Options to Acquire: How These Acquisition Strategies Differ from a Traditional Purchase

Article

While options to acquire are fairly common in the medical device and life sciences industries, the option also provides attractive opportunities for funds and companies in other industries as well, as a way to get an inside track on new technology, Cooley M&A writes.

Damage Control: Common Errors in Contractually Limiting Damages

Article

“Damage control” provisions are not one-size-fits-all, writes Theresa Y. Kananen for Arnall Golden Gregory LLP. While form agreements can be a good starting point, provisions limiting, or even eliminating, contractual damages must be considered on a case-by-case basis, and tailored to the terms of your particular deal.

Contract Drafting in Complex Sourcing Deals: Reading What You Write

Article

Contracts for complex sourcing deals are problematically big and often written in a style that doesn’t speak to the people who should be reading them, write Edward J. Hansen and Christopher C. Archer of Morgan Lewis.

The Contract Isn’t Signed, a Few Issues Remain, the Work is Done; Now What?

Article

Parties who allow the schedule to control performance without resolving the paperwork could find themselves in a mess, particularly if the back-and-forth on contract terms never stops, writes Stan Martin of Commonsense Construction Law.

Litigating the Meaning of

Contract Language? Consider Retaining an Expert

Article

A new article published by Ken Adams, president of Adams Contracts Consulting LLC, explains how to reduce the chances of the confusion that results when a judge or litigator without a grounding in the subject analyzes ostensibly ambiguous contract language.

Federal Circuit Clarifies 'Accrual' of Claims under Contract Disputes Act

Article

Timeliness is critical when submitting claims to the government, or any contracting party, for that matter—public or private, writes Brian Dobbs for Bass, Berry & Sims PLC.

How Will Machine Learning and NLP Disrupt Contract

Management?

A new eBook from ContractRoom considers some ways that machine learning and Natural Language Processing could change the way contracts are managed.

Q&A on SCOTUS and Arbitration

Article

In an article posted on their firm's website, Matthew T. Furton and Julie L. Young, partners in Locke Lord, discuss some recent rulings on arbitration by the U.S. Supreme Court, particularly as they apply to insurance and reinsurance.

Smart Contracts: A Tool for Bank Lawyers, Not a Replacement

Article

Banks' interest in smart contracts could lead them to beef up their legal departments in the near term, as the financial industry and regulators alike continue to wrestle with the implications of blockchain technology, writes Brian Patrick Eha of *American Banker*.

Court Orders Coverage Where Breach Merely Alleged

Article

The exclusion could have been written more broadly so as to cover all claims for injury arising out of any “alleged” breach of contract in addition to all claims arising out of actual breaches of contract.

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5 Key Terms to Know for Vendor Contracts

Article

While each set of tactics and strategies will necessarily reflect the internal business rules of the individual company, the five areas discussed here should form a part of any playbook, writes David Adler in *CIO*.

Whitepaper – 100+ Contract Management Solutions: Do You

Have to Try Them All?

White Paper

ContractWorks has published a complimentary white paper designed to aid in the selection and implementation of a contract management solution.

$100M Uber Settlement Attacked By Drivers Saying Lawyer Sold Out

News

The lawyer who struck a $100 million deal with Uber Technologies Inc. is being accused of greed by some of the drivers covered by the accord who want her bumped, reports Bloomberg News.

9th Circuit Extends Non-Compete Term Beyond Contractual Period

Article

Employee disregards a non-compete and joins a competitor; former company calls foul and initiates a lawsuit; parties fight it out, but by the time litigation has run its course,

the non-compete period in the underlying contract has expired. The dispute is moot, right?

On the Nature of Being Mistaken in Contract

Article

Successful cases of contract reformation based on unilateral mistake are exceedingly rare – so endeavor not to be mistaken, cautions Glenn West of Weil, Gotshal & Manges LLP in the firm's *Global Private Equity Watch*.

Recent Ruling Creates Potential Liability For Use of Common Contractual Terms

Article

While the law generally favors freedom of contract and supports the enforceability of uniform terms and conditions, a recent case applying New Jersey law shows that a business could be exposed to liability for simply including certain types of limiting clauses in consumer contracts.

Can ‘Love Contracts’ Govern Your Inter-Office Romance?

Article

When the legal document is signed in an office setting, the co-working couple promises that their consensual attraction will not lead to distractions or conflicts of interest in the workplace.

What is a Smart Contract and What’s It Good For?

Article

Smart contracts work hand-in-hand with blockchain technology and have the potential to automate – and also disrupt – processes in many industries, writes Sue Troy, an editorial director at TechTarget.

Killer Clauses in Construction Subcontracts: Allocating Risk with

Subcontractor Agreements

Article

Whether parties are considering working with a new partner or simply re-evaluating existing relationships with long time partners, the parties should consider how to best allocate the risks associated with each project, cautions Brouse McDowell.

When Customer Supply Contracts Lead to Trouble

Article

Melanie A. Hallas of McDermott Will & Emery writes that a recent consent order shows that exclusivity terms that arguably have the effect of harming competition may raise antitrust concerns.