

ABOUT THE EVENT

2015 Tech Talk: Critical Legal Updates for the Global Tech Company

This engaging full-day CLE briefing will feature succinct, practical, and timely overviews of the most important global legal developments relevant to Silicon Valley technology companies and their in-house counsel. Space is limited. Please join us!

16 September 2015, Hyatt Regency Santa Clara

Keynote Speaker: Bruce Perens

“Open Source in the Age of the Cloud”



We are pleased to welcome Bruce Perens as our lunch keynote speaker. One of the founders of the Open Source movement in software, Mr. Perens is the creator of the “Open Source Definition” – the rule set for Open Source licensing which stands today. Mr. Perens is also the inventor of “Busybox”, the most-litigated Open Source program in the world. While never himself a party to one of these lawsuits, Mr. Perens became so frustrated when developers brought the suits that he began helping the defendants. Through this work, he went on to create “Legal Engineering,” a business that resolves infringement of software disputes under the GPL license with minimal expense or pain for the customer.

Mr. Perens has helped resolve GPL violations for a billion-dollar television product line, a

company that underwent its IPO during the process, and a company whose main product was thoroughly co-mingled with the Linux kernel code. He’s also helped many other companies maintain compliance with Open Source licensing and has developed strategies for numerous Fortune 100 companies to do the same.

Mr. Perens was series editor of the 24-volume “Bruce Perens Open Source Series” of books published by Prentice Hall Professional Technical Reference. He has keynoted many legal and technical conferences and spoke at the United Nations Summit on the Information Society at the invitation of the United Nations Development Program. While not an attorney, Mr. Perens is a programmer and intellectual property specialist who frequently works with law firms and their clients.

Agenda topics include:

- Global Data Residency and Cybersecurity Developments
- The European Digital Single Market and Its Effect on Silicon Valley
- Launching Devices Globally - Product Compliance Roadmap and Critical Global Updates
- Selling Technology Products Abroad: Export Law Developments Specific to the Cloud
- BEPS and Beyond: A Briefing on This Revolutionary Global Tax Initiative for Non-Tax Lawyers
- Advanced Strategies for Protecting Global Employer IP
- FCPA Compliance Toolkit for Technology Companies

Who should attend this event?

This seminar is aimed at General Counsels and other in-house lawyers for technology companies who have international responsibilities.

AGENDA

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8:00 a.m. – 9:00 a.m.

Registration & Continental Breakfast

9:00 a.m. – 9:15 a.m.

Welcome and Introduction

Joyce Smith (San Francisco)

Introduction, agenda, trends

9:15 a.m. – 10:30 a.m.

Launching Devices Globally - Product Compliance

Silicon Valley companies are continuously launching new and innovative products into the physical market place. With today's connectivity and distribution channels, these products can launch immediately in nearly 193 countries around the world, subject to various restrictions and requirements regarding marketing, labeling, consumer warranties, packaging, translations, and technical homologation standards. We will provide a global overview of, and important updates on, these requirements as well as practical tips on process management. This session will be particularly relevant for a wide range of both emerging and established companies producing products such as wearables, consumer electronics, drones, computers and the like.

Moderator - Maria Chedid (San Francisco)

Panelists:

Ulrich Ellinghaus (Frankfurt)

Stefan Sperling (San Francisco)

Anna Gamvros (Hong Kong)

Lothar Determann (Palo Alto)

10:30 a.m. - 11:30 a.m.

The Cloud and Data Residency

Companies around the world have been reshuffling their information technology infrastructure over the years in a move to centralize their systems and move data to cloud platforms. Over the past year, a number of governments around the world have responded to this trend, often under the guise of data privacy laws, with requirements to retain data locally in order to allow government access. This panel will provide an update on data residency requirements in key jurisdictions around the world, including Europe, Russia, Brazil and China, and discuss strategies that providers and users of cloud and online services can employ to navigate these requirements.

Moderator - Lothar Determann (Palo Alto)

Panelists:

Anna Gamvros (Hong Kong)

Paula Sarti (San Francisco)

Michaela Weigl (Frankfurt)

Inna Wood (San Francisco)

11:30 a.m. - 11:45 a.m.

Break

11:45 a.m. - 12:30 p.m.

A Brave New World: Europe's Digital Single Market and Its Effect on Silicon Valley

In late Spring, the European Commission announced a plan to harmonize Europe's fragmented online market place into a "Digital Single Market." New rules will likely affect everything from e-commerce to broadband spectrum, courier and parcel delivery rates, copyright rules, and more. This panel will provide insights from the latest legislative developments in Brussels as well as useful guidance on what lies ahead for Silicon Valley companies with operations in Europe.

Moderator - Joyce Smith (San Francisco)

Panelists:

Ben Allgrove (London) and Bill Batchelor (London)

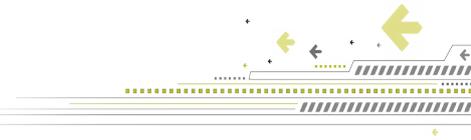
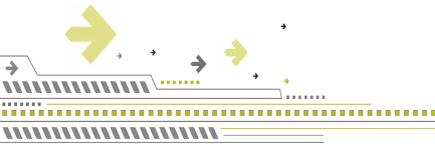
12:30 p.m. - 1:30 p.m.

Lunch and Keynote Speaker Bruce Perens

1:30 p.m. - 2:00 p.m.

Selling Technology Products Abroad: Recent Export Control and Sanctions Developments

This panel will cover the most important developments in trade compliance relevant to the technology sector over the last few months. These will include end-to-end encryption proposals



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relevant to both cloud users and providers, proposed rules related to intrusion software, an update on the expansion of the Information Technology Agreement, and a briefing on changes in the US Cuba and Iran sanctions relevant to the technology sector.

Panelists:

John McKenzie (San Francisco)
Alison Stafford-Powell (Palo Alto)
Jasper Helder (Amsterdam)
Ben Allgrove (London)

2:00 p.m. - 2:30 p.m.

BEPS and Beyond: A Briefing on This Revolutionary Global Tax Initiative for Non-Tax Lawyers

This panel, specifically for non-tax lawyers, will provide a high-level overview of the OECD/ G20 BEPS initiative and discuss what in-house counsel at technology companies can expect this to mean for their intellectual property, supply chains, physical presence around the world, and global workforce's location.

Panelists:

Gary Sprague (Palo Alto) and
Margreet Nijhof (Amsterdam)

2:30 p.m. - 2:45 p.m.

Break

2:45 p.m. - 3:15 p.m.

Advanced Strategies for Protecting Global Employer Intellectual Property

Threats to employer IP can arise at any time during the span of employment, from hiring to termination, and particularly during transactions. This panel will discuss the latest strategies companies are deploying to protect employee-created IP in hot R&D jurisdictions like Germany, China, and Mexico.

Panelists:

Susan Eandi (Palo Alto)
Gary Shapiro (San Francisco)

3:15 p.m. - 4:15 p.m.

FCPA Compliance Toolkit for Technology Companies

Last year, 10 companies paid over \$1.5 billion to resolve FCPA cases with the SEC and there are over 100 companies currently under investigation. This panel will discuss the most common ways companies fail to comply with the FCPA and provide practical recommendations for avoiding an SEC investigation.

Panelists:

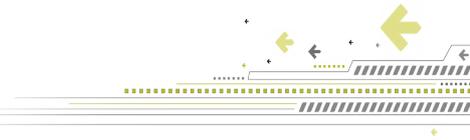
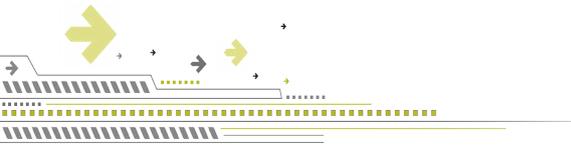
Robert Tarun (San Francisco)
Peter Tomczak (Chicago)
Mini vandePol (Hong Kong)

4:15 p.m.

Event Concludes

4:15 p.m. - 5:00 p.m.

One-on-One Meetings (Optional for Clients)



REGISTRATION DETAILS

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One-on-One Meetings

In order to give our attendees more “face time” with Baker & McKenzie’s local and international partners, we will be offering private one-on-one sessions throughout the day. During registration, please briefly describe a question or topic you would like to discuss, as well as any particular jurisdictions of interest. These personal sessions are limited to 15-20 minutes, so we encourage you to be specific in describing your question. We will contact you prior to the event to confirm your participation in the One-on-Ones and schedule a convenient time to meet during the day.

CLE Details:

Approved for 6.5 California general CLE credits, 6.5 Illinois general CLE credits, 7.5 New York general CLE credits, and 6.5 Texas general CLE credits. Florida and Virginia CLE applications can be made upon request. Participants requesting CLE for other states will receive Uniform CLE Certificates.

Baker & McKenzie LLP is a California and Illinois CLE approved provider. Baker & McKenzie LLP has been certified by the New York State CLE Board as an accredited provider in the state of New York for the period 12/12/12-12/11/15. This non-transitional program is not appropriate for newly admitted New York attorneys. Baker & McKenzie LLP is an accredited sponsor, approved by the State Bar of Texas, Committee on MCLE.

Date:

Wednesday, 16 September

Agenda:

8:00 a.m. - 9:00 a.m. Registration and breakfast

9:00 a.m. - 4:15 p.m. Program

Location:

Hyatt Regency Santa Clara
5101 Great America Parkway
Santa Clara, California, USA, 95054

[View Map](#)

Registration deadline:

7 September 2015

This agenda may be subject to change with final details reflected in the confirmation email

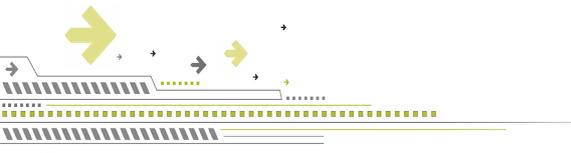
Questions?

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To register and confirm your attendance, please click on the button below:

REGISTER



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Ben Allgrove is a partner in the Firm's Intellectual Property and IT/Com Practice Groups in London, where he advises on contentious and noncontentious media, technology, and intellectual property. A Rhodes Scholar, he was named E-Commerce Lawyer of the Year (UK) in the ILO Client Choice Awards 2011, Assistant Solicitor of the Year in the British Legal Awards in 2009, and was recognized as a "a standout lawyer" in Chambers UK, "well known particularly for his expertise in digital platforms." Media Law International 2015 notes that Ben is "recommended without reservation" by clients for his "thoughtful... fast... and commercially reasonable and grounded" advice. Ben is also a qualified solicitor advocate.

Ben frequently works with clients on matters involving the cross-over space of media, IP and technology. His practice includes acting on major IP and IT disputes, with a particular focus on copyright and technology disputes, content licensing and regulation, privacy, e-commerce and regulatory issues. Ben also has considerable lobbying experience, and has conducted oral advocacy in the Copyright Tribunal, High Court and County Court on behalf of his clients.



Bill Batchelor

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Bill Batchelor is a member of the Firm's European & Competition Law Practice in Brussels. He has been described as "...a sensible lawyer who gives sound and to-the-point advice" by Chambers Europe 2009. Prior to joining the Firm, Mr. Batchelor worked for the DG for Competition of the European Commission, and spent six months with the UK Office of Fair Trading as part of the team that established the 1998 UK Competition Act. He has worked in the Firm's Washington DC, London and Brussels offices. Mr. Batchelor has contributed to Butterworths Competition Law, Cartels Chapter, and Sweet & Maxwell's IT Encyclopaedia, Competition Law Chapter.

Mr. Batchelor focuses his practice on EU and UK competition law. He acts for complainants and defendants in cartel and market power investigations, and advises on EC and multi-jurisdictional merger control laws in relation to mergers and joint ventures. Mr. Batchelor also advises on the impact of EU competition law and carries out compliance audits on the franchising and distribution practices of clients in a wide range of industries. These matters have involved sports broadcasting rights, distribution and licensing of films in various theatrical and non-theatrical segments; 3G mobile, data networking equipment, telecommunications, travel financial services and software sectors.



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Maria Chedid has been an international arbitration practitioner for more than 20 years. She has acted as lead counsel and counsel in arbitrations before a variety of arbitral institutions, including the ICC, LCIA, ICDR, AAA, JAMS, ICSID, IUSCT, and UNCC. Recognizing her diverse international arbitration practice, Chambers USA has reported praise for her “highly effective advocacy,” “capabilities in intellectual property (IP) disputes,” and “dedication to the needs of the client.” In 2014, Ms. Chedid was named one of California’s Top 100 Women Lawyers. She currently serves as president of the Northern California International Arbitration Club.

Ms. Chedid’s experience has included representation of clients in international disputes involving licensing, IP, energy, political risk insurance, construction, breach of government contracts, joint ventures, and taxation. Ms. Chedid has advised clients in disputes in Asia, Europe, the Middle East, Africa and Latin America. Ms. Chedid has also represented clients in US courts in cases involving a variety of multijurisdictional and cross-border litigation issues, such as Alien Tort Statute matters, enforcement of foreign judgments, and forum non conveniens matters.



Lothar Determann

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Lothar Determann is a member of the Firm’s International/Commercial Group in the San Francisco/Palo Alto office and member of the Global Privacy & Information Management Working Group. Dr. Determann is ranked as a leading lawyer in Chambers USA, Legal 500 USA and Super Lawyers, and was selected by the San Francisco and Los Angeles Daily Journal as one of the top ten copyright lawyers in California. He is versed in computer law, privacy law, Internet law and other subjects relating to technology and international law. Dr. Determann has taught law at University of California, Berkeley School of Law (Boalt Hall) since 2004 and at Free University in Berlin since 1994 and has published four books and more than 100 articles and treatise contributions on international and technology law subjects.

Dr. Determann’s practice is focused on assisting and counseling multinational companies and start-ups regarding software licensing, electronic commerce, data protection and international commercial law related to technology transactions, product sourcing/distribution and services.

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Susan Eandi is the lead of Baker & McKenzie's Global Employment and Labor Law sub-practice group for North America, and co-chair of the San Francisco/Palo Alto Compensation and Employment Law Practice Group. She speaks regularly for organizations including SHRM, ASINTA, ITAA, TEI, NFTC, Argyle and in partnership with the US Department of Commerce. Ms. Eandi has been published extensively in various external legal publications in addition to handbooks/magazines published by the Firm. Ms. Eandi is recognized as a Super Lawyer by Super Lawyers of Northern California and a recommended lawyer for US Workplace and Employment Counseling by Legal 500. She was also selected as a leading employment lawyer in California, one of the top 100 women lawyers in California, and one of the top 20 lawyers under the age of 40 in California by The San Francisco and Los Angeles Daily Journal. Ms. Eandi also serves on the advisory board of Practical Law Company (PLC).



Ulrich Ellinghaus

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Prof. Ulrich Ellinghaus joined Baker & McKenzie in Frankfurt in 1996. He has extensive experience in regulatory law, with a focus on environmental, health & safety and product safety law.

Prof. Ellinghaus advises companies on the implementation of sustainability and product stewardship strategies, assists with the implementation of newly enacted regulation and advises and represents companies regarding compliance with technical and environmental requirements.

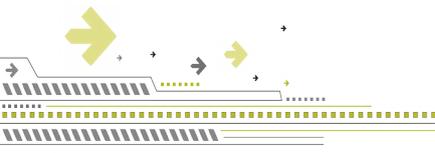


Anna Gamvros

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Anna Gamvros — listed in Computerworld's top 25 privacy experts — advises clients on IT contracts and outsourcing, privacy and data protection, telecommunications and Internet regulatory issues. Ms. Gamvros is co-author to Internet Law in Hong Kong published by Sweet & Maxwell. She graduated from the University of Queensland with a B.A/LL.B and is admitted as solicitor in Queensland, Australia and Hong Kong.

Ms. Gamvros' practice focuses on issues in the IT and communications sectors. She advises on licensing and technology agreements, outsourcing, privacy and data protection, and telecommunications and Internet regulatory issues.



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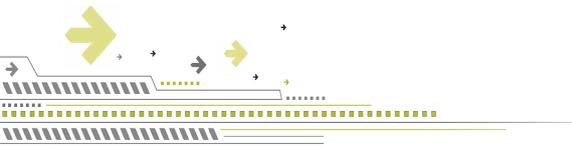
Jasper Helder is experienced in international trade, export controls, economic sanctions and customs. Chambers Global 2014 commends him for his experience in the trade compliance arena and his “ability to co-ordinate teams on a global scale.” Chambers Global 2015 mentions clients say he is “very punctual, solution-oriented and service-minded.”

His focus is economic sanctions and EU export controls (dual-use and military products and technologies). Jasper frequently assists US clients with their EU compliance, and advises a range of multinationals on EU and UN sanctions compliance for countries such as Iran, Russia, Syria and interaction with US sanctions as well as on the interaction between EU and US export controls rules (e.g. ITAR and EAR). He also advises on other aspects of trade regulation, such as trade remedies, free trade agreements, rules of origin and has extensive experience with the EU common agricultural policy and related im/export issues. His practice further includes EU customs compliance, notably customs classification (including Binding Tariff Information) and customs valuation/ transfer pricing.



John McKenzie
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John has been practicing law at Baker & McKenzie for over 30 years. His practice covers planning and structuring international investments, international mergers, acquisitions, consolidation and reorganization transactions, international commercial and technology development and transfer transactions, as well as customs and import regulations, export controls and international corporate compliance. John’s practice is focused on cross-border transactions and international trade regulation. This includes planning and structuring international investments, international mergers, acquisitions, consolidation and reorganization transactions, international commercial and technology development and transfer transactions, as well as customs and import regulations, export controls and international corporate compliance.



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Margreet Nijhof is a member of the International Tax team of Baker & McKenzie Amsterdam. Margreet is also management committee member of the Transfer Pricing team of the Firm's North America Tax Practice Group. Margreet is a frequent speaker on international tax planning and transfer pricing topics. She has also authored several articles on the impact of tax laws and developments on US multinational companies.

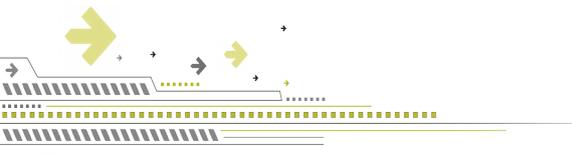
Margreet focuses on U.S. domestic and international tax planning, with an emphasis on corporate reorganizations and restructurings, global tax planning, as well as transfer pricing. Margreet has extensive experience working with a wide variety of industries, including established and emerging hi-tech companies and "traditional" retail and manufacturing companies. Her work focuses on global projects in the context of post-acquisition integrations, supply chain conversions, transfer pricing and other projects involving multiple jurisdictions.



Paula Sarti
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Paula Sarti is an associate in the Firm's International Commercial Practice Group in San Francisco.

Ms. Sarti's practice focuses on global corporate restructuring and integration projects, including pre and post-acquisition integrations, internal restructuring, and other cross-border business issues. She also advises on data privacy law.



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Joyce Smith is a partner in the San Francisco office and chair of the San Francisco/Palo Alto International Commercial Practice Group. She also sits on the Firm's Global Information Technology & Communications Steering Committee and serves as chair of the San Francisco/Palo Alto Diversity and Inclusion Committee as well as the San Francisco/Palo Alto representative on the North America Diversity and Inclusion Committee. Ms. Smith began her career with Baker & McKenzie as an international clerk working in the Firm's Amsterdam office in 1992. She joined the San Francisco/Palo Alto office in 1993 and became a partner in 2010. She was recently named one of the The Recorder's 2014 Women Leaders in Tech Law.

Joyce's practice focuses on advising multinational companies on cross-border commercial transactions, IP and technology licensing, development and acquisitions, IP migrations for post-acquisition integrations and international tax reorganizations, implementation of international tax restructurings, FCPA compliance and due diligence, and other cross-border regulatory, compliance and commercial issues. She has represented clients ranging from start-ups to large multinational corporations in a variety of industries with a focus on technology, ecommerce and pharmaceuticals.

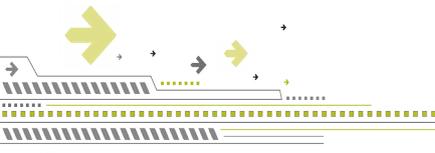


Gary Sprague

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Gary Sprague, a 25-year veteran of international law, is a recognized leader in his field by Bay Area Lawyer Magazine, Best Lawyers in America, Northern California Super Lawyers, Who's Who Legal and Guide to The World's Leading Tax Advisers. Mr. Sprague is also regularly included among the North America's top tax advisers, most recently by the International Tax Review World Tax 2011. He is a regular contributor to the Tax Management International Journal's Leading Practitioner Commentary. Mr. Sprague currently serves as managing partner of the Firm's San Francisco/Palo Alto office.

Mr. Sprague focuses his practice on international corporate tax planning and advice, tax controversies and e-commerce law. He represents software, high technology, and e-commerce companies.



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Alison Stafford Powell has considerable experience counseling US and non-US companies on cross-border outbound trade compliance. With a background also in EU and UK trade restrictions, she routinely advises non-US companies on reconciling US and EU trade regulations and on the extra-territorial impact of US trade restrictions. She is a dual US/English qualified lawyer and has worked in the Firm's London, Washington, DC and Palo Alto offices since 1996.

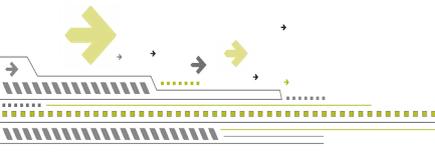
Ms. Stafford Powell advises on export controls, trade and investment sanctions, anti-terrorism controls, anti-corruption and anti-money laundering rules, US anti-boycott laws, and US foreign investment restrictions under the Exon-Florio Provision. She counsels in the context of compliance planning, risk assessments, licensing, regulatory interpretations, voluntary disclosures, enforcement actions, internal investigations and audits, mergers and acquisitions and other cross-border activities. She develops compliance training, codes of conduct, compliance procedures and policies. She has particular experience in the following sectors: travel/hospitality, telecommunications, energy, software/IT, semiconductors, financial services and manufacturing.



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Robert Tarun has tried over 50 federal criminal and civil jury trials across the United States. Mr. Tarun is a fellow and former Regent of the American College of Trial Lawyers, a designation reserved for the most outstanding lawyers in the United States. He has been cited by leading legal directories at home and around the world, and is listed in The Best Lawyers in America: Commercial Litigation and White Collar Criminal Defense, The International Who's Who of Business Crime Lawyers, Chambers USA: America's Leading Business Lawyers and Euromoney's Guide to the World's Leading Litigation Lawyers.

Mr. Tarun has more than 20 years of experience representing individuals, corporations, partnerships and pension funds across the United States in grand jury investigations and trials involving antitrust, the Foreign Corrupt Practices Act (FCPA), mail and wire fraud, embezzlement and environmental crimes. He also represents clients in export and import violations, government procurement fraud, healthcare fraud, labor violations, public corruption and smuggling. Mr. Tarun also represents clients facing securities fraud — insider trading, options backdating and revenue recognition — and tax fraud, including file and tax evasion.



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Peter Tomczak is a member of the Steering Committee of the North America Litigation Practice Group and of the Global Pharmaceuticals Practice Group. He joined Baker & McKenzie in 2003, after having served as a law clerk for the Delaware Court of Chancery. His principal areas of practice are corporate internal investigations and complex business disputes. Mr. Tomczak also serves on the American Bar Association's Global Anti-Corruption Task Force.

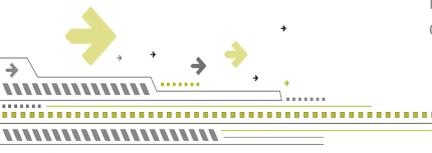
Mr. Tomczak's principal areas of practice are corporate internal investigations and complex business disputes. He has conducted internal investigations of compliance issues, including under the US Foreign Corrupt Practices Act, for multinational corporations in multiple international jurisdictions. Mr. Tomczak also focuses his practice on complex business disputes, primarily those involving disputes among corporate constituencies, unfair competition, shareholder claims, fiduciary wrongdoing, trade secret theft, and related business torts. He has particularly significant experience in litigation involving claims for emergency injunctive relief and other extraordinary equitable remedies.



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Mini vandePol is a partner in Baker & McKenzie's Hong Kong office and is the head of Global Compliance Group. She was previously the head of the Asia Pacific Regional Dispute Resolution Group for 5 years. Ms. vandePol has more than 20 years of legal experience in advising and representing companies in a range of dispute and litigation matters. Her understanding of sensitive client issues from the "inside" is of particular benefit when she advises companies on dispute issues, anti-bribery and corruption compliance issues, conflicts of interest and legal professional privilege. She is the trusted advisor of a variety of corporate boards and senior management, working closely with them to manage their dispute matters and assess organizational risk and develop practical and tailored compliance procedures. Ms. vandePol has been listed in the Australian Financial Review's "Best Lawyers" under the Commercial Litigation in 2012, 2013 and 2014 and is noted as one of the "key individuals" in Dispute Resolution by Chambers Global.

Mini's practice focuses on corporate compliance, commercial litigation, insolvency, and banking & finance litigation. Mini also advises clients on compliance issues, including FCPA related issues, bribery and corruption risks, conflicts of interest and legal professional privilege.



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Dr. Michaela Weigl is an associate in Baker & McKenzie's Information Technology Group in Frankfurt. She obtained her law doctorate from the University of Passau and was admitted to the German bar in 2011.

Dr. Weigl advises German and international companies on all aspects of information technology law, particularly in the areas of internet law, e-commerce, IT outsourcing, privacy and data protection.



Inna Wood

Associate, San Francisco

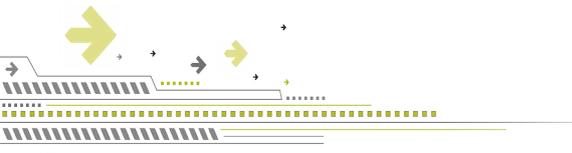
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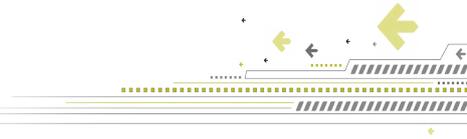
Inna Wood is an associate in Baker & McKenzie's International/Commercial Practice Group in San Francisco. Ms. Wood's practice focuses on cross-border business restructuring projects including spin-offs, mergers and acquisitions, asset transfers, and corporate reorganizations, as well as associated corporate governance, commercial, regulatory compliance, data privacy, and other related legal issues. Before joining the Firm, Ms. Wood served as a corporate counsel for a leading international aviation corporation primarily dealing with cross-border commercial aviation and finance transactions including aircraft and aircraft component leases, sales and purchases as well as regulatory compliance. Ms. Wood also practiced as an associate at the Moscow office of the Firm, where she advised companies on corporate, employment and IP matters.

Ms. Wood assists multinational companies with optimizing their business and maximizing the companies' value by means of corporate restructurings including pre and post-acquisition integration. She also assists clients with the formation and ongoing governance of foreign subsidiaries and advises on documenting intercompany and other commercial transactions.



ABOUT US

2015 Tech Talk: Critical Legal Updates for the Global Tech Company



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