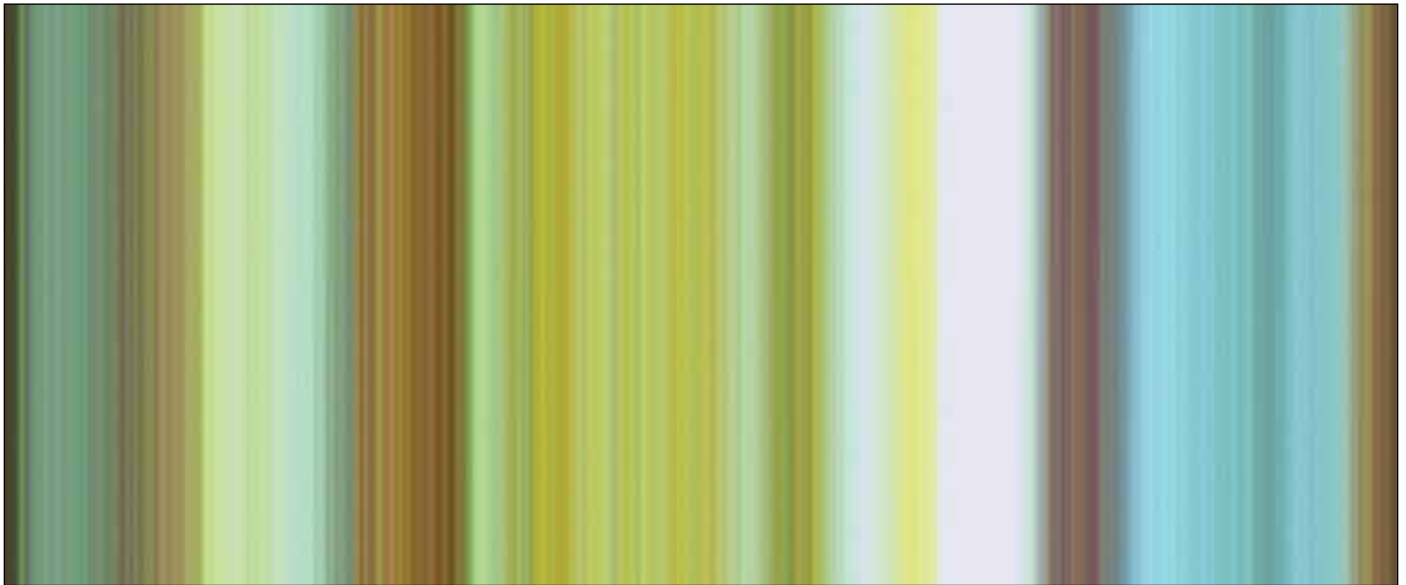


23RD ANNUAL
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May 27–28, 2010
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TECHNOLOGY LAW CONFERENCE

May 27–28, 2010 ■ Four Seasons Hotel ■ Austin, Texas

THURSDAY MORNING, MAY 27, 2010

Presiding Officer:

Dawn Estes, Taber Estes Thorne & Carr PLLC, Dallas, TX

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks**9:00 a.m. 1.00 hr****Advanced Issues Involving Licensing and Technology Agreements**

What practitioners need to know about structuring and negotiating complex license agreements and other technology contracts. Includes drafting tips, a review of risk mitigation strategies and an update on current trends in light of recent cases and other current developments.

Edward A. Cavazos, Bracewell & Giuliani LLP, Austin, TX
James M. Vickery, DLA Piper, Austin, TX

10:00 a.m. .50 hr**Special Licensing Issues Involved with Spin-Outs: Joint IP, Cross-Licensing and More**

In typical spin-outs and similar transactions, there are often complex questions involving cross-licensing and joint ownership of intellectual property. This session addresses the special issues involved in such transactions, and provides tips and sample clauses to successfully address these issues.

Dean William Harvey, Vinson & Elkins LLP, Dallas, TX
Eric M. Reifschneider, Dewey & LeBoeuf LLP, East Palo Alto, CA

10:30 a.m. Break**10:45 a.m. .75 hr****Technology Licensing and Contract Clauses: What Gets Litigated and Who Wins**

Three experienced technology contract litigators discuss what clauses and language are most frequently litigated in technology agreements; how such disputes are typically decided; and how those drafting agreements can improve their agreements and clauses to make sure their reps, warranties, and clauses prevail.

Moderator:
Michael P. Adams, Winstead PC, Austin, TX

Panelists:
Eric J. Mayer, Susman Godfrey LLP, Houston, TX
Kevin James Meek, Baker Botts L.L.P., Dallas, TX

11:30 a.m. .75 hr**Perfecting Trade Secrets: Common Pitfalls and Best Practices, including Related Issues on NDAs and Non-Competes**

"Trade secrets" are easy to claim but frequently such information is determined as unprotected because of failures to properly identify, maintain and protect it. In this session, panelists identify common mistakes and advise how to do it right, as well as provide an update on the latest developments and status of NDAs and non-competes, with emphasis on Texas law.

Moderator:
Alan D. Albright, Bracewell & Giuliani LLP, Austin, TX

Panelists:
Jennifer B. Wuamett, Freescale Semiconductor, Inc., Austin, TX
Hon. Lee Yeakel, U.S. District Court, Western District of Texas, Austin, TX

12:15 p.m. Lunch on Your Own

THURSDAY AFTERNOON

Presiding Officer:

Robert L. King, Freescale Semiconductor, Inc., Austin, TX

1:30 p.m. .50 hr**Open Source: The Era of Litigation and Enforcement Is upon Us**

The last two years have seen the First U.S. Circuit level opinion in an open source case, and the first lawsuits by FSF and SFLC. Corporations are beginning to file claims to enforce GPL. Open source lawsuits are unique—they require an informed analysis of open source legal issues, understanding of the political landscape, and spin control. This session comprises a discussion of how to react to open source claims, including lawsuits, and how to avoid becoming a household name in open source enforcement.

Heather J. Meeker, Greenberg Traurig LLP, East Palo Alto, CA

The speakers were top-notch; very authoritative and engaging.

The entire program was very well structured.

2:00 p.m. .75 hr**Open Source: Business Implementation, In-House Development and Compliance Considerations**

How are companies making business decisions to use open source, manage liability and oversee compliance for both internally-developed and purchased or acquired software? A panel of experts discusses approaches to evaluating and managing compliance risks involving open source.

Moderator:
Heather J. Meeker, Greenberg Traurig LLP, East Palo Alto, CA

Panelists:
Ranjeev Kumar Singh, Freescale Semiconductor, Inc., Austin, TX
Brian J. Wolf, Avaya, Milpitas, CA

2:45 p.m. .75 hr**Top Ten Outsourcing Mistakes and How to Avoid Making Them**

The panel discusses best practices in outsourcing contracts and provides guidance to deal with typical scenarios that arise in outsourcing arrangements from both the vendor and customer perspectives.

Moderator:
Robert R. Robinson, BancTec, Inc., Irving, TX

Panelists:
Jeffrey B. Andrews, Thompson & Knight LLP, Houston, TX
David N. Guedry, Jones Day, Dallas, TX

3:30 p.m. Break**3:45 p.m. 1.17 hrs including .25 hr ethics****M&A in the Technology Sector: Key Issues and Special Considerations in Acquisitions of Technology Companies**

This session addresses various M&A issues that arise in acquisitions of technology companies, including special "clean room" procedures for handling sensitive technology in the due diligence process; why counsel should pay close attention to "residuals" clauses and non-solicitation and standstill provisions in confidentiality agreements; potential traps in negotiating IP-related representations and warranties; the legal significance of "non-reliance" clauses; and issues relating to shared technology in divisional sales. Post-closing issues, including the role of in-house counsel in integrating acquired businesses, are also discussed.

Moderator:
Richard E. Climan, Dewey & LeBoeuf LLP, East Palo Alto, CA

Panelists:
Paul R. Tobias, Wilson Sonsini Goodrich & Rosati, P.C., Austin, TX
Keith E. Witek, Advanced Micro Devices, Inc., Austin, TX

4:55 p.m. .75 hr ethics

The Ethics of Negotiation: Are There Any?

The Texas Disciplinary Rules of Professional Conduct are filled with gray areas and traps for the unwary transactional lawyer. Is everything short of fraud allowed in negotiations? Mike Rubin leads a fast-paced presentation with points to ponder, hypotheticals to consider, and something to smile about.

Mike Rubin, McGlinchey Stafford PLLC,
Baton Rouge, LA

5:40 p.m. Adjourn to Reception

FRIDAY MORNING, MAY 28, 2010

Presiding Officer:

Barry Stephen Newberger,
Advanced Micro Devices, Inc., Austin, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. .50 hr

Key Export Compliance Tips: A Guide for Technology Lawyers

Important tips for technology lawyers to ensure compliance with U.S. export controls, sanctions and embargos. Topics covered include export jurisdiction and classification, encryption controls and key licensing issues.

Marian E. Ladner, Ladner & Associates PC,
Houston, TX

9:00 a.m. 1.00 hr

Privacy and Security in the Cloud

What privacy and security issues arise when data storage and processing take place in the cloud? Is a new privacy framework required? Who is responsible to ensure compliance with national and local privacy law? This panel addresses threats that arise due to remote hosting and processing of data, and how and to what extent companies should be overseeing their cloud service providers with respect to the handling of personal information. Does the cloud permit increased third-party access to data for both private individuals (via subpoena) and governments (via the Patriot Act, for example)? To what extent may cloud providers mine user data for economic and strategic gains? What are the options for controlling movement of data and limiting liability for security and privacy breaches through contract language and indemnity agreements?

Moderator:

Bar W. Huffman, Cox Smith Matthews Inc.,
San Antonio, TX

Panelists:

Peter D. Kennedy, Graves, Dougherty, Hearon &
Moody, P.C., Austin, TX
Alan Charles Raul, Sidley Austin LLP, Washington, DC

10:00 a.m. Break

10:15 a.m. .75 hr ethics

Lawyer Communications on the Web: Malpractice, Liability and Ethical Issues

How to avoid the digital traps, or at least know when the ice under you is getting thin.

Coyt Randal Johnston, Johnston Tobey, P.C.,
Dallas, TX

11:00 a.m. .75 hr

Current Copyright Developments and Select Trademark Issues

Current copyright issues and case law developments, plus select trademark issues.

Pamela B. Huff, Cox Smith Matthews Inc.,
San Antonio, TX
David G. Swenson, Baylor University School of Law,
Waco, TX

FRIDAY AFTERNOON

Presiding Officer:

David Andrew Bain, DataCert, Inc.,
Houston, TX

LUNCHEON PRESENTATION

11:45 a.m. Pick up Box Lunch

Included in conference registration fee.

12:00 p.m. .67 hr

Social Media, Part 1: Telling Your Story and Managing the Conversation

This session focuses on best communication practices in business and marketing, including some related legal tensions.

Keith Blanchard, Story Worldwide, New York, NY
Bar W. Huffman, Cox Smith Matthews Inc.,
San Antonio, TX

12:40 p.m. Break

12:50 p.m. .75 hr including .25 hr ethics

Social Media, Part 2: Effective Use of Social Media Tools and Managing the Related Liabilities and Risks

An overview of the use of social media by employees, employers, labor unions and lawyers, and the emerging legal issues associated with same. Also discussed are the issues associated with regulating the use of social media both inside and outside of the workplace. Sample social media policies are examined.

Jason Boulette, Boulette & Golden L.L.P., Austin, TX
Chris James, Advanced Micro Devices, Inc.,
Austin, TX

1:35 p.m. .50 hr

The Admissibility of Electronic Evidence

How to offer and how to object to electronic evidence.

Steven Goode, The University of Texas School of Law,
Austin, TX

2:05 p.m. .50 hr

Bankruptcy Issues Involving Technology Licenses and Asset Purchases

This session outlines key bankruptcy risks involving typical technology licensing transactions, and provides recommendations on how best to minimize such risks from both licensor and licensee perspectives. The session also touches on special considerations for purchasers of distressed IP assets out of bankruptcy. Session materials cover recording and perfecting of assignments, licenses and security interests, including preemption of UCC by copyright and patent statutes.

Evelyn H. Biery, Fullbright & Jaworski L.L.P.,
Houston, TX
Charles D. Huston, Daffer McDaniel LLP, Austin, TX

2:35 p.m. .50 hr

What Technology Companies Need to Know about Campaign Finance

The U.S. Supreme Court opinion in *Citizens United v. Federal Election Commission* (January 2010) revises and in some cases repeals more than 100 years of federal law relating to permissible political campaign activities by corporations. This discussion provides information regarding the political campaign expenditures which Texas and other corporations may now make as a result of the Supreme Court's opinion, and those expenditures and activities which continue to be prohibited.

J. Gaylord Armstrong, McGinnis, Lochridge &
Kilgore, L.L.P., Austin, TX

3:05 p.m. Adjourn

“ Great reflection of legal practitioners. Topics relevant to real world transactions.

The speakers and panels were very informative and lively.

Relevant topics. Good materials and presentations.

Practical knowledge, practical tips.

”

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AUSTIN

May 27–28, 2010

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KEY DATES

May 19, 2010, 5 p.m.
last day for early registration
 add \$50 for registrations
 received after this time

May 21, 2010, 5 p.m.
last day for full refund

May 24, 2010, 5 p.m.
last day for partial refund
 \$50 processing fee applied

May 27, 2010, 9 a.m.
Conference begins

M
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E

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