



SOFTWARE, TECHNOLOGY AND TELECOMMUNICATIONS

From startup founders to multinational conglomerates, technology companies need lawyers who understand their business and appreciate the speed at which they operate. Whether raising capital, licensing technology or protecting intellectual property, we help companies in this fast-moving space to realize their future.

Business Advice and Counsel

Technology industry clients — from specialty software developers to internet-based companies and adjacent service providers — look to Bell Nunnally's experienced attorneys for support across a wide range of issues. Among these, the firm routinely helps fledgling tech businesses launch and grow their operations, including entity formation, mergers and acquisitions, joint venture agreements, fundraising and investments, intellectual property protection, and issues related to employees, manufacturing and supply chains.

Experienced in commercial finance, corporate and securities, mergers and acquisitions, and intellectual property, our multidisciplinary approach covers all the bases for companies looking to scale or prepare a successful exit strategy.

Clients rely on us for the protection and commercialization of their intellectual property. We are experienced helping clients purchase, sell, develop and license their technology. Our expertise extends to counseling clients on SaaS, data privacy, protection from infringement, and other issues critical to company growth and valuation. We advise both early stage and growth-oriented technology owners and developers in licensing their proprietary technology, evaluating and negotiating development and joint venture agreements, and protecting their ownership rights.

Litigation

Our clients in the software, technology and telecommunications industries rely on us for representation in commercial litigation, including intellectual property litigation and class action lawsuits. We've handled disputes related to copyright, trademark and patent infringement, as well as contract disputes and claims of breach of contract and deceptive trade practices.

Representative Experience

Representative Transactional Matters

- Advise clients on their rights to license, own, use and protect proprietary technology, intellectual property and celebrity rights of publicity.
- Prepare and negotiate agreements governing the license, development, manufacture and sale of products containing proprietary technology, trademarks, celebrity likenesses, content and digital rights.
- Counsel clients on internet law issues, including legislation and regulations governing privacy rights, Federal Trade Commission (FTC) enforcement of the Children's Online Privacy Protection Act (COPPA) and the CAN-SPAM Act.
- Prepare and negotiate web hosting, development, subscription and web-based license agreements.
- Develop internet user terms and privacy policies.
- Prepare and negotiate commercial manufacturing, supply and procurement agreements.
- Counsel clients on consumer product warranties, owner manuals and related materials for FTC compliance.

Representative Litigation Matters

- Represented an innovative virtual payment technology company in a series of lawsuits in multiple jurisdictions involving trade secrets, patent infringement and Computer Fraud and Abuse Act (CFAA) claims.
- Effectively represented a startup real estate technology company that developed groundbreaking services in the homeowners' association management industry in a dispute with \$30 million in controversy and involving a former partner/client where that partner attempted to duplicate the client's technology and cut them out of the processing. Following multi-jurisdictional, bet-the-company litigation, the team obtained a favorable settlement for the client.

- Obtained a unanimous jury verdict for a telecommunications company in a case involving claims for breach of contract, deceptive trade practices, fraud and negligent misrepresentations, successfully upholding the verdict on appeals through the Texas Supreme Court.
- Represented telecommunications companies in litigation regarding damages to underground facilities.
- Represented telecommunications companies in litigation regarding access to rights of way and eminent domain issues.
- Represented a major telecommunications company in a lawsuit alleging software defects, resulting in a summary judgment in favor of our client on some issues prior to trial and a settlement in favor of our client on other issues during the jury trial of the case.
- Defended an international corporation against a million-dollar, breach of contract suit involving electronic component inventory.
- Represented a major telecommunications company in extensive state and federal court litigation involving the interpretation and constitutionality of municipal fee agreements and ordinances, obtaining a favorable judgment on behalf of the client.
- Obtained a summary judgment of non-infringement on behalf of an inmate telecommunications provider in litigation involving telephone equipment patents and successfully upheld the summary judgment at the Federal Circuit.
- Obtained a favorable settlement on behalf of an inmate telecommunications provider following a five-week jury trial in a case involving the client's alleged wrongful termination of a patent license agreement involving 15 telecommunications equipment and software patents.
- Attained a favorable settlement for a design patent holder against Shell Oil in a declaratory judgment action brought to invalidate the patents.
- Represented a hospital system in defense of patent infringement claims relating to medical imaging storage methods.
- Secured a favorable settlement after obtaining a temporary injunction preventing interference with customer contracts based on alleged infringement of identification verification software copyrights.
- Obtained an injunction requiring return of a company domain name that was in ongoing litigation.

Related Practices

Commercial Finance



Corporate and Securities
Entertainment, Advertising and Media
Immigration
Intellectual Property
Labor and Employment
Litigation
Mergers and Acquisitions
Tax
White Collar Criminal and Regulatory Defense

Related Industries

Health Care
Manufacturing
Sports and Entertainment
Wholesale, Retail and Services

Related Attorneys

Alana K. Ackels
Jean Pierre Boyea
Christian J. Cowart
Danica L. Mathes
Greg Nieman
Jeffrey A. Tinker
Christopher B. Trowbridge
David A. Walton
Ross Angus Williams