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.

Choice-of-Law Provision in Employment and Non-Compete Agreement Disregarded

Article

A Dallas appellate court considered whether California law governed contract and tort claims against California-based former employees who signed employment agreements containing a choice-of-law clause stating that Texas substantive law would apply, according to a report by Neil R. Burger of Carrington Coleman Sloman.

Consideration of Force Majeure in Construction Contracts

Article

Before entering into a construction contract, consider how force majeure events are evolving in today's world, advise Jonathan Massell and David A. Senter of Nexsen Pruet on the firm's website.

Exari Delivers Contract Risk Playbook for Senior Executives and Board Directors

Article

A new publication from Exari offers detailed guidance for corporate boards and executives and assists in finding, assessing and minimizing contract risk.

The End of Consumer

Arbitration As We Know It?

Article

As a result of the passage of the Dodd-Frank Act in 2010, the use of mandatory pre-dispute arbitration in consumer transactions has become tenuous, according to an article written by Maurice Shevin for Sirote & Permutt, PC.

The Blockchain Revolution, Smart Contracts and Financial Transactions

Article

Although the blockchain was developed to facilitate cryptocurrency transactions, entrepreneurs are now developing the technology for use in smart contracts, according to DLA Piper.

Study Finds Need for Visibility in Contract Process to Eliminate Human

Error

Survey

Most companies take more than a month to go from the initial “handshake” with a customer to a signed contract because they rely on manual tools, according to a survey conducted by SpringCM, a contract management solution for Salesforce customers.

International Sales Contracts: Square Peg, Round Hole

Article

The article covers what law applies, where will disputes be resolved, arbitration of foreign disputes, who pays the costs of dispute resolution, and miscellaneous important contract provisions.

Key Issues in Service Contracts for Startup Businesses

Article

If your company is providing professional services as opposed

to selling a product, you may find that you need a good Agreement for Professional Services, writes Richard Harroch for AllBusiness.

How Close Are Smart Contracts to Impacting Real-World Law?

Article

Banks, exchanges, and other financial institutions are actively developing blockchain technologies that will enable them to store and trade real assets over blockchain systems.

Court Rules Insurer's Privacy Policy Can Give Rise to Breach of Contract Claim

Article

The process of issuing an insurance policy, either directly or through an employer group, requires care and deliberate action when it comes to issues of proper integration, documentation and transmittal.

Are Electronically-Signed Contracts Enforceable?

Article

In the United States, the federal government has adopted the E-Sign Act, which states that a signature cannot be denied legal effect simply because it is made in an electronic form.

Court Won’t Enjoin Physician Who Breached Non-Compete and Consented to Injunction

Article

When his former employer asked a Providence, Rhode Island Superior Court judge to enter an injunction, the judge refused to prevent patients from being treated by a doctor of their own choosing, reports Paul E. Freehling of Seyfarth Shaw on the firm’s Trading Secrets blog.

Agreements to Arbitrate Are Simple, Right?

Article

The protracted time for a construction case to get to trial and the attendant cost and expense has led the construction

bar away from the courthouse and into the arbitration room, writes Ira M. Schulman of Pepper Hamilton LLP.

U.S. Treasury Issues Report on the Economic Effects of Non-Compete Contracts

Article

The Treasury Department is concerned that the prevalence of non-compete agreements raises important questions about worker welfare, job mobility, business dynamics, and economic growth.