A Refresher on Term Sheets and Commitment Letters

White Paper

Term sheets and commitment letters differ with respect to what is required of, and whether the terms are binding on, the parties.

Entrepreneurship, Business Contracts and Self-Awareness

White Paper

Well written contracts are business gold. They put everyone on the same page from the beginning of the relationship and they outline how the parties will deal with problems when they occur.

How to Determine What is a Breach of Contract

White Paper

One of the more common forms of business disputes is a dispute over the failure to perform certain obligations set forth in a contract, writes Robert Fojo of Fojo Dell’Orfano.

LOIs Are Nothing to LOL About: A Primer on Letters of Intent

White Paper

Parties must be careful in drafting LOIs if they want to avoid having a judge later hold that instead of a precursor to an agreement, the LOI became an enforceable agreement.

Real Estate Development and Construction Contracts: What You Need to Know

White Paper

Matthew DeVries of Burr & Forman offers a few items to think about when drafting contracts, relying on a book titled “Courses on Drafting Contracts.”

Contractural Stabilization

Clauses: Oil Firms Navigate Price-Related Changes of Law

White Paper

Contractual stabilization clauses could help international oil companies (IOCs) protect their interests should the same occur again, reports Pinsent Masons in its Out-Law.com blog.

‘Peak Oil’ – Is That All There Is?

White Paper

The oil market is in a state of confusion, though several developments may serve to halt the momentum depending on their respective outcomes, writes Mona Dajani in a white paper published by Baker & McKenzie.

Physician’s Guide to Employment Contracts

White Paper

Kane Russell Coleman & Logan has posted an article by Karin Zaner on its blog, The Doctor’s Advocate, discussing 10 tips for physician employment contracts.

China Employment Contracts: Keep ‘Em Current Or Suffer Big Penalties

White Paper

Any business employing anyone in China without an up-to-date written contract in Chinese is at risk for a substantial penalty.

How to Accept SaaS Transactions

White Paper

In software-as-a-service (SaaS) transactions, SaaS providers often argue that the SaaS is available upon execution of an agreement and software delivery and acceptance is not required.

Check Your Technology

License: Payments May Be Unenforceable

White Paper

Technology license contract drafters can still achieve payment deferral and risk allocation without a long-term royalty distribution using creative and strategic provisions.

White Paper: Dealing with Contract Disputes

White Paper

Covelli Law Offices gives some advice on dealing with contract disputes, covering potential issues, performance under a contract, and the litigation process.

Bad Advice That Can Get You Sued for Software Copyright Infringement

White Paper

Scott & Scott offers some good advice to counter the bad advice some companies receive when they’re facing a software audit.

AAA Revises Construction Industry Arbitration Rules and Mediation Procedures

White Paper

Pillsbury Winthrop Shaw Pittman has posted an article about the American Arbitration Association's revised Construction Industry Arbitration Rules and Mediation Procedures which became effective July 1, 2015.

Closing a Facility? Dig Deep to Avoid Contractual Issues

White Paper

Myriad legal considerations accompany a decision to close a facility, but in many cases, issues can arise from provisions in unseen depths of contracts.

Breaching the Duty to Defend:

Remedy for Recovering Peace of Mind

White Paper

Estoppel, or forfeiture of defenses against coverage, in the end, is the penalty for a wrongful breach of the duty to defend.

“Don’t Mess with Texas” (Choice of Law Provisions)

White Paper

eyfarth Shaw reports on a contract case in which a California court found that an arbitration agreement between Texas-based Neiman Marcus and a California-based employee was unconscionable because the agreement designated Texas law as the law to apply.

A New Approach to Enterprise Legal Management: A White Paper

White Paper

Managing legal documents and transactions across an enterprise of any size is complex and challenging, but the systems

supporting the effort don’t have to be, according to a statement from Onit.

Oral Warranties: Are They Enforceable?

White Paper

Not all construction contracts are written, and contractors don’t always provide a written policy at the end of a project, writes Austin B. Calhoun of Florida-based Jimerson & Cobb. This raises the question: are oral multi-year warranties enforceable?

Top Three Early Strategic Steps in Enterprise Software Audits

White Paper

No one likes to be audited. However, there are steps that all audited companies usually can take to help contain the risks and introduce a little predictability into the audit process.