Some of the Surprising Ways Technology Will Affect Future Negotiations

Article

How will new technology transform future negotiations in situations where companies do not want to move more quickly and for various reasons want to use various different negotiation techniques?

SpringCM Opens Office in San Francisco to Accommodate Customer Growth

News

SpringCM, provider of sales contract management solution for Salesforce customers, has announced opening a new office in San Francisco’s Financial District.

Killer Contract Clauses

Article

Contracts and the law are not about common sense. They’re about rules. Know them and win. Ignore them and forget about retiring on time, writes Jack Garson.”

Negotiating Software Contracts – Successfully Negotiating a Limitation of Liability

Article

A software provider's liability is usually limited to the amount of fees paid to the vendor or a fraction thereof. The risk in not negotiating these terms is that the licensee is capped at the amount of damages.

Review Of Arbitration Awards: Lessons for the Construction Industry from the Tom Brady Case

Article

Richard W. Foltz, Jr. and James M. Kwartnik, Jr. of Pepper Hamilton discuss whether members of the construction industry contemplating review of arbitration awards can draw any lessons from the Tom Brady matter.

Smart Contracts May Create Significant Innovative Disruption

Article

Smart contracts today may be similar to e-commerce in the 1990s – poised for widespread adoption and explosive growth even though it may still be a few years off, writes Oliver Herzfeld, chief legal officer of Beanstalk.

American Rule Prevails on Petition to Vacate Arbitration Award

Article

While parties can modify the American Rule in their contracts, they cannot preclude either party from seeking review of an arbitration award when they have effectively incorporated the FAA into their contracts, reports Squire Patton Boggs.

Under Contract Law, Court Says Retirees Have No Vested Right to Lifetime Benefits

Article

Many companies that have previously deferred the modernization of their legacy benefits obligations may want to reevaluate the applicable agreements, as now may be the right time to press ahead with long-overdue changes.

Fortune 500 Companies Losing Revenue from Inadequate Insight into Contracts

Article

When companies understand exactly where their contracts are and, even more importantly, what is buried within them, they can make more informed decisions, according to an article from Seal Software. But sometimes even Fortune 500 companies have no idea what is lurking in their contracts.

New Federal Bill Seeks to

Limit Use of Arbitration Agreements

Article

Employers are advised to follow developments in the legislature and government agencies to curtail the use of arbitration agreements, writes James G. Ryan on the website of Cullen and Dykman LLP.

Clickwrap, Browsewrap and Mixed Media Contracts

Article

Two lawyers describe a case in which a signed contract did not include an arbitration clause, but instead included an Internet link to terms and conditions that included such a clause.

The Standardization of Contract Language – The Pros and Cons

Article

An article posted on the ContractRoom website discusses the arguments for and against standardizing contractual language,

covering such topics as cost, efficiency, lack of variation, legal issues, risk mitigation and productivity.

Patent Exhaustion Can Be Avoided By Lawful Post-Sale Contractual Restrictions

Article

The en banc Federal Circuit held that patent exhaustion can be avoided by otherwise lawful post-sale contractual restrictions and that foreign sales of a patented item are not presumed to exhaust patent owner's rights in the United States, according to a report posted by Dentons.

Federal Mandate on E-Voicing & Government Contract Compliance

NEWS

The Office of Management and Budgets (OMB) has issued a memo mandating that all billing and invoicing from government contractors and federal agencies must be electronic. Approximately 12 million invoices still need to make the transition, report two partners in Alston & Bird.

Three Appellate Courts Remand for Trial on Existence of Agreement to Arbitrate

Article

For contract negotiators, it is critical to obtain (and retain) a signed copy of the final agreement including the arbitration clause, writes Liz Kramer in Stinson Leonard Street's ArbitrationNation.com.

How to Ensure That an Agreement to Negotiate in Good Faith is Enforceable

Article

If you really want an agreement to negotiate in good faith to be enforceable, you have to be precise in how you describe what the parties will and will not do going forward, writes Shep Davidson.

Watch Your LOIs and MOUs and ‘Agreements to Agree’

Article

If you are working with a third party on a term sheet, letter of intent or memorandum of understanding (an “LOI”) on what you view as a non-binding basis, make sure to say so explicitly in the LOI, advises Perry Patterson of Buchanan, Ingersoll & Rooney.

When a Consultant Starts Work Before Signing the Agreement

Article

An article by Dennis Crouch in the Patentlyo.com blog looks at the *TriReme v. AngioScore* federal circuit court ruling about the ownership of potential patent rights.

As Noncompete Agreement Use Expands, Backlash Grows

Article

Noncompete agreements are becoming boilerplate in employment contracts, and for employees, there’s nothing good about them, writes Patrick Thibodeau in ComputerWorld.

SpringCM Achieves Platinum Status in Salesforce Partner Program

NEWS

SpringCM, a document and contract management solution for Salesforce customers, has announced that it has been named a Salesforce Platinum Cloud Alliance partner.