX</p>
4:45 pm 0.75 hr 0.50 hr ethics	<p>Technology Law from the Bench</p> <p>This panel discusses technology, eDiscovery, and information governance best practices as they occur in federal litigation specifically from the view of the bench. Topics include recent developments in eDiscovery law, including legal holds, cost-shifting, proportionality, privilege preservation, and sanctions; and judicial approaches to managing eDiscovery, including procedural issues, production disputes, noncooperation, noncompliance with court orders, production and privilege issues, proportionality, privilege waiver, and use of special discovery masters, with a focus on the December 2015 amendments to the Federal Rules of Civil Procedure.</p> <p>Moderator: Jonathan Lass, Jackson Walker L.L.P. - Austin, TX</p> <p>Panelists: 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</p>
5:30 pm	<p>Adjourn</p>
In Austin Only	<p>NETWORKING RECEPTION (5:30 p.m. to 6:30 p.m.)</p> <p>THANK YOU TO OUR SPONSORS</p> <p>Join us for drinks and hors d'oeuvres with program faculty and attendees.</p>

Friday Morning, May 27, 2016

Presiding Officer:

Shelayne Clemmer, Solutionary - Omaha, NE

7:30 am In Austin Only	Conference Room Opens Includes continental breakfast.
8:30 am 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 Keith E. Witek, Tesla Motors - Austin, TX
9:30 am 1.00 hr	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 Fulbright - Austin, TX Sanjiv Sarwate, Dell - Round Rock, TX
10:30 am	Break
10:45 am 0.75 hr	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 best protect themselves when they discover that their employee has been secretly competing while on the company payroll. Allison L. Bowers, Hutcheson Bowers LLLP - Austin, TX Brenna Holmes Nava, Rackspace Hosting, Inc. - San Antonio, TX
11:30 am 0.75 hr 0.25 hr ethics	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 L.L.P. - Austin, TX
12:15 pm In Austin Only	Pick Up Lunch Included in registration.

Friday Afternoon, May 27, 2016

Presiding Officer:

Elizabeth C. Rogers, Greenberg Traurig, LLP - Austin, TX

LUNCHEON PRESENTATION

12:35 pm 0.50 hr	Algorithmic Liability: Robots, Drones, Trolleys, and More Bryant Walker Smith, University of South Carolina School of Law - Columbia, SC
1:05 pm	Break
1:20 pm 0.75 hr 0.25 hr ethics	The Social Media Economy Learn how IP assets, including patents, trade secrets, data, content, and media, are being bought, sold, licensed, and monetized (and best practices for doing so), reviewing relevant, current transactions. Adam A. Berry, Twitter, Inc. - San Francisco, CA Stephen E. Stein, Thompson & Knight LLP - Dallas, TX
2:05 pm 0.75 hr	Taking a Company Public: Key Legal and Business Considerations Review the new initial public offering (IPO) playbook four years after the JOBS Act, with special attention to the confidential submission process, use of testing the waters communications, and the typical IPO timeline. Explore key issues regarding the decision whether to go public, trends in employee compensation for companies going public, and due diligence considerations involving IP matters. Rob Horton, MuleSoft - San Francisco, CA J. Robert Suffoletta, Wilson Sonsini Goodrich & Rosati, P.C. - Austin, TX
2:50 pm 1.00 hr 0.50 hr ethics	Key Issues in Corporate Transactions: Lessons Learned from Select Delaware Cases Discuss lessons learned from select Delaware cases of particular relevance to emerging companies, and explore strategies for satisfying fiduciary and contractual obligations to common and preferred stockholders with divergent interests, binding selling stockholders to indemnification and other obligations desired by the buyer in a sales process, balancing the fiduciary obligations of designated directors with the demands of the designating stockholder, preserving the target's attorney-client privilege with respect to pre-closing communication, and insulating sellers from liability for extra-contractual statements made during the due diligence process. Moderator: Wilson Chu, McDermott Will & Emery - Dallas, TX Panelists: Margot Carter, Living Mountain Capital LLC - Dallas, TX Lisa R. Stark, K&L Gates LLP - Wilmington, DE
3:50 pm	Adjourn