

VOLUME ONE

CONTENTS:

I.	PATENT AND TECHNOLOGY LICENSING.....	9
1.	PATENT AND TECHNOLOGY LICENSING..... Joseph Yang <i>PatentEsque Law Group, LLP</i>	11
II.	SPECIAL ISSUES IN TRADE SECRET LICENSING.....	39
2.	SPECIAL ISSUES IN TRADE SECRET LICENSING Peter J. Kinsella <i>Faegre & Benson LLP</i>	41
3.	PROTECTING TRADE SECRETS IN LICENSES Patrick J. Whalen <i>Spencer Fane Britt & Browne LLP</i>	67
III.	COPYRIGHT, CONTENT, AND TRADEMARK LICENSING.....	87
4.	TRADEMARK LICENSING..... Sally M. Abel <i>Fenwick & West LLP</i>	89
5.	COPYRIGHT AND CONTENT LICENSING..... • Appendix A: Content License Agreement • Appendix B: Entertainment License Agreement— Underlying Rights Option Agreement for a Television Production • Appendix C: <i>Greenberg v. National Geographic Society</i> , 533 F.3d 1244 (11th Cir. 2008) • Appendix D: <i>Cartoon Network LP, LLLP v. CSC Holdings,</i> <i>Inc.</i> , 536 F.3d 121 (2nd Cir. 2008)	121 135 143 151 241

• Appendix E: <i>Warner Bros. Entertainment Inc. v. RDR Books</i> , 575 F. Supp. 2d 513 (S.D.N.Y. 2008)	257
• Appendix F: <i>IO Group, Inc. v. Veoh Networks, Inc.</i> , 2008 WL 4065872 (N.D. Cal. 2008)	293
• Appendix G: Copyright Royalty Board Notice of Proposed Rulemaking Regarding Music Licensing (<i>Mechanical and Digital Phonorecord Delivery Rate Determination Proceeding</i> , 73 Fed. Reg. 57033 (Oct. 1, 2008)).....	315
Kenneth M. Kaufman <i>Manatt, Phelps & Phillips, LLP</i>	
6. TRADEMARK LICENSING FROM THE INSIDE & OUTSIDE	325
Ira J. Levy Stephen G. Charkoudian <i>Goodwin Procter LLP</i>	
IV. SOFTWARE LICENSING.....	341
7. PATENT LICENSING: INDEMNIFICATION, CHAPTER 8 (PLI-11/07 RELEASE #6).....	343
Mark S. Holmes <i>PatentBridge LLC</i>	
V. ANALYSIS OF A CONTENT LICENSE AGREEMENT.....	385
8. EXCLUSIVE FIRST LOOK AGREEMENT	387
Kenneth M. Kaufman Thomas A. Magnani Katherine C. Spelman Rose Auslander Jonathan Sirota Jessica L. Rothstein Submitted by: Kenneth M. Kaufman <i>Manatt, Phelps & Phillips, LLP</i> Thomas A. Magnani <i>Howard Rice Nemerovski Canady Falk & Rabkin</i>	

9. CONTENT LICENSE AGREEMENT	425
Submitted by:	
Kenneth M. Kaufman	
<i>Manatt, Phelps & Phillips, LLP</i>	
Eric A. Prager	
<i>K&L Gates</i>	
10. ANALYSIS OF A CONTENT LICENSE AGREEMENT	447
Katherine C. Spelman	
<i>Cobalt LLP</i>	
11. AMENDED AND RESTATED INTERNET GAME DEVELOPMENT AGREEMENT	461
Submitted by:	
Rose Auslander	
<i>Carter Ledyard & Milburn LLP</i>	
VI. ANALYSIS OF A TECHNOLOGY LICENSE AGREEMENT	515
12. SELECTED PROVISIONS OF A TECHNOLOGY LICENSE	517
Lucy J. Billings	
Mark S. Holmes	
Marc P. Schuyler	
Mel Garner	
Ira J. Levy	
Rebecca P. Rokos	
Written by:	
Mark S. Holmes	
<i>PatentBridge LLC</i>	
VII. STRATEGIC ALLIANCES AND OTHER JOINT DEVELOPMENT AGREEMENTS.....	579
13. IP ISSUES IN JOINT VENTURES AND STRATEGIC ALLIANCES	581
Joseph Yang	
<i>PatentEsque Law Group, LLP</i>	
PROGRAM SCHEDULE & FACULTY	613
TCK	
INDEX	619

VOLUME TWO

CONTENTS:

VIII. DATABASE LICENSE AGREEMENTS/OPEN SOURCE ISSUES.....	9
14. SOFTWARE LICENSING IN THE 21ST CENTURY: ARE SOFTWARE “LICENSES” REALLY SALES, AND HOW WILL THE SOFTWARE INDUSTRY RESPOND?	11
Christian H. Nadan <i>Sun Microsystems, Inc.</i>	
15. ESSENTIAL CONTRACT TERMS FOR EFFECTIVE DATABASE LICENSING.....	117
Mark G. Tratos <i>Greenberg Traurig</i> <i>University of Nevada Las Vegas Boyd School of Law</i>	
16. JACOBSEN v. KATZER: OPEN SOURCE LICENSE VALIDATION—HOW FAR DOES IT GO?	133
Paul H. Arne <i>Morris, Manning & Martin, L.L.P.</i>	
17. NEW MEDIA, TECHNOLOGY AND THE LAW: A SUMMARY OF KEY LEGAL DEVELOPMENTS AFFECTING TECHNOLOGY AND EMERGING BUSINESS MODELS	147
Jeffrey D. Neuburger <i>Proskauer Rose LLP</i>	
IX. LITIGATION PLANNING FOR LICENSING LAWYERS.....	233
18. LITIGATION PLANNING FOR LICENSING LAWYERS	235
Ira Jay Levy <i>Goodwin Procter, LLP</i>	

X.	INTERNATIONAL LICENSING—ASIA.....	263
19.	SELECTED PATENT ISSUES FOR CONSIDERATION IN LICENSING IN THE PACIFIC RIM.....	265
	Rory J. Radding <i>Morrison & Foerster LLP</i>	
XI.	INTERNATIONAL LICENSING—EUROPE.....	285
20.	INTELLECTUAL PROPERTY LICENCES AND EU LAW	287
	Jeremy Schrire <i>SJ Berwin LLP</i>	
XII.	MANAGING YOUR PATENT PORTFOLIO TO MAXIMIZE LICENSING OPPORTUNITIES.....	333
21.	STANDARDS—AN IMPORTANT PATENT PORTFOLIO LICENSING OPPORTUNITY	335
	Robert A. Myers <i>Fairfield Resources International, Inc.</i>	
XIII.	NEGOTIATION SKILLS AND TACTICS.....	361
22.	PSYCHOLOGY AND PERSUASION.....	363
	Donna Shestowsky <i>University of California, Davis, School of Law</i>	
23.	SYMPOSIUM: THE EMERGING INTERDISCIPLINARY CANON OF NEGOTIATION—INFLUENCE	379
	Submitted by: Donna Shestowsky <i>University of California, Davis, School of Law</i>	
24.	NEGOTIATION STRATEGY AND TACTICS.....	391
	Harry Rubin <i>Ropes & Gray</i>	
XIV.	ETHICAL CONSIDERATIONS IN LICENSING.....	407
25.	BASIC ETHICS FOR THE NEGOTIATING LAWYER	409
	David Rabinowitz <i>Moses & Singer LLP</i>	

POWERPOINT PRESENTATIONS:.....	463
1. AVOIDING COMMON MISTAKES IN PATENT AND TECHNOLOGY LICENSING (POWERPOINT)	465
Joseph Yang <i>PatentEsque Law Group, LLP</i>	
2. TRADEMARK LICENSING ISSUES (POWERPOINT)	519
Stephen G. Charkoudian <i>Goodwin Procter LLP</i>	
3. SOFTWARE LICENSES (POWERPOINT).....	543
Mark S. Holmes <i>PatentBridge LLC</i>	
4. IP ISSUES IN JOINT VENTURES AND STRATEGIC ALLIANCES (POWERPOINT)	599
Joseph Yang <i>PatentEsque Law Group, LLP</i>	
5. INTELLECTUAL PROPERTY LICENCES AND EU LAW (POWERPOINT)	637
Jeremy Schrire <i>SJ Berwin LLP</i>	
6. LICENSING IN EUROPE (POWERPOINT).....	659
James Marshall <i>Taylor Wessing LLP</i>	
7. ETHICS TRANSACTIONAL MORALS IN LAW AND BUSINESS (POWERPOINT)	693
Mark G. Tratos <i>Greenberg Traurig</i> <i>University of Nevada Las Vegas Boyd School of Law</i>	
PROGRAM SCHEDULE & FACULTY	745
TCK	
INDEX	751