

35TH ANNUAL
TECHNOLOGY LAW CONFERENCE



May 26–27, 2022

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Times listed are in Central Time

THURSDAY MORNING, MAY 26, 2022

Presiding Officer:
Bart W. Huffman, Reed Smith LLP,
Houston, TX

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

8:30 a.m. Welcoming Remarks

8:40 a.m. 1.00 hr

Licensing Law Update

A review of licensing law developments, emerging issues raised by new technologies, and how these affect practitioners who draft and negotiate licenses. The presentation includes a special focus on rethinking boilerplate provisions in the IP context.

Edward A. Cavazos, Pillsbury Winthrop Shaw Pittman LLP, Austin, TX

9:40 a.m. .75 hr

Navigating Shark-Infested Waters: Antitrust Considerations Involving Strategic M&A in Big Technology in the US and Europe

Much has been written about antitrust enforcement involving big technology generally. This session focuses on recent trends in merger enforcement involving big technology during a period of aggressive but less certain antitrust enforcement, and highlights the new risks staring tech platforms in the face.

Davina Garrod, Akin Gump Strauss Hauer & Feld LLP, London, United Kingdom
Gorav Jindal, Akin Gump Strauss Hauer & Feld LLP, Washington, DC

10:25 a.m. 15-Minute Break

10:40 a.m. 1.00 hr

Open Source Update

Open source continues to grow in importance and prevalence in the technology world. Hear the latest updates on what you need to know to field open source issues, such as developments in active compliance litigation, the effect on open source of the 2021 White House's Executive Order on Improving the Nation's Cybersecurity, and interaction of open source with new technology trends like NFTs and DAOs.

Heather J. Meeker, Tech Law Partners and OSS Capital, Oakland, CA

11:40 a.m. .50 hr

Non-Fungible Tokens (NFTs): Understanding the Basics and Legal Issues

NFTs have exploded over the last year as a hot issue for businesses as well as a cultural phenomenon. But what are they and how do they work? Blockchain, cryptocurrency, smart contracts and, in some instances, intellectual property and publicity rights all play a role in this new investment vehicle. What legal and regulatory issues should attorneys be aware of? The speakers break down this complicated technology into understandable terms, and discuss the creation or "minting" of NFTs, transacting in NFTs and the evolving legal and regulatory environment.

Karol A. Kepchar, Akin Gump Strauss Hauer & Feld LLP, Washington, DC
Ian P. McGinley, Akin Gump Strauss Hauer & Feld LLP, New York, NY

12:10 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:
Lance A. Jones, Jones & Spross PLLC,
Austin, TX

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LUNCHEON PRESENTATION

12:30 p.m. .50 hr

The Anatomy of a Cyber Attack

Cyber attacks have become an everyday reality for companies. But exactly how are hackers compromising companies? From phishing to cookie stealing, credential stuffing to SQL injections, this presentation takes you through a rundown of techniques that have resulted in some of the biggest hacks of companies.

Megan M. Kayo, Wilson Sonsini Goodrich & Rosati, P.C., San Francisco, CA

1:00 p.m. 15-Minute Break

1:15 p.m. .50 hr

Incident Response Table Tops: Best Practices for Planning and Executing Your Next Table Top

Learn the importance of practicing the scenario of a cybersecurity incident, and how to effectively execute a table top in order to be better prepared to respond through best practices.

Ankur Sheth, MBA, CISSP, CISM, Ankura Consulting Group, New York, NY

1:45 p.m. .75 hr | .25 hr ethics

Employee Raiding: The Evolving Standard

As the labor market remains tight, the competition for talent both within and across industries is running at a fever pitch. This session explores the current (and changing) state of the law on the employee non-solicitation provisions and the practical and legal considerations associated with the drafting, enforcement, and compliance with the same. The ethical implications associated with communications between company counsel and potential talent targets will also be touched on.

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

2:30 p.m. .50 hr ethics

Data Governance

Review the "lifecycle" of data (mis)managed by our clients and by our own organizations. Texas Disciplinary Rules of Professional Conduct and ABA Model Rules guide how proactive approaches to data governance keep us ethical and sane, and save future time and tempers.

Jessica Cassidy Katz, Whole Foods Market, Austin, TX

3:00 p.m. 10-Minute Break

3:10 p.m. 1.00 hr ethics

Responsible AI: Ethical Considerations and Building Trust through Transparency, Fairness, Accountability

Successful adoption of AI technology by organizations greatly depends on trust, which can be difficult to achieve. Hear ethical considerations and practical approaches as organizations work to incorporate transparency, fairness, accountability, and other principles in their efforts to build trust and implement responsible AI.

Wendell J. Bartnick, Reed Smith LLP, Houston, TX
Brian Luskey, DISCO, Austin, TX

4:10 p.m. 1.00 hr | .50 hr ethics

Lessons Learned from COVID-19: Remote Work and Remote Learning

The COVID-19 pandemic created novel employment challenges, including obstacles brought about by quickly transitioning to a remote work environment and maintaining a partial or fully virtual workforce. These challenges often pushed employers to adjust how they managed this new environment and to reframe employee work expectations, with many of these issues continuing to be present today. This panel discussion walks through some of the lessons learned in the employment context during the past 2-year pandemic, focusing on lessons related to tracking and protecting sensitive business information and navigating applicable state laws for a more mobile and remote workforce.

Moderator:

Jason M. Storck, Wilson Sonsini Goodrich & Rosati, P.C., West Lake Hills, TX

Panelists:

Brian L. King, Cole Schotz, P.C., Dallas, TX
Janice Lu, Silicon Labs, Austin, TX
Andrew Velazquez, Wilson Sonsini Goodrich & Rosati, P.C., West Lake Hills, TX

5:10 p.m. Adjourn

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5:15 p.m. – 6:15 p.m.

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

FRIDAY MORNING, MAY 27, 2022

Presiding Officer:

Mark E. Scott, Dickinson Wright PLLC, Austin, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr

State Consumer Data Privacy Laws in 2023: What You Should be Doing Today

Frustrated by the lack of action by federal lawmakers to pass a comprehensive consumer data privacy law, three more state legislatures have followed in California's steps to pass to their own version of the CCPA. None of the four are exactly alike. Learn from these experts, who are dealing first hand, with how to unpackage the requirements of each law in order to develop a comprehensive approach for compliance purposes.

Ashley Fischer, Tiff's Treats, Austin, TX
Elizabeth Rogers, Michael Best & Friedrich LLP, Austin, TX

9:30 a.m. 1.00 hr

Global Privacy Roundup

A discussion on key privacy and data protection issues including cross-border personal data transfers, implementation of new privacy laws like China's PIPL and India's DPB, and global trends likely to impact your clients.

Moderator:

Justin Koplow, AT&T, Dallas, TX

Panelists:

Jim Sturm, Inspire Brands, Atlanta, GA
Amanda M. Witt, Kilpatrick Townsend & Stockton LLP, Atlanta, GA
Lisa E. Zolidis, NI, Austin, TX

10:30 a.m. 15-Minute Break

10:45 a.m. 1.00 hr | .25 hr ethics

Mergers and Acquisitions of Private Companies: Recent Trends in Deal Insurance and Other Developments

Hear from an internal counsel, outside M&A counsel, and leading insurance broker on the key issues in private company mergers and acquisitions focusing on trends in representation and warranty insurance, and other matters.

Moderator:

J. Robert Suffoletta, Wilson Sonsini Goodrich & Rosati, P.C., West Lake Hills, TX

Panelists:

Tracy Feanny, Lattice Semiconductor, Austin, TX
Matthew B. Wiener, Aon, Houston, TX

11:45 a.m. .75 hr

Recent Developments and Trends in IP Litigation

A review of recent developments in patent, trade secrets, copyright, and trademark litigation, including fallout from the Trademark Authorization Act, as well as recent cases and trends in these areas. In addition, hear about lessons that can be learned and mistakes to be avoided.

Steve Borgman, Kilpatrick Townsend & Stockton LLP, Houston, TX
Theodore H. Davis Jr., Kilpatrick Townsend & Stockton LLP, Atlanta, GA

12:30 p.m. Pick Up Lunch

Included in registration.

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FRIDAY AFTERNOON

Presiding Officer:

John Kaercher, Kirkland & Ellis LLP, Austin, TX

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12:50 p.m. .75 hr | .50 hr ethics

Intersection Between ESG and Technology

Environmental, social and governance (ESG) has had significant and transformative effect on society and industry, and is a key priority for stakeholders including investors and consumers alike. Examine the intersection of ESG and technology, including key considerations in the context of technology sector investments, with a particular focus on data privacy and data matters.

Daisy Darvall, Kirkland & Ellis LLP, New York, NY
Emilie A. Jones, Kirkland & Ellis LLP, San Francisco, CA

1:35 p.m. 15-Minute Break

1:50 p.m. .75 hr

SBOM and Securing the Software Supply Chain

A talk focusing on the SBOM work being done at CISA, including the broader context (i.e. EO 14028, supply-chain security, etc.). How can SBOM help, and what the future might look like.

Justin Murphy, Cybersecurity and Infrastructure Security Agency, Arlington, VA

2:35 p.m. .50 hr

Technology and Cybersecurity Considerations for Doing Business with the Government

Threats to technology and data continue to evolve and increase, as such the U.S. federal government continues to advance regulations and requirements for working with agencies, especially when handling federal data. These requirements are similar yet have unique aspects that make complying challenging. However, there are common elements to implement for your processes and technologies to address the threats and meet the requirements.

Mike Cullen, Baker Tilly US, LLP, Washington, DC

3:05 p.m. .50 hr

The International Implications of U.S. Surveillance

The U.S. legal framework for conducting foreign intelligence surveillance has come under scrutiny, both at home and abroad. How well does it maintain the balance between national security and privacy in today's digitized world?

Alex Joel, American University, Washington College of Law, Washington, DC

3:35 p.m. Adjourn

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Please note that the printed binder will arrive 2–3 weeks after the scheduled webcast. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

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- Electronic Post-Course Download (PDF) \$265.21 (\$245*)
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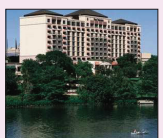
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PC22

AUSTIN
May 26–27, 2022

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Please reference this conference when you make your reservation. (subject to availability)

Parking:
\$16 daily self-parking; \$18 daily valet
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KEY DATES

- May 18, 2022**
Last day for early registration rates
- May 20, 2022**
Last day for full refund cancellation
- May 23, 2022**
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\$50 processing fee applied
- May 26, 2022, 8:20 a.m., CT**
Conference begins
- May 27, 2022**
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