

# 34<sup>th</sup> Annual Technology Law Conference

## May 26-28, 2021 • Live Webcast

**Wednesday Afternoon, May 26, 2021**

**Presiding Officer:**

**Bart W. Huffman**, Reed Smith LLP - Houston, TX

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|--------------------------------------|--|
| 12:10 pm                             | <b>Welcoming Remarks</b>   |
| 12:20 pm<br>1.00 hr                  | <b>Advanced Data Licensing and Other Data-centric Transactions</b><br><br>An overview of fundamental IP concepts as applied to data and practical pointers on drafting and negotiating agreements involving data assets.<br><br>Edward A. Cavazos, Pillsbury Winthrop Shaw Pittman LLP - Austin, TX  |
| 1:20 pm                              | <b>10-Minute Break</b>   |
| 1:30 pm<br>0.75 hr<br>0.25 hr ethics | <b>Employees, Trade Secrets, and Antitrust</b><br><br>Employee covenants not to compete, non-disclosure agreements, and no-poach agreements are at the intersection of trade secret and antitrust law. This presentation addresses the most recent developments on employee issues and competition as well as other trending issues in trade secret and antitrust law.<br><br><i>This presentation was recorded and will be broadcast during the live webcast. The speaker will not be available in real-time to answer questions.</i><br><br>Danielle Joy "DJ" Healey, Fish & Richardson P.C. - Houston, TX |
| 2:15 pm                              | <b>10-Minute Break</b>   |
| 2:25 pm<br>0.50 hr                   | <b>Section 230: Rorschach Test?</b><br><br>Section 230 has been blamed as the law that gave rise to the ills of Big Tech, the root of anti-conservative bias, and the spread of rampant online misinformation. This presentation attempts to separate fact from fiction, and to look into the crystal ball to see what's next for the future of Section 230 and content-based liability in the U.S.<br><br>Michelle C. Lee, Pinterest - San Francisco, CA  |
| 2:55 pm                              | <b>10-Minute Break</b>   |
| 3:05 pm<br>0.75 hr<br>0.25 hr ethics | <b>Employment Issues Post-COVID</b><br><br>An exploration of the post-COVID workplace, including legal issues surrounding the use of technology to scan and monitor employee symptoms, implement and enforce vaccine mandates, and expand remote and dispersed work arrangements.<br><br>Jason Boulette, Boulette Golden & Marin L.L.P. - Austin, TX   |

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| 3:50 pm                              | <b>10-Minute Break</b>  |
| 4:00 pm<br>1.00 hr<br>0.25 hr ethics | <p><b>Advanced Contract Formation in the Digital Age</b></p> <p>Learn how to navigate “clickwrap” agreements, the linked terms, and other digital transactions, while on the journey to contract formation. Plus, Is your technical competence sufficient? And how do you deal with vendors who won’t employ counsel?</p> <p><i>This presentation was originally scheduled on Thursday at 4:00 p.m.</i></p> <p>Harold Federow, Port of Seattle - Seattle, WA<br/>Michael Standard, GSK - Warren, NJ</p> |
| 5:00 pm                              | <b>Adjourn</b>  |

## Thursday Afternoon, May 27, 2021

### Presiding Officer:

**Courtney S. York**, Akin Gump Strauss Hauer & Feld LLP - Dallas, TX

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| 12:05 pm<br>1.00 hr<br>0.25 hr ethics | <p><b>Compliance and Cooperation for Open Source in Business</b></p> <p>This presentation covers recent developments in litigation relating to open source licensing and business, new licensing trends such as source available and ethical licensing, and the state of the art in compliance best practices. It focuses on what practicing attorneys should know about the risks and rewards of using open source software, as well as contributing or releasing open-source software written by private companies.</p> <p>Heather J. Meeker, O'Melveny &amp; Myers LLP - Menlo Park, CA</p>   |
| 1:05 pm                               | <b>10-Minute Break</b>   |
| 1:15 pm<br>0.75 hr<br>0.25 hr ethics  | <p><b>Mergers and Acquisitions of Private Companies: Recent Developments in Deal Terms and an Overview of SPAC Transaction Structure</b></p> <p>Discussion of key issues in private company mergers and acquisitions, including best practices in due diligence, use of representation and warranty insurance, and an overview of structuring a SPAC transaction. The discussion includes the perspectives of internal counsel and outside M&amp;A counsel.</p> <p>Moderator:<br/>J. Robert Suffoletta, Wilson Sonsini Goodrich &amp; Rosati, P.C. - West Lake Hills, TX<br/>Panelists:<br/>Tracy Feanny, NI - Austin, TX<br/>Cori Ulrich, RealPage, Inc. - Dallas, TX</p> |
| 2:00 pm                               | <b>10-Minute Break</b>   |

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| <p>2:10 pm<br/>1.00 hr</p>                    | <p><b>Mergers and Acquisitions of Private Companies: Post-Acquisition Integration</b></p> <p>Discussion from internal and outside counsel on the importance of M&amp;A integration, including process, best practices, and the role counsel plays in identifying issues.</p> <p>Moderator:<br/>Bart W. Huffman, Reed Smith LLP - Houston, TX</p> <p>Panelists:<br/>Erin R. Boase, Aviat Networks - Austin, TX<br/>Kim Erlanson, Dell Technologies - Round Rock, TX</p>   |
| <p>3:10 pm</p>                                | <p><b>10-Minute Break</b></p>  |
| <p>3:20 pm<br/>0.50 hr</p>                    | <p><b>The Supreme Court's Decision in <i>Google v. Oracle</i></b></p> <p>It was billed the "copyright case of the century." Now that the Supreme Court has weighed in, what is next? How broad—or narrow—is this ruling, and what does it mean for software? And what does the court's discussion of fair use mean for copyrighted works outside of software? This presentation deconstructs the Supreme Court's opinion to identify exactly what the Supreme Court said—and where the next battle lines are likely to be drawn.</p> <p>Van Lindberg, Taylor English Duma LLP - San Antonio, TX</p>  |
| <p>3:50 pm</p>                                | <p><b>10-Minute Break</b></p>  |
| <p>4:00 pm<br/>1.00 hr<br/>0.50 hr ethics</p> | <p><b>Artificial Intelligence and Machine Learning: Legal and Ethical Considerations</b></p> <p>How can people help AI to avoid picking up bad habits or worse, perpetuating discrimination? AI and ML are transforming people's daily lives, but at the same time raise legal and ethical concerns like bias and discrimination, fairness, IP ownership, and data rights and privacy. This panel discusses real-world examples of such concerns, the role AI and ML systems may play, and the associated legal implications.</p> <p><i>This presentation was originally scheduled on Wednesday at 4:00 p.m.</i></p> <p>Moderator:<br/>Hong Shi, Haynes and Boone, LLP - Austin, TX</p> <p>Panelists:<br/>Adam Berry, Fourth - Austin, TX<br/>Maria De-Arteaga, The University of Texas at Austin, McCombs School of Business - Austin, TX</p> |
| <p>5:00 pm</p>                                | <p><b>Adjourn</b></p>  |

## Friday Morning, May 28, 2021

### Presiding Officer:

**Steve Borgman**, Kilpatrick Townsend & Stockton LLP - Houston, TX

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| <p>9:00 am<br/>1.00 hr<br/>0.25 hr ethics</p>  | <p><b>Living it Up in Privacy Law California: Hot Topics in CCPA and CPRA</b></p> <p>California continues to lead the way in passing comprehensive data privacy legislation at the state level. The recently passed CPRA is no exception. This panel covers the recent developments in enforcement actions under the CCPA, preparing for compliance with the CPRA, and a reminder of other existing California privacy laws, such as Shine the Light and the California Online Privacy Protection Act.</p> <p>Moderator:<br/>Devika Kornbacher, Vinson &amp; Elkins LLP - Houston, TX</p> <p>Panelists:<br/>Thomas Cioce, National Football League - New York, NY<br/>David Manek, Ankura Consulting Group - Chicago, IL</p>  |
| <p>10:00 am</p>                                | <p><b>10-Minute Break</b></p>   |
| <p>10:10 am<br/>1.00 hr<br/>0.25 hr ethics</p> | <p><b>Freedom of Motion? Global Developments in International Data Transfer</b></p> <p>Just when you think you've got things straight for protecting personal data that must cross borders in business, the regulators, legislators, and courts change up the rules. This panel discusses what steps companies can take to assess and simplify their international data transfers in this evolving global landscape, as well as give some more detailed insights into such developments as the July 2020 Schrems II (III) decision, new draft EU Model Clauses, Brexit implications, the ASEAN voluntary Model Clauses, Japan's APPI amendments and more.</p> <p>Moderator:<br/>Lisa E. Zolidis, NI - Austin, TX</p> <p>Panelists:<br/>Nicholas Accomando, GSK - Raleigh, NC<br/>Andreas Splittgerber, Reed Smith - Munich, Germany</p> |
| <p>11:10 am</p>                                | <p><b>10-Minute Break</b></p>   |
| <p>11:20 am<br/>0.50 hr</p>                    | <p><b>New Administration Changes Impacting Technology</b></p> <p>New leadership in Washington, in the White House's Office of Science and Technology Policy, the Federal Communications Commission, the Federal Trade Commission, the Federal Aviation Administration, as well as the Commerce, Treasury, and State Departments, is expected to impact regulation and oversight of technologies every company uses, and the technology sector, in a number of ways. In this presentation, learn more about the issues that are top of mind in Washington and how you can prepare for them.</p> <p>Shiva Aminian, Akin Gump Strauss Hauer &amp; Feld LLP - Los Angeles, CA<br/>Jennifer L. Richter, Akin Gump Strauss Hauer &amp; Feld LLP - Washington, DC</p>  |
| <p>11:50 am</p>                                | <p><b>10-Minute Break</b></p>   |

12:00 pm  
0.75 hr

**Goodbye Third-Party Cookies: Why They're Going Away, and What's the Impact to Adtech for our Companies?**

The passage of the GDPR and the CCPA forced businesses to make operational and structural changes on their websites that accomplished the lawmakers' desired effect of granting consumers greater choice over the data that is collected during a website visit. Industry and legal experts discuss what's next now that the Cookies are crumbling. Will concepts like a universal personal ID satisfy the rigid consent requirements of the GDPR and other privacy laws that regulate tracking technologies? Tune in to the conversation and the solutions they are implementing to help the adtech industry survive.

Moderator:

Elizabeth Rogers, Michael Best & Friedrich LLP - Austin, TX

Panelists:

Cynthia Cole, Baker Botts - Palo Alto, CA

Rebecca L. Gerard, Walgreens Co. - Deerfield, IL

12:45 pm

**10-Minute Break**

12:55 pm  
0.75 hr  
0.25 hr ethics

**Emerging Trends in Incident Response: Active Defense, Ransomware Mitigation, and Security in a Remote-Work World**

This discussion addresses emerging issues in incident response including: What constitutes active defense? What are the legal and practical limitations on active defense? What are some examples of active defense in the real world? How is ransomware changing the cybersecurity landscape? What issues should organizations consider when deciding whether and how to pay ransoms? How has the threat profile changed as a result of increased remote work over the last year?

Anthony D. Glosson, Kilpatrick Townsend & Stockton LLP - Atlanta, GA

Allyn Lynd, Lodestone - Lewisville, TX

1:40 pm

**Adjourn**