



Keith Witek  
Tesla Motors

Ed Cavazos  
Pillsbury Winthrop Shaw Pittman

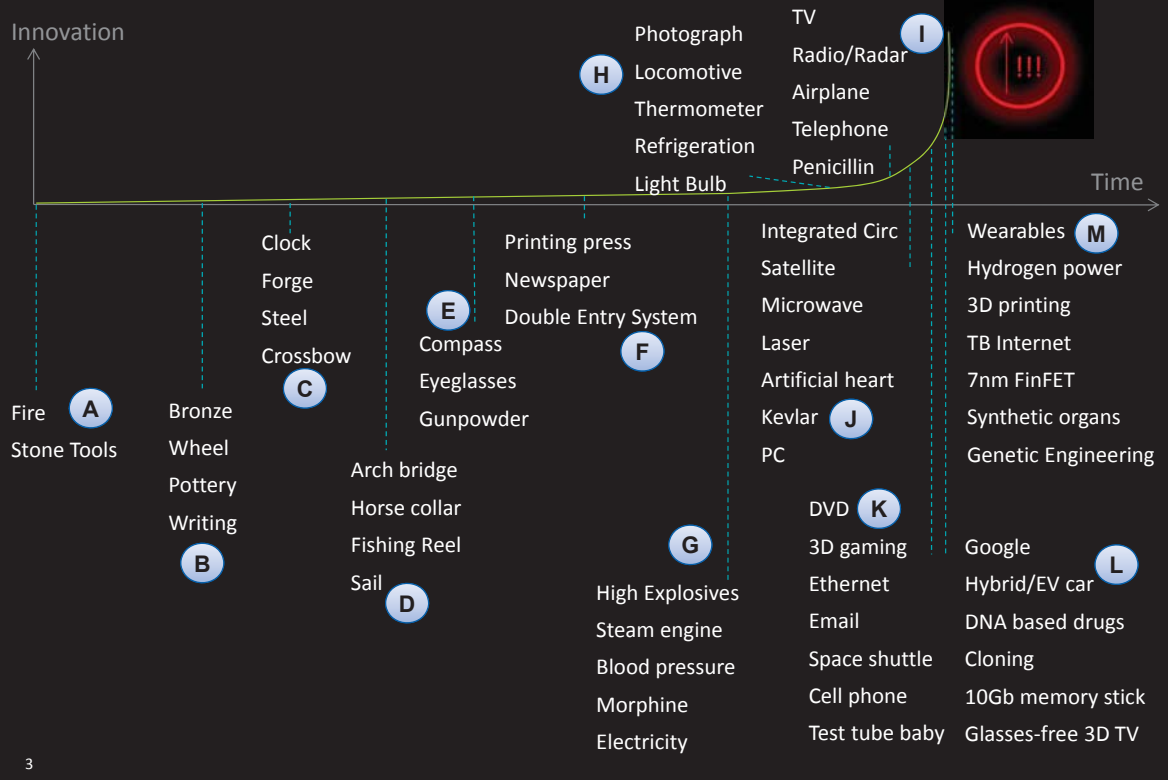
## ADVANCED LICENSING

*RECONSIDERING DEAL POINTS IN THE FACE OF DISRUPTIVE TECHNOLOGIES*

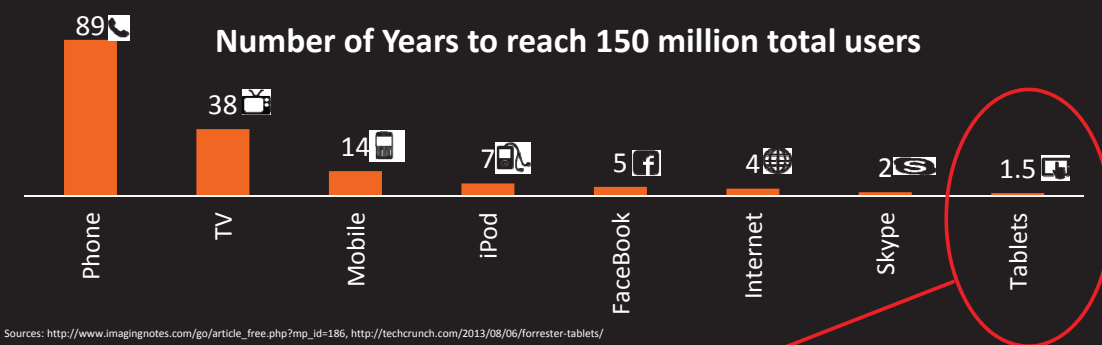


DEAL VELOCITY MUST  
KEEP UP WITH BUSINESS  
VELOCITY

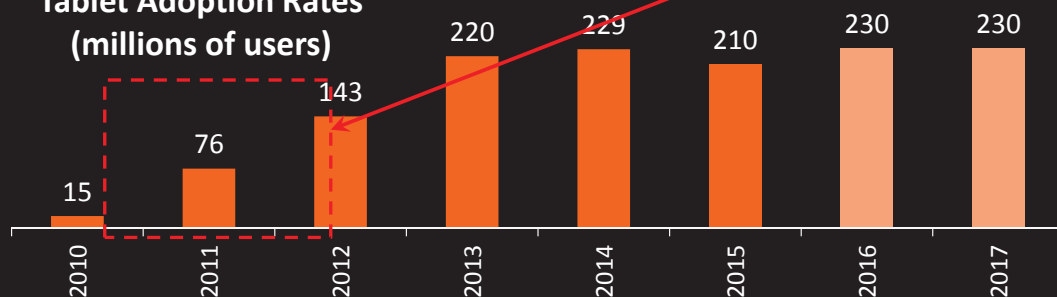
## RATE OF DISCOVERY/INNOVATION IS ACCELERATING



## MARKET ADOPTION RATES KEEP ACCELERATING

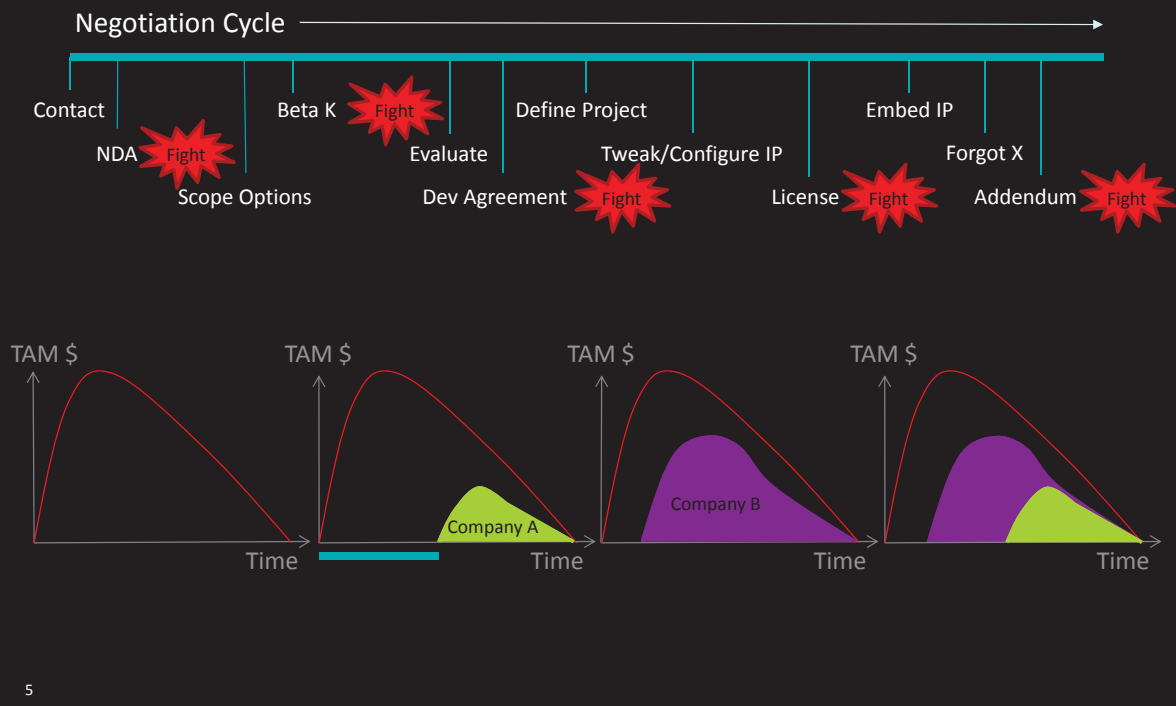


### Tablet Adoption Rates (millions of users)



Note: 2010/2011 use finalized data. 2012 to 2017 use est. data.  
Sources: Forrester Research World Tablet Adoption Forecast, 2012 to 2017, <http://techcrunch.com/2013/08/06/forrester-tablets/>, <http://www.statista.com/statistics/272070/global-tablet-shipments-by-quarter/>

## CONTRACT NEGOTIATIONS – NO MOORE’S LAW PROGRESS...



## VELOCITY – IMPACT TO THE DEAL

**Pick Battles Wisely** – Are you fighting over things that matter in the grand scheme?

**Move faster** – Deal closing even a month or two fast could be worth \$\$\$

**More Signable Forms** – Micron example...

**Term** – Things are changing fast, do shorter terms with terminable evergreen make sense

**Termination** – Conditional trigger to allow a party to get out of a deal

**Assignment** – Is it really such a bad thing; semi was \$102B in M&A last year

**Delivery and Development** – Usually didn't sweat short delays, now they may be material

**Payment Terms** – 30...45...60...90... Days payable. Are we financing the other guy?

**Change Orders and Derivatives** – Make sure they happen quick, escalation is clean/quick

**M&A** – Fashion agreements so change of control and M&A is contemplated

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## Title search: Advanced Licensing: Reconsidering Deal Points in the Face of Disruptive Technologies

Also available as part of the eCourse

[2016 Technology Law eConference](#)

First appeared as part of the conference materials for the  
29<sup>th</sup> Annual Technology Law Conference session  
"Advanced Licensing"