

TECHNOLOGY

Many of the most sophisticated technology clients seek out and rely on our counsel to navigate first-of-a-kind, never-been-done-before legal issues. With a team that includes lawyers and engineers holding advanced degrees and multidisciplinary backgrounds, including Ph.D.s in a variety of fields, our understanding extends beyond legal issues to the technical aspects and underlying substantive issues impacting our clients.

To remain competitive in today's landscape, every company must develop, procure, protect, deploy and efficiently utilize technology. Our commitment to cutting-edge technical fields and our mission to create long-term partnerships with our clients complement the passion and innovation we see in our globally recognized technology clients and matches their need for fast-paced answers and resolutions. Our lawyers advise clients in all stages of the technology industry, from startups and emerging growth technology developers to Fortune 100 companies -- in all sectors including software, cloud and SaaS, FinTech, RegTech, biotechnology and life sciences, telecommunications, cable, social media, digital media, IoT, blockchain and cryptocurrency -- and bring unique perspectives and market knowledge to each client engagement.

Whether a company is facing a serious dispute, seeking to protect newly developed intellectual property, contemplating how data can be commercialized and how it must be secured, confronting the potential for intellectual property infringement, intending to implement and deploy an enterprise-wide technology solution, or capitalizing on an investment in an emerging technology or a market leader, Armstrong Teasdale has a proven track record of success to fit your legal needs. Our lawyers are well-prepared to help navigate complex and novel legal issues as technology continues to rapidly change.

Technology Transactions

Our corporate lawyers have the skills to handle every aspect of a complex technology transaction in a well-coordinated manner that leverages the collective experience of the firm. We take a holistic approach in negotiating favorable deal terms that accommodate each client's unique business and regulatory requirements. We work with clients large and small, international and local, to provide strategic solutions regarding the creation, modification, utilization, integration, commercial exploitation and transfer of technology. Our technology transactions team is experienced and adept in transactions, both in the technology industry and in many other industries where technology and data are core assets, and make up a key portion of the value proposition.

Technology Litigation

Armstrong Teasdale has extensive experience in all forms of litigation where the dispute centers on technology. This includes not only patent and copyright litigation, but also high-value breach of contract, product liability, commercial tort and consumer protection matters in U.S. federal and state courts, and international courts. Armstrong Teasdale's combination of elite trial experience and deep technological knowledge -- which draws on the experience of professionals in the firm's Intellectual Property practice group -- enables our lawyers to handle all aspects of complex, technology-oriented litigation, and to deliver superior results in matters that often have tens or hundreds of millions of dollars at stake.

Intellectual Property

From patents to trademarks, copyrights to licensing, and opinion work to due diligence, our lawyers have the background and experience to protect clients' most valuable assets in today's competitive market. Our lawyers and patent agents have



advanced degrees in a variety of technologies, including chemical, bio life sciences, electrical and mechanical, and understand our clients' complex inventions and ideas and aggressively advocate for them. Armstrong Teasdale's Intellectual Property practice group guides its clients in all aspects of the acquisition, licensing, application, protection and enforcement of their intellectual property rights.

Data Innovation, Security and Privacy

Armstrong Teasdale has a strong reputation handling privacy and data security matters, including data breaches and related incidents internationally. From risk mitigation to incident response and litigation, our team of lawyers hold various industry certifications, including as Certified Information Privacy Professionals (CIPP/US, CIPP/C and CIPP/E) and a Certified Ethical Hacker (C|EH), and have extensive experience to best protect your mission critical information. Given the increasing risk to business and the steady influx of regulation in this area, it's critical to understand your company's vulnerabilities and mitigate risk. Our Privacy and Data Security practice provides counsel to clients on international matters.

EXPERIENCE

Defense Counsel for Mobile Advertising Platform Developer and Directors in Delaware Chancery Court

Served as defense counsel for a mobile advertising platform developer and its former directors in a Delaware Chancery Court action alleging breach of fiduciary duty and disclosure violations arising out of an M&A transaction.

Sale of Cybersecurity Learning Platform

Advised the client, a leading cybersecurity training platform, in its sale to an audit, cybersecurity and information technology training company, which is backed by a private equity firm. The consideration included both cash and rollover equity in the acquiring entity's parent.

Multiple Telecom Acquisitions

Assisted telecommunications company in multiple acquisitions. Company was able to expand its national reach through such acquisitions.

Technology Licensing Dispute

Represented a mobile software company in a software licensing dispute. Secured a complete victory for the company at arbitration.

Secured Dismissal in Infringement Action for Insurance Client

Secured dismissal of breach of software license and copyright infringement action brought against insurance industry client.

Emergency TRO Motion for Lender

Defended a secured lender's emergency motion for temporary restraining order to freeze assets of a computer software company.

Defense of Buyer in Earn-Out Dispute

Defended buyer in earn-out dispute under a stock purchase agreement to acquire a technology company.

Multimillion-Dollar Recovery for Startup Software Developer in Arbitration

Obtained multimillion-dollar recovery plus attorneys' fees and costs for startup software developer in AAA arbitration against reseller for breaching the parties' licensing agreement.

Created Governance Documents for National Institute of Corrections



Drafted governance documents and intergovernmental agreements relating to criminal justice information sharing among local justice and community health stakeholders adopted by the National Institute of Corrections in its revision of the *Guidelines for Developing a Criminal Justice Coordinating Committee*.

Advised Menswear Retailer in SMS Program Launch, Compliance

Advised a major American menswear retailer in launch a transactional SMS program allowing them to communicate via text message with customers who have opted-in. Armstrong Teasdale navigated a strict regulatory environment by identifying regulatory requirements for SMS programs, evaluating internal business processes to streamline compliance, and drafting the requisite consent language. The program required significant cross-collaboration to meet the expected deadlines.

\$32 Million Merger Acquisition of Health Care Tech and Services Provider

Represented health care company in \$32 million merger acquisition of health care technology and services provider, following the client's prior convertible debt investment in the target company.

Asset Sale for Software Developer

Represented a software development company in its sale of assets to a national health care services company in the provider health care and risk management solutions market.

Beat Force Majeure Claims and Secured \$3 Million in Damages in Pandemic-Driven Dispute

Represented WideOpenWest, a cable TV, internet and phone provider, before a panel of arbitrators on dueling breach of contract claims after WideOpenWest terminated its agreement with ad partner Viamedia in the midst of the COVID-19 pandemic. In the arbitration, Viamedia contended that the pandemic, as a *force majeure* event, excused its failure to pay WideOpenWest. The panel found Viamedia liable for breach of contract and awarded WideOpenWest nearly \$3 million in damages, plus attorneys' fees and costs.

Bankruptcy Counsel for Fortune 10 Tech Retailer

Represented a Fortune 10 American technology retailer in bankruptcy. Advised and assisted the client on many issues, including rejection, assignment and assumption of executory contracts, intellectual property license and privacy issues.

Patent Portfolio Development Related to Autonomous Vehicles

Led a team of patent attorneys to prepare and file several patent applications for a large client directed to the control, management and diagnostic testing of autonomous vehicles.

Dismissal of \$1 Billion Class Action Claim

Successfully defended the operator of a commercial website against a putative class action involving alleged interception of an online customer's personal information, including credit card information, and disclosure of that information to third parties without the customer's consent. The plaintiff argued that this information, which was stored in a browser file before being sent to the website, was not yet a communication to website and that the interception and transmission of that information via JavaScript commands was illegal under the Wiretap Act. The court agreed with the website operator's arguments and dismissed the action. Plaintiff's counsel was seeking over \$1 billion in damages, making this a significant victory.

IP Due Diligence for \$900 Million Business Acquisition

Handled the IP due diligence for a client that acquired a payments technology company valued at about \$900 million.

Inter Partes Review for Multinational Security Company

Handled four different *inter partes* reviews for multinational company specializing in security and identity solutions.

Advised on Patent Matters Related to Automotive Technologies



Advised in-house counsel on patent-related matters, including noninfringement and invalidity analyses of competitor patents. Prepared and prosecuted patent applications directed to variety of automotive technologies including automotive manufacturing, infotainment systems, electric vehicle (EV) charge controllers, audio systems, suspension systems and other mechanical systems.

Won Class Certification for Plaintiffs in Large IoT Liability Case Against Automotive Manufacturer

Lead counsel for three certified plaintiffs' classes with an estimated 400,000 to 500,000 members, in a case alleging that various cars and trucks suffer from a series of cybersecurity defects that render the vehicles vulnerable to being hacked in a way that would allow hackers to remotely control the vehicles' operational and safety systems, including acceleration, braking, steering and ignition.

Payment Authentication Patent Portfolio for Fintech Client

Developed patent portfolio for large fintech client in the area of payment authentication services. Multiple patent attorneys prepared and filed numerous patent applications directed to authenticating online users using client device metadata.

Representation in Class Action Involving Biometric Information Privacy Act

Represented corporate client in employment- related class action involving the Illinois Biometric Information Privacy Act.

Patent Portfolio Management for Multinational Aerospace Corporation

Managed patent applications relating to semiconductors, avionics, antennas, modeling, simulation, non-destructive testing, flight control systems, communication systems, electronics and unmanned systems.

THOUGHT LEADERSHIP

March 18, 2024

The EU Artificial Intelligence Act: What Businesses Need to Know

February 14, 2019

Major EHR Technology Settlements Signal More Investigations on the Horizon

January 10, 2019

New USPTO Section 101 Guidelines Impact Examination Process, Are Anticipated to Reduce Number of Rejections