

Negotiation Ethics



Meet the Speakers



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Principal



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General Considerations

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- **What rules govern attorney conduct in negotiations?**
- **What do those rules permit?**
- **What do those rules prohibit?**
- **What laws apply to attorney conduct in negotiations?**
- **What are consequences of unethical behavior?**
- **What is the benefit of behaving ethically in negotiations?**

Why Be Ethical In Negotiations

- The law imposes penalties for dishonesty
- Lawyers have professional obligations
- Corporations have codes of conduct
- Your reputation depends on it

Legal Basis: Tort Law

- **Restatement (Second) of Torts §525:**

One who **fraudulently makes a misrepresentation of fact, opinion, intention or law for the purpose of inducing another to act or to refrain from action in reliance upon it**, is subject to liability to the other in deceit for pecuniary loss caused to him by his justifiable reliance upon the misrepresentation.

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First appeared as part of the conference materials for the
26th Annual Advanced Patent Law Institute session
"Ethics in Negotiation"