Are Noncompetes With Independent Contractors Enforceable?

Insight

An article on the website of Fisher & Phillips discusses the question: Will a noncompetition agreement be enforceable against the independent contractor?

Unlock the Secrets to Purchasing Contract Management

Insight

Conga has published The Ideal Buyer ‘s Guide to CLM, to help users learn more about the steps to take to identify the ideal contract management platform for an organization.

How Coexistence Agreements Work

Insight

Anderson Duff, writing for Revision Legal, discusses coexistence agreements, which are contracts whereby

two trademark owners agree to use their similar marks, but agree to limitations.

Just How Broad is That Arbitration Clause in Your Transportation Contract?

Insight

Holland & Knight's Transportation Blog covers a case of first impression that presents a reminder to companies to review their arbitration clauses and confirm if they are drafted properly.

Fast and (Sometimes) Furious: Acceleration and Compensability in Construction Contracts

Insight

A major consideration in acceleration clauses is whether the contractor is getting for the speed up in work, writes Brian L. Lynch for Faegre Baker Daniels.

Does Harvey Give You An Excuse: Force Majeure And Related Contract Doctrines

Insight

In the wake of Hurricane Harvey, a number of energy companies have declared force majeure or announced shutdowns in southeast Texas, the nation's hub for petrochemical plants and refineries, reports David M. Bond in Kane Russell Coleman Logan's Energy Law Today blog.

How to Guarantee Bad Performance From Your Vendors

Insight

A well-crafted master services agreement for outsourced services can create a powerful alliance between you as the customer and the service provider or vendor, writes Matt Hafter for Thompson Coburn LLP. Then there's the other kind of agreement.

Defining Personal Information in Contracts

Insight

The terms “personal information,” “personal data,” “personally identifiable information,” and “PII” are often left undefined in contracts and treated as if they were terms of art for which there was a single definition, points out David A. Zetoony of Bryan Cave.

The 5 Most Overlooked Elements Of NDAs

Insight

Tom Kulik of Dallas-based Scheef & Stone writes about a trend toward companies and counsel using rote reliance on forms for non-disclosure agreements without thinking through the implications.

Liquidated Damage Provisions – A Good Idea or an Unenforceable Penalty?

Insight

A post by Joshua M. Pellant of Faegre Baker Daniels discusses

the use of a provision for a stipulated or “liquidated” damage amount in the event of specified contract breaches in construction contracts.

Announcing LawGeex 4.0 – Contract Review Automation

News

LawGeex combines machine learning algorithms and text analytics to quickly review and approve everyday contracts, helping businesses answer the question “Can I sign this?”

The Questionable Non-Compete: How to Hire Someone but Avoid a Tortious Interference Claim

Insight

What specific steps should you take to set up your best defense to a claim that your company interfered with a new hire’s non-compete agreement with her current employer?

Landmark Second Circuit Ruling Clarifies the Standards for Mobile Contracts

Insight

A recent ruling clarifies the standards for contract formation in the age of smartphones and mobile contracting, providing important guidance to companies about how to design enforceable mobile contracts, reports Coblentz Patch Duffy & Bass.

Construction Contracts and Arbitration Provisions: Is the Word “May” Mandatory? Maybe!

Insight

the Supreme Court of Virginia held that the parties’ use of the word “may” in the dispute resolution provisions of their construction contract required mandatory participation in arbitration at the election of one of the parties.

Mother Nature Is Tough — How About Your Contracts?

Insight

What happens to supply contracts when a natural disaster floods entire cities, shuts down factories, cuts off warehouses, washes trucks off the road, and essentially brings an entire supply chain to a screeching halt?

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8 Signs You Need Contract Automation

Insight

Conga offers some tips on making the decision whether to look into contract automation.

Smart Contracts as Pre-Commitment Devices on a Blockchain

Insight

Max Gulker of the American Institute for Economic Research Gulker explains that pre-commitment strategies are useful in mitigating some types of fraud.

Stays of Contract Award and Performance (Post-Award Protest Primer #6)

Insight

Daniel Chudd and James Tucker of Morrison Foerster continue their discussion of stays of contract award and performance with an examination of the issue during the pendency of a bid protest.

No Signature? No Problem! Enforcing Arbitration Even Without Everyone Signing

Insight

California courts are often hostile toward defendants that seek to require litigious employees to honor their arbitration agreements, warns Michael Wahlander of Seyfarth Shaw.

Stays of Contract Award and Performance

Insight

An article in the Government Contracts Insights blog on the website of Morrison Foerster discusses stays of award and performance during the pendency of a bid protest.