Requiring Buyers to Buy Service Contracts? Read This.

Insight

When a dealer requires a service contract in financing transactions, but not in similar cash transactions, the charge for the service contract must be treated as a finance charge, according to a Hudson Cook post.

Can a Smart Legal Contract Be Considered a Contract According to U.S. Contract Law?

Insight

Smart contracts can easily comply with offer, acceptance, and consideration requirements of conventional contracts, writes Mykyta Sokolov for lawless.tech.

Non-Compete: Who is the Bad Actor?

Insight

The Labor & Employment Law Perspectives blog of Foley &

Lardner discusses the increased attention paid to restrictive covenants and the increase in litigation as employers seek to protect their confidential information and prevent a loss of business.

5th Circuit: How to Determine Whether a Contract Is (Or Is Not) Maritime

Insight

The 5th Circuit is sending a signal that it intends to use *Doiron* to "clean house," hopefully bringing more uniformity to the maritime contract determination, according to Liskow & Lewis

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Buy-Sell Agreements – A Must for Start-Ups with Multiple Owners

Insight

A buy-sell agreement addresses voluntary separations – i.e. an owner wants to retire, finds other interests or simply loses the spark with his/her co-owners, explain authors Amy Plummer and Laura Wasson.

States Look for New Angle to Fight No-Poach Agreements

Insight

No-poach agreements should be limited in scope and duration, and if no-hire provisions are included, they should be limited to upper-level management, according to Fisher & Phillips.

Software as a Service (SaaS) Agreements: Who Owns What?

Insight

The Tech & Sourcing blog of Morgan Lewis takes a look at Software as a Service (SaaS) agreements – starting with the perspective of a solution that uses a dedicated service.

Oral Revocation of Consent Insufficient Where Contract Required Writing

Insight

A post on the website of Manatt, Phelps & Phillips discusses a

case in which an Ohio federal court found that, where a contract required written revocation of consent to be contacted, a consumer's attempt to orally revoke consent failed.

Does Your Employee Agreement Address These Three Often-Overlooked IP Provisions?

Insight

Intellectual property can be one of the most valuable assets of a company and should not be glossed over, warns John E. Munro of Harness, Dickey & Pierce.

Fifth Circuit Overturns Arbitration Order Where Employer Failed to Countersign Agreement

News

The 5th U.S. Circuit Court of Appeals has reversed a Texas federal court's order compelling arbitration in a sexual harassment and discrimination case because one party failed to sign an agreement to arbitrate, reports Karl Bayer in the

Disputing blog.

Webinar: Leveraging the Data in Your Contracts to Prove the Value of Legal

Webinar, July 26, 2018, 10 a.m. PST

The webinar will discuss legal's new role as a strategic business function has forced legal teams to evolve, shifting from cost-center to profit-center.

Sometimes You Get Away with Unwritten Contracts

Insight

One area where the distinction between written versus unwritten agreements makes a difference is in the calculation of the statute of limitations, points out Christopher G. Hill in his Construction Law Musings blog.

Has the Government ‘Waived’ Goodbye to Strict Compliance with Your Contract Specifications?

Insight

A recent Armed Services Board of Contract Appeals decision confirmed that waiver defenses can defeat government demands for strict compliance with contract requirements, reports Cohen Seglias Pallas Greenhall & Furman.

Negotiating Commercial Contracts – Insurance Words of Wisdom

Insight

Many commercial contracts contain risk-transfer provisions, including indemnification and insurance requirements, according to SandRun Risk.

How Important are Irreparable

Injury Provisions in Non-Compete Agreements?

News

Employers who use non-compete agreements take note: Minnesota courts want to see more than just words in a contract before they will grant injunctive relief against a former employee, warns a post on the website of Dorsey & Whitney LLP.

Contracts: Are You Accepting an Offer or Not?

News

A lack of precision in responding to an offer can lead to confusion as to whether or not a contract has been formed, warns an article published by Burns & Levinson.

Fixed-Price Contracts Are Simple – Or Are They?

Podcast

There is very little case law guiding the practical approach to fixed-price contracts, but a Pepper Hamilton podcast offers some guidance.

Contractual Considerations for Lawyers Using the Cloud

Insight

The standard contract firms offered by cloud-based providers sometimes do not weigh in favor of the law firm, writes Tom Kulik.

Drafting the Arbitration Provision in Commercial Contracts: Back to Basic

Insight

A good practice is for the arbitration clause to be detailed and to specify a variety of terms, advise John P. DiBlasi and Jacqueline I. Silvey in an article for National Arbitration and Mediation.

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3 Simple Steps to Creating a

Contract Lifecycle Management Shortlist

Insight

The CLM market has become increasingly crowded, so finding a solution that supports the volume needs of enterprise contracts can be challenging.