Dissecting Common Basic Arbitration Clauses – You Can Build a Better One

Insight

All too often, parties to arbitration make agreements that leave the decisions on most of their options to others or to chance, warns Daniel Pascucci for Mintz Levin..

Considerations for Vendor Contracts

Insight

As the number of vendors that businesses engage with rises, so does the need for a greater contractual understanding of vendor agreements among businesses, CIOs, IT departments, and general counsels alike, according to Foster Swift Collins & Smith.

Supreme Court to Clarify Applicability of Arbitration

Act to Transportation Contracts

Insight

The case will be important for in-house and private transactional attorneys who draft contracts with transportation sector independent contractors, as well as litigators handling employee misclassification cases, according to Holland & Knight.

Negotiating a Data Processing Contract

Insight

Watch out for services with terms longer than the other services in the agreement and ensure that any added services terminate at the same time as the master agreement, advises Fredrikson & Byron.

Add One Line in Employment Contracts to Reduce Exposure to Misclassification

Liability

Insight

A Kelley Drye blog post suggests the use of one simple sentence in employment contracts, handbooks and policies for salaried employees that would likely reduce exposure by approximately two-thirds in FLSA cases.

Tips for Raising Venture Capital: Commercial Contract Issues

Insight

It is important to address the critical intellectual property rights issues that will allow the protection of an idea in the commercial market, warns DLA Piper partner Jeff Lehrer.

Strategies for Drafting and Negotiating Non-Disclosure Agreements

Insight

To ensure that clients obtain the maximum benefit of non-disclosure agreements, lawyers should tailor the agreement to the information being shared and the risks attendant to the

disclosure, writes Sean W. Fernandes for the ABA.

Re-Thinking Supply Chain Contracts in the World of Connected Things

Insight

Many of the contract forms used to source raw materials or physical components may not be appropriate to use when sourcing software, writes Nicholas J. Ellis of Foley & Lardner.

Tackett Redux: Ordinary Principles of Contract Interpretation Mean No Inference of Vesting

News

The ruling again rejected the Sixth Circuit's inference from silence that CBAs vested retiree benefits for life, reports Proskauer Rose.

Landman Contract Defeated by the Statute of Frauds

Insight

Gray Reed & McGraw's Energy & the Law blog describes a contract case in which an oil and gas landman found out that the contract he signed with a purported agent for a client was unenforceable.

Do Architects and Engineers Owe a Legal Duty to Non-Contracting Parties?

Insight

A appellate opinion provides some guidance with respect to the architect's and engineer's common law duty when processing pay applications, according to Clark Hill PLC.

How Blockchain Technology Is

Transforming the Legal Industry

Insight

A Bloomberg Law discusses the increased efficiency and uniformity blockchain can provide in contracting, its used in other legal documents, the skills and role of lawyers in blockchain, and the challenges ahead for the technology.

Detours on the Way to Your Contractually Selected Forum

Insight

Global Private Equity Watch finds some good news for the careful transactional lawyer who drafts a bespoke forum clause in a contract.

Claim of Fraudulent Inducement of a Construction Contract Does Not Invalidate Arbitration Clause

Insight

Pepper Hamilton LLP’s Constructlaw blog discusses an Ohio case

in which a plaintiff sued a building company and attempted to have the arbitration clause in a construction contract declared unenforceable.

How AI Is Changing Contracts

Insight

AI contracting tools may offer the most value to companies with large volumes of contracts by reducing time spent in review and drafting. But as the technology develops, it will one day be useful to all firms, writes Beverly Rich in the Harvard Business Review.

Implied Covenant Will Not Save You From Your Agreement If You Negotiated Away Your Rights

Insight

A Cadwalader, Wickersham & Taft post discusses a decision that underscores the limits on an implied covenant breach claim under Delaware law.

‘Home Country’ Arbitration Clause More Trouble Than It’s Worth?

Insight

The “home country” provision provides that the party initiating arbitration must sue the other party in its home country, explains a post by Skadden, Arps, Slate, Meagher & Flom.

Your Emoji Use Just Formed a Contract

Insight

Before using emojis or emoticons in emails and other communications, it is critical to consider how they may be received or interpreted, warns Eric Begun of King & Fisher Law Group.

Love Contracts and Policies on Office Romance: What Can

an Employer Do?

Insight

employers must be diligent in making sure that the policies are enforced fairly and without a disparate impact, writes Ashley Robertson Parr for Nexsen Pruet.

Changing Contracts: Amending Agreements

Insight

Even the best agreements can require amendments based on changes in law, technology, and the products or services provided, according to Kirkpatrick Law.