

TECHNOLOGY



Technology Overview

Jimerson Birr's Technology Industry Team offers a wide variety of legal services to the technology sector, including advice on corporate formation and structure, angel, venture and private equity financing, private placement stock offerings, corporate governance and controls, distribution and licensing agreements, joint venture arrangements, recapitalization and restructuring, mergers and acquisitions, intellectual property protection (including patents, trademarks, trade secrets, and copyrights), and labor and employment.

Corporate Growth Through Operations and Transactions Focus

Technology sector success is not an overnight feat as many would have you believe. Tech companies need time to perfect their products and services, just like any other business does. As part of that process, our lawyers work with executive and departmental management teams to develop operational policies and procedures, legally support fresh business ideas, and develop specific operations and risk management tools for future use. Our team endeavors to tackle burning problems that prevent acceleration of our clients' growth. Through our experience in business and law, we've developed a series of powerful legal maneuvers and strategies that give license to our technology sector clients to continue applying new thinking patterns, creating disruptive ideas, and looking beyond today to identify unexpected opportunities. When it is time to grow or contract through business transactions, our lawyers can provide counsel throughout the process, and perform the due diligence required to suitably represent your interests in the transaction. We will help you examine and appraise opportunities, and make sure to ask the right questions and document the most important deal points before closing the transaction. Our goal is to provide the information, direction and assistance that our clients need to assess and reduce their risks while they attempt to increase their value through mergers, acquisitions, dispositions, spin-offs or reorganizations. With sprightly and industry-focused legal teams, Jimerson Birr is small enough to be on speed dial, yet large enough to help technology clients overcome all operational, regulatory and transactional tests.

Labor & Employment Counsel

Jimerson Birr's attorneys provide counsel on a wide variety of issues related to the governance and structure of employment relationships in technology sector workplaces. Some of these issues include wage and hour standards, discrimination, workplace safety and health, pensions and benefits, and workers' compensation. Our team focuses on employee relations in the technology environment with a particular skillset to write policies and resolve issues that garner compliance with state and federal laws that prohibit discrimination, harassment, and retaliation based on race, sex, disability, and other protected characteristics. We are able to work with employers to address other employment related issues such as non-compete, confidentiality and non-solicitation protections, unemployment benefits, wage and hour claims, severance negotiations, union issues, workplace safety, and more.

Intellectual Property Safeguarding

Intellectual property denotes creations of the mind: inventions, literary and artistic works, and symbols, images, names and logos used in commerce. Most technology companies cannot legally operate without prophylactic technology measures in place. Our team works diligently to protect technology sector clients' valuable, intangible assets in order to preserve their standing and enhance their competitive advantage in the marketplace. You can safeguard your business's physical assets through insurance policies. But how do you protect intangible assets like your company's original ideas, unique identifiers, and proprietary processes from being misappropriated? The answer is to secure and enforce trademarks, copyrights, patents and other intellectual property rights. Jimerson Birr attorneys work with technology companies to identify protectable IP, register for appropriate protections in domestic and foreign jurisdictions, maintain legal compliance with registrations, uphold secrecy of protected rights, monitoring and policing marketplace infringement, and defending rights in instances of IP pilferage.

Litigation When Litigation Is Called For

No matter what the issue in dispute is, our litigation attorneys work with technology industry clients to aggressively advocate their interests in all phases of contested litigation, including activities like investigating the details of the case, gathering of evidence, interviewing of witnesses and other parties, conducting depositions and analyzing relevant documentary information, narrowing the issues through court pleadings, exploring and negotiating settlement opportunities, and presenting their cases through trials and the appeal process. Our attorneys are specialists in all business issues affecting a technology industry client, as well as all the procedural tricks of the legal process. For our team, success translates into providing value and winning. Our litigators want to win every negotiation, every dispute, every motion, every objection, every trial, and every appeal. Though we want to win and hate to lose, our team does the diligence to analyze and has the experience to recognize when it is the right time to promote compromises due to the risks being greater than the rewards.

Our robust Technology Industry Team understands that technology companies need more than just our legal acumen to produce a meaningful partnership. As part of our role as a trusted advisor, we maintain contacts with seed and angel investors as well as venture capital, private equity and other capital market sources, and deploy that network for the benefits of our clients where introductions appropriate. In law and business, our lawyers have the ability to diagnose our clients' business problems and challenges, the skills to make the right recommendations to improve their situation, and the resolve to take those ideas and actually make them happen.

WHO WE SERVE

- › Technology Software and Hardware Companies
- › Software as a Service Companies
- › E-Commerce Companies
- › Data Management and Cybersecurity Companies
- › Telecommunications Companies

WHAT WE DO FOR THE TECHNOLOGY INDUSTRY

Jimerson Birr recognizes that companies in the risky, complex, and high-stakes technology sector depend on sound counsel for mission-critical operational, legal and regulatory issues. We are committed to the goal of helping technology companies mitigate risk and prevent problems before they arise or escalate.

- › We stay fully apprised of changes to technology-related laws and industry trends in order to proactively keep our clients informed through our educational efforts and industry wide training initiatives.
- › We draft and deliver contract documents in a manner that will make the language more understandable, address the primary risks of your particular business, and bring the documents into compliance with changes in law or trends in the industry.
- › Our dedication to efficient and cost-conscious practice of law, in conjunction with innovative and flexible compensation terms, enable us to help technology companies effectively plan and maintain their budgets without surprise.
- › We have the resources and bandwidth to address legal issues which may occur in the everyday management and operation of the business.

Our Technology Industry Attorneys cover all aspects of a company's legal needs, with specialty service offerings centered around:

- › Internet Law and E-Commerce
- › Intellectual Property Protection
- › Data Privacy and Cybersecurity
- › Software and Systems Ownership Issues
- › Information Technology Agreements and Disputes
- › Software Licensing Agreements
- › SaaS and Other Cloud-Based Services Agreements
- › Custom Software Development Agreements
- › EULAs, Terms of Service, Privacy Policies, and Other User Agreements for Websites and Mobile Apps
- › Technology Litigation

More than just Technology Industry Law specialists, Jimerson Birr has a team of attorneys with experience and expertise in every legal issue you may encounter, including:

- › Accounts Receivable and Judgment Collections
- › Appeals
- › Administrative Law and Licensing
- › Arbitration & Mediation
- › Asset Protection Law
- › Bet The Company Litigation
- › Bankruptcy and Restructuring
- › Borrower Representation
- › Business Litigation
- › Business Process Consulting
- › Corporate and Board of Directors Governance and Operations Counsel
- › Corporate Formation, Transactions and Dissolution
- › Class Action Litigation Defense
- › Data Privacy and Cybersecurity
- › Disaster and Crisis Preparation and Response
- › Economic Development and Government Incentives
- › Eminent Domain Law
- › Employment Law
- › Environmental Diligence, Compliance, Permitting and Mitigation
- › Executive Coaching
- › Fair Credit Reporting Act Defense
- › Fair Debt Collection Practices Act Defense
- › General Counsel for Small Businesses or Start Up Companies
- › Government Procurement and Bid Protests
- › Governmental Relations and Advocacy
- › Immigration Law for Businesses
- › Insurance Procurement and Coverage
- › Intellectual Property Protection
- › Landlord/Tenant Leasing (Commercial)
- › Land Use and Zoning
- › Legal Opinions
- › Opportunity Zone Investing
- › Public-Private Partnerships
- › Premises Liability
- › Property Insurance Claims
- › Property Tax Disputes
- › Real Estate Transactions & Disputes
- › Receiverships
- › Records Management and Document Retention
- › Registered Agent Services
- › Shareholder Disputes and Derivative Litigation
- › Subpoena Response
- › Telephone Consumer Protection Act Defense
- › Trade Secret Protection
- › Vendor Contracting
- › Workplace Safety, OSHA and CDC Compliance

Attorneys



Charles B. Jimerson



Lynne C. Rhode