Surviving the NDA Nightmare: New Webinar

Webinar, Feb. 22, 11 a.m. PST

ContractWorks will present a complimentary webinar, “Surviving the NDA Nightmare: Managing Legal & Logistical Problems,” on Thursday, February 22nd at 11 AM PST.

Can Emails Establish an Easement in Texas?

Insight

Charles Sartain, in a discussion involving a Texas case concerning a disagreement over the negotiation of the payment for a pipeline easement, addresses the issue of whether emails can create a contract.

Fifth Circuit En Banc Simplifies Rule for Identifying Maritime Contracts in the Oilfield

Insight

The Fifth Circuit en banc has handed down an historic re-

working of the test for determining whether oilfield contracts are maritime or non-maritime in nature, according to a Baker Donelson post.

If Your Employment Agreements Use This One Word, Ownership of Your Patents May Be in Jeopardy

Insight

An employment agreement providing an employee "will assign" title to her inventions to her employer did not automatically transfer title or any related patent rights, explains Eleanor M. Yost of Carlton Fields.

Lucarell v. Nationwide: A Case All Commercial and Contract Lawyers Should Read

Insight

Melinda Burton, writing for Faruki Ireland Cox Rhinehart & Dusing, explains how a ruling from the Supreme Court of Ohio reaffirms and clarifies law in Ohio on breach of contract, implied duty of good faith, punitive damages,

releases of liability and fraud.

Return to Sender: Aetna to Pay $17M to Settle Claims Related to Vendor Mailer Data Breach

Insight

Eric Begun of King & Fisher explains that the newly announced settlement provides some important lessons in contract law, as well as some useful information on data breaches.

Webinar: Contract Review Automation in Action

Event, Feb. 21, 2 p.m. EST

LawGeex says the webinar will show how modern legal teams are revolutionizing their daily contract review processes. This will be a practical look at using on-the-ground solutions for contract review automation.

Contract Management: From Business Controller to Business Enabler

Podcast

Tim Cummins, President & CEO of the International Association for Contract & Commercial Management, discusses the ongoing evolution of commercial contract management in a podcast posted by Determine Inc.

When Smart Contracts are Outsmarted: The Parity Wallet "Freeze" and Software Liability in the Internet of Value

Insight

The recent Parity wallet "freeze" provides an example of a coding vulnerability in a smart contract resulting in an exploit that compromises cryptocurrency worth millions, according to Proskauer Rose LLP.

The Eighth Circuit Raises the Bar for Would-Be Indemnitees

Insight

A federal appellate court has issued an order dealing with indemnification for prior settlements, and it could have a hugely beneficial impact on potential indemnitors, including sellers of mortgage loans as well as insurers, reports Bilzin Sumberg.

Is Your Service Contract Protecting Your Company? 9 Essential Clauses that Limit Fallout Damage

News

Having a good service contract that is tailored to the particular situation can be one of the best decisions that a company can make," writes Gabriela Smith for Nearshore Americas.

Appellate Court Tosses $2.9M

Judgment in Breach of Contract Case

News

The Texas 4th Court of Appeals in San Antonio found that the former lawyer retained by the two energy companies filed an agreement in a breach of contract lawsuit without signing it, and failed to keep the companies apprised of court events.

Webinar: Contractors and the New Era of Cyber Compliance

Webinar, Jan. 25, 2018, 2 p.m. EST

Washington Technology will present a complimentary webinar on Jan. 25, 2018, to discuss new compliance requirements for securing government data contractor networks.

Earning Trust in Contract Negotiations

Insight

Dennis Garcia, an assistant attorney general of Microsoft Corp., offers a collection of best practices that all lawyers can embrace to help earn trust during the contract lifecycle.

International HR – Offer Letters and Employment Contracts

Insight

When a U.S. company decides to hire an employee in another country, the question of whether to send the applicant an offer letter inevitably arises, writes Samina Weil in the Fisher Phillips Cross Border Employer Blog.

Defend, Indemnify, Hold Harmless – What This Contract Language Means for A/E Professionals

Insight

J. Brandon Sieg of Vandeventer Black LLP addresses the question of what is meant when a contract requires an architect or engineer to “defend, indemnify, and hold harmless” the project owner for specific (or not so specific) types of claims that might arise in the future.

Vendor Risk Management as Applied to Fintech Contracts

Insight

Regulatory compliance is an area of fundamental concern – not only for strategic investors – but also for financial institutions contracting for services from financial technology providers, warns Adam Chernichaw of White & Case.

Choice of Venue Provision Upheld in Employment Contract

Insight

Forum selection clauses that are not adhesive will be interpreted independently of the court's determination of the enforceability and validity of the contract as a whole, according to a post in Baker Sterchi Cowden & Rice's Employment Law Blog.

The Importance of Attention to Risk Allocation Provisions in Contracts

Insight

A recent Indiana Court of Appeals decision illustrates the

importance of having an overall risk allocation strategy in contracts where appropriate, and paying close attention to the language used to express that strategy, writes Christian Jones of Barnes & Thornburg.

A Case Against One-Size-Fits-All Construction Contracts

Insight

Without careful thought and modification to standard forms, developers can find themselves in a difficult position in a delayed and over-budget project, according to a King & Spalding article.