

TECHNOLOGY



Technology drives change, and change drives opportunity. Husch Blackwell helps technology companies seize opportunities with insightful guidance on everyday corporate matters ranging from financing to investment management. Our team is especially skilled at drafting and negotiating commercial contracts that maximize results and minimize costs.

We understand client challenges in the technology industry, from protecting intellectual property to navigating the rapidly evolving regulatory environment. In an industry that changes quickly, Husch Blackwell provides nimble and smart solutions that move technology businesses forward.

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Case Study

Microsoft Corporation

In November 2017, the state of Wisconsin approved an agreement with Taiwan-based manufacturer Foxconn to build a large plant in Racine County; however, after many revisions and setbacks, the original project never materialized, and ultimately, by 2021, Foxconn and local governments sought to sell a substantial portion of the site. At that time, Microsoft was assessing dozens of properties across the U.S. for the location of a new center and determined that a portion of the Foxconn Racine County site would be an excellent choice. Microsoft's global director of community research and engagement called it "kind of a perfect parcel of land."

Representative Experience

Data Privacy & Cybersecurity projects

Internet of Things projects

Software Development & Licensing projects

Counseled SKC Communication Products on an expansion investment that set the stage for future acquisitions and growth beyond the company's current states.

Advised a real estate executive on the purchase of the Denver.com domain name, one of the priciest geodomain, or geographic name, sales in history.

Represented a leading provider of web-based digital imaging products and services for professional photographers who faced business disruption because of a patent infringement lawsuit brought by a media sharing technology company. We obtained dismissal in federal court of the multipatent infringement suit relating to online photo sharing technology. In addition, the U.S. Patent and Trademark Office rejected certain asserted claims that were submitted for re-examination.

Represented one of the largest pharmacy benefit managers when extortionists threatened to publicly release millions of patient records that they had accessed from the PBM's databases. This led to a lawsuit that accused the company of negligence in its duty to protect customer records and sought certification of a nationwide class. Our attorneys moved to dismiss the case for lack of standing on the grounds that the plaintiff failed to allege his information was included in the data compromised or that

he had sustained actual identity theft. The judge tossed out the lawsuit, ruling that “abstract injury is not enough to demonstrate injury in fact.”

Counseled pollenware markets C2FO (Collaborative Cash Flow Optimization), a global internet-based marketplace for working capital and risk-free profit, on a \$9.1 million Series B investment from investors.

Guided private equity firm Five Elms Capital's, which focuses on capitalizing service-based businesses that use technology to improve value propositions, lower costs, and accelerate growth, Phase I funding through its initial investment period.

Defended a government contract awarded to a client that provides a wide range of customized end-to-end global communication solutions to government and military customers. The Government Accountability Office ruled in favor of our communications client, retaining the original contract award.

Represented a fabless semiconductor company against a claim for patent infringement relating to a data compression algorithm in billions of dollars of modern chipsets. In court, we used an interactive computer demonstration to explain the differences between the patented and accused methods for searching random access computer memory. The federal district court granted summary judgment of noninfringement, which avoided the expense of full discovery and a trial. We also persuaded the court to award attorneys' fees in favor of the client.

Advised the founders of CU Ledger, a technology company that

sought to bring blockchain solutions to the credit union industry. Our team organized the company and drafted a complex operating agreement that took into account state and federal regulations and the unique governance approaches of CULedger's company's credit union owners. We prepared a private placement memo and drafted licensing and other technology agreements with third parties. Financing was successful, and CULedger was on its way to developing applications using the power of blockchain to serve credit unions and their members.

Defended a government contract awarded to a technology-based design contractor to deliver a 3-D training system for the Army. The U.S. Small Business Administration Office of Hearings and Appeals accepted all the arguments raised on behalf of the contractor and rejected the competitor's challenge, allowing the contractor to retain the award and move forward with the design and development of the training system.

Assisted startup AI software company with H-1B visas to significantly grow workforce, achieving a success rate of 71% (versus a national average of 28%).

Represented client in the development of an \$8.2 billion multifacility data center and technology campus. Handled land use and public approvals as well as negotiated incentives package.

Secured a victory for cloud-based IT service provider in its federal lawsuit against a municipal body when a district judge granted a motion for summary judgment in a dispute over permits for cell tower construction.

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