Tips For Reviewing A Contract

Insight

There are a few things every lawyer is expected to be able to do – but every lawyer should be able to review a contract, writes Gary J. Ross for Above the Law.

Change Management in Commercial Contracts

Insight

The right change management mechanisms can manage these risks by allocating the responsibility and costs for changes and creating clear and effective procedures for managing and implementing changes to the agreement, according to a Morgan Lewis article.

The Promise – And Perils – Of ‘Smart’ Contracts

AudioRecording

ValueWalk has posted an audio recording featuring Wharton’s Kevin Werbach and Nicolas Cornell discussing their research on smart contracts.

Webcast: How E-Signatures Can Reduce Risk of Signed Records

On-Demand

eSignLive by Vasco is offering a complimentary on-demand webinar featuring Locke Lord LLP partner Pat Hatfield discussing how e-signatures can reduce risk and strengthen enforceability of signed records.

Tips for Drafting Arbitration Clauses in Smart Contracts

Insight

While arbitration may be a preferable alternative to court for smart contract disputes, it doesn’t happen on its own – it typically requires a properly drafted arbitration clause, notes Steptoe & Johnson’s Blockchain Blog.

Using Technology and Contract Terms to Avoid Vendor Lock-In

Insight

The efficiency and low cost of using cloud services, including

form vendor agreements that are provided with such services, can lead to vendor lock-in, making it difficult and expensive to migrate applications in-house or to a new provider, according to Morgan Lewis' Tech & Sourcing blog.

It's All Fun and Games Until Someone Sues for Breach of Contract

Insight

A recent federal court case analyzed the ability of a lender to act upon stock pledged to secure a loan, and provides insight into valuable language to be included in the loan documentation, explains Loeb & Loeb LLP.

National Survey on Restrictive Covenants

Insight

The guide gives details about each state's factors on the topics of non-competes, non-solicitation, non-hire/"raiding," and confidential information.

Enforceable Contract for Sale of Family-Owned Business or Just Agreement to Agree?

Insight

Parties to negotiations involving the sale of family-owned business stock or assets should be cautious in their drafting to ensure that it is clear to all parties what documents are intended to create enforceable rights and obligations, warns Murtha Cullina.

Using Arbitration Agreements to Reduce the Costs of Litigation and the Risk of Class Action Claims

Insight

The Foley article explains how arbitration works, what type of arbitration agreements are generally enforceable, what features that have or can cause problems, and how such provisions can reduce the risk of class actions.

Federal Court: An Open-Source License Is an Enforceable Contract

News

The GNU GPL requires that anyone using GPL-licensed software to produce some other software, must provide the resulting software as open-sourced with the same license if it's released to the public, explains Quartz.

Are Restrictive Covenants Enforceable When Employee Converts to 'At-Will' Employment?

Insight

A post by Pietragallo Gordon Alfano Bosick & Raspanti discusses a recent case that dealt with the question of what happens to restrictive covenants in an employment contract when an employee converts to at-will status.

‘We Have a Deal’ Email From Lawyer Creates a Binding Settlement

Insight

A U.S. magistrate judge in the Southern District of New York has ruled that the terms of a settlement negotiated via email can be enforced as a binding contract.

11th Circuit: ‘Completed Work’ Exclusion Does Not Bar Claims for Work Under Maintenance Contract

Insight

The 11th Circuit found that the unambiguous language of an insurer’s “Completed Work” exclusion did not bar coverage for injuries sustained by a motorist injured at a railroad crossing who later sued the insured, reports Hunton Williams.

Insight on Waiving

Contractual Right to Arbitration

Insight

Bass, Berry & Sims attorney Chris Lazarini provided insight on factors a court should consider when determining whether a party has waived a contractual right to arbitration, the firm reports on its website.

AIA Releases 2017 Construction and Design Agreements

Insight

The American Institute of Architects has released several revised documents including the primary agreements between the owner and contractor and the owner and architect, reports Dickinson Wright PLLC.

Arbitration Clauses Extending to Non-Signatory Affiliates:

Are They Enforceable?

Insight

A recent decision of the New Jersey Appellate Division considered the enforceability of arbitration agreements by non-signatories, writes Marissa Tillem in Proskauer Rose's Minding Your Business blog.

M&A Indemnification Provisions: Are You Drafting Unenforceable Time Limits?

Contracts

In a merger-and-acquisition transaction, the convention is for the seller to make representations and warranties to the buyer regarding the target business, according to an article posted by Womble Carlyle Sandridge & Rice.

The Beneficiaries of 'Pay-if-Paid' Clauses in Construction Contracts

Insight

In construction law, general contractors have largely negotiated a shift in the distribution of risk away from the

general contractor and to the subcontractor with the inclusion of “pay-if-paid” contractual clauses,”according to Shutts & Bowen’s Construction Law Blog.

Company Lawyers Automate Contracts to Ease Pain of Quote-to-Cash

Insight

Diginomica reports that some company lawyers explained how they automate contracts to remove manual, paper-based logjams from the process.