Attempting to Insert New Term into Collective Bargaining Agreement Not Agreed to in Negotiations Violates the Law

Insight

A signed agreement serves as an absolute bar to employees filing a decertification petition during the term of the agreement, while an unsigned agreement does not bar such a petition.

On Remand, District Court Breaks New Ground by Vacating Arbitrator's Class Certification Award

Insight

A federal district court has the authority to vacate an arbitrator's class certification award based on the due process rights of absent class members, according to a post on the website of K&L Gates.

Does the Insurance Policy Incorporate the Service Contract by Reference? An Examination of *In Re Deepwater Horizon*

Insight

A Steptoe & Johnson article takes a look at the way additional insured coverage under an insurance policy is analyzed when there is an underlying drilling contract limiting the additional insured coverage to the scope of the liability assumed in the service contract.

On-Demand: Contract Management – Beyond the Expected

On-Demand

Determine Inc. has posted an on-demand webinar describing how real-life company challenges morph into ideas and concepts for contract management innovations and predicting what companies are looking for in 2018.

A Third of Americans Are Leashed to Their Companies By Non-Disclosure Agreements

Insight

Amy X. Wang, writing for Quartz at Work, says the contracts have been steadily growing in both number and breadth as companies grow warier about competition and proprietary material.

NDAs Are Out of Control. Here's What Needs to Change

Insight

Preventing workers from using their knowledge and skills beyond a single workplace is harmful not simply to the worker but to entrepreneurship, competition, and economic growth, writes Orly Lobel in the Harvard Business Review.

Employer's Notice of Mandatory Arbitration Program

May Be Insufficient to Compel Arbitration

Insight

Something more is required in order to be able to infer the employee's knowing assent to the new term of employment, the Sixth Circuit ruled.

Download: The State of E-Signature Implementation

Insight

The Forrester Report examines 25 e-signature implementations across the United States and Europe with use cases for receivables, payables, various contracts, onboarding agreements, and travel bookings

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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.