TECHNOLOGY

Taylor English’s Technology team is built to deliver innovation and maximum value in legal services to clients engaged in technology transactions, whether with the development and distribution of technology solutions, the licensing and use of technology products, or the procurement and outsourcing of IT services.

Clients in diverse industries rely on our counsel in technology matters. They include academic institutions, energy companies, communications, retail and consumer, entertainment and digital media, financial institutions, computer hardware, health care, logistics, manufacturing, payments processing and software.

Our attorneys don’t simply identify concerns and advise against taking risk. Rather, we help devise creative solutions for your business problems that put risks into perspective. We have detailed knowledge of the underlying operational and intellectual property issues involved with technology transactions, allowing us to advise clients on structuring advantageous arrangements that benefit their business.

Taylor English’s Technology practice has the vertical expertise to work with businesses of all sizes, stages and industries. We have represented developers, distributors and users on matters including:

- Distribution and Sales,
- E-Commerce,
- Entertainment and Multi-Media,
- IT Outsourcing and Solution Hosting,
- Product Development, and
- Telecommunications.

With our large number of former in-house counsel and executives, we have the experience that assists you in securing revenue with less risk. Our attorneys are creative, results-oriented business professionals who work to complete transactions and meet your bottom line.

Representative Clients

- BackPeddle, LLC
- Concurrent Computer Corporation
- Easy Vote
- Identity Sciences LLC
- Intellinet
- LogFire
- NetGen Communications, Inc.
- OnCue Technologies
- Pristine Sun
- Seagate Technology LLC
E-COMMERCE

Internet and e-Commerce business is unique. We have attorneys dedicated to representing clients involved with conducting commercial transactions via the Internet. From domain name registration to the launch of online e-Commerce platforms, we advise clients on the development, procurement and implementation of best practices and policies for successful e-Commerce.

ENTERTAINMENT AND SPORTS

Our attorneys have national and international experience with music, film, sports, publishing and other media that includes representing artists and athletes as well as leading multimedia and entertainment producers and professional sports team organizations.

IT OUTSOURCING AND SOLUTION HOSTING

Our attorneys have extensive knowledge and experience handling Cloud computing, remote hosting and IT outsourcing matters for both providers and users, from obtaining access to use a particular service or application or engaging a vendor to take over a client’s entire IT operation.

PRODUCT DEVELOPMENT

Our attorneys, some of whom have been in-house general counsels with leading hardware, software, software-as-a-service (SaaS), and manufacturing businesses, represent clients with the operational considerations involved with the design and development of hardware, software and other technology.

TELECOMMUNICATIONS

Several in our group have backgrounds that include having been in-house with leading CLEC and telecommunications service businesses. They routinely negotiate service agreements on behalf of clients, including ones for voice and data transmission, conferencing, wireless transmission, and fax and document distribution.

ENTREPRENEURS AND EMERGING COMPANIES

Start-ups and family businesses depend on our attorneys for business formation, succession planning, raising capital and all corporate and operational legal issues. We’re committed to understanding our clients’ businesses, and creating the long-term relationships that position them to thrive.

FINANCING, VENTURE CAPITAL AND PRIVATE PLACEMENTS

We work on behalf of technology companies and their investors in all types of financing, including public and private debt offerings, joint ventures, angel investors, seed round investments, public and private equity, stock transactions, mezzanine financing and late-stage equity investments.
INFORMATION SECURITY AND PRIVACY

We advise clients on compliance, internal assessment and planning, crisis response and how to manage transactions where data security is a concern. Compliance with federal and state privacy laws is becoming increasingly complex, and we provide industry-specific guidance in health care, financial services, consumer marketing, telecommunications and other segments where technology is integral to a business.

INTELLECTUAL PROPERTY PROTECTIONS

We advise businesses, inventors and entrepreneurs on the development, protection and use of intellectual property assets. We assist our clients in identifying, registering and protecting their intellectual property, as well as licensing it to others and enforcing protection.

MERGERS AND ACQUISITIONS

We represent buyers and sellers in connection with the purchase and sale of businesses, including equity and asset transactions, and mergers. Our lawyers assist with all legal-related aspects of transactions, including initial M&A strategy, transaction structuring, tax planning, negotiations, document preparation, due diligence, regulatory compliance, funding, and post-closing matters.

OPERATIONS

Our attorneys, some of whom have been in-house with leading hardware and software businesses, represent clients involved with the design and development of technology. We draft and negotiate software development and OEM agreements as well as hardware manufacturing, assembly and warranty service arrangements.

PRACTICE HIGHLIGHTS

Data processing arrangements. DPAs and other data processing arrangements for retailers, service providers, B2B information technology companies, staffing companies, and other sectors.

Click-through Software Licensing. Prepared hundreds of online software license agreements for browse-through and click-through licenses for downloadable software and software-as-a-service (SaaS) applications.

Sale of software company’s stock to an Employee Stock Ownership Trust. Served as counsel to an Atlanta software company in the establishment of an ESOP and sale of its stock to the related Employee Stock Ownership Trust, drafting and negotiating all legal documents and negotiating terms of sale with Trustee’s counsel and Sellers’ counsel.

Beth Adams v. BSI Management Systems. Defended BSI, the world’s first national standards body, and one of the world’s largest independent certification bodies for management systems, with over 90,000 registered sites across the globe, in a wage/hour lawsuit (alleged misclassification) filed by a former employee, seeking more than $100,000 in alleged unpaid overtime and related damages and fees. At the completion of discovery, we successfully moved for summary judgment on our client’s behalf, obtaining an award of costs against the plaintiff. We successfully defended the judgment on appeal, resulting in a further

**Managed international patent portfolio for Georgia-based biotech company.** Managed the prosecution of U.S. and foreign patent applications in a large patent portfolio relating to identifying humans using antibody profiling processes.

**Seagate Technology patent prosecution and IP counseling matters.** Provided counsel to client Seagate Technology LLC on IP matters and provided patent prosecution services. Seagate of Cupertino, California, one of only a few major manufacturers of hard disc drives and other complex storage products, has an excellent reputation for intellectual property management. We have provided counsel to this client on IP matters and provided patent prosecution services.

**Landmark U.S. Supreme Court case *Bilski v. Kappos*.** Provided counsel to Bernie Bilski and Rand Warsaw in conjunction with the landmark U.S. Supreme Court case *Bilski v. Kappos*.

**Jury trial victory for plaintiff in 3-D imaging technology case.** After two-week jury trial in federal court in Atlanta, won a multi million-dollar verdict, including attorneys’ fees, on behalf of plaintiff (a company involved in 3-D imaging technology) for its failed acquisition by defendant. *ND3D, B.V. v. Image Technology International, Inc.*

**Resolution of commercial contract disputes prior to AAA arbitration.** Represented publicly-traded provider of enterprise workforce management hardware, software, and services in contractual claims against licensed reseller. Negotiated favorable confidential resolution of dispute prior to arbitration, which included reseller’s cease and desist of use of client’s products.

**Phillips v. Tandy Corporation.** Suit by purchaser of computer equipment from Radio Shack. Plaintiff complained that the computer he purchased did not perform as advertised, thereby adversely affecting his business because, as he said, he could not perform spreadsheets. Directed verdict in favor for Tandy Corporation following two days of trial.