# Be Wary of Certain ISV and Embedded Software Agreements

***Article***

Vendors considering royalty ISV or other embedding agreements need to scrutinize the terms of such agreements and carefully consider whether they are willing and capable of satisfying all of the obligations those agreements typically entail.

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# Even in The Cloud – Keep an Eye on Software Licensing

***Article***

Even though some of the more technical requirements may no longer be the company's contractual obligation, the vendor's failure to adhere to them can cause trouble.

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# Lex Machina Details 2015 End-of-Year IP Trends

***White Paper***

Lex Machina has published an article highlighting IP trends and data from 2015, covering litigation on patents, trademarks and copyrights.

# Drafting to Protect Your IP Rights in Licensor’s Bankruptcy

***Article***

Congress gave licensees protection against losing their IP rights in this situation when it enacted section 365(n) of the Bankruptcy Code.

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# Samsung Seeks to Evade $120 Million Verdict Due In Apple’s Second iPhone Infringement Trial

***NEWS***

Apple had originally identified eight primary patents it said Samsung had infringed across at least 17 products, but courts subsequently narrowed Apple’s trial down to a token hearing, AppleInsider reports.

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# Open Source Software: Usually Cash-free, but with Strings Attached

***Article***

Open source software carries with it binding contractual obligations, which must be identified and complied with.

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# Celgene Announces Settlement of REVLIMID Patent Litigation

***NEWS***

Celgene has agreed to provide Natco with a license to Celgene’s patents required to manufacture and sell an unlimited quantity of generic lenalidomide.

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# Trademark Ruling Could Set Precedent for Redskins Name

***NEWS***

The court rejected a provision of federal law that would bar registration of disparaging trademarks on the grounds that doing so violates the First Amendment.

# Power Integrations Awarded $139.8 Million in Damages from Fairchild Semiconductor

***NEWS***

Power Integrations will also be seeking a permanent injunction against the more than 140 Fairchild parts implicated in this case.

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# Taking Stock of Your Trademarks

***Article***

Trademarks are a valuable company asset that should not be overlooked. This article provides some thoughts and reminders about making sure that the company trademarks are properly managed and protected.

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# Lex Machina Releases Expanded

# Legal Analytics for PTAB

***NEWS***

Lex Machina has introduced new data about trials before the U.S. Patent and Trademark Office's Patent Trial and Appeal Board.

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# Texas Firm Hits Websites With HTTPS Patent Suits

***NEWS***

CryptoPeak is suing owners of HTTPS websites that use elliptic curve cryptography, a common method for sites to encrypt their traffic.

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# Black Friday for Software Copyright Infringement Settlements

***Article***

Many software publishers and trade associations with calendar year accounting are resolving as many outstanding software audits as possible. Companies currently engaged in a software audit may be able to negotiate favorable resolutions.

# Beware Audit Terms in Microsoft’s New MPSA

***White Paper***

Microsoft is transitioning many of its volume-licensing customers from the Select Plus Agreement to the new Microsoft Products and Services Agreement (MPSA). Unfortunately, audit terms contained in the MPSA are significantly more onerous and markedly less reasonable.

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# Negotiating Limitations of Liability in Technology Transactions

***Article***

As hosting and cloud based services have emerged, risk balancing has become a central negotiating point in almost all technology transactions. One of the most notable risk-balancing provisions is the limitations of liability.

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# Protecting Your Trademark From Counterfeiting

***White Paper***

Increasing use of the Internet, combined with new technologies enabling simple and low-cost duplication, have made counterfeiting easier than ever.

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# Proving Ownership of Underlying Licenses for Adobe Upgrades in Software Audits

***Article***

Adobe license terms often change as each new product is released, which means that the way a customer may have previously been licensing software is no longer valid.

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# What Every Tech Company Needs to Know About Assumption of Its Contracts in Bankruptcy

***Article***

Far less effort is required to preserve IP rights than what may be involved in a major piece of litigation; but, in almost

every case, the company must take timely steps to ensure that its interests are protected.