



## Technology Law

Foster Swift's technology group is comprised of a cross-disciplinary team of attorneys. The group is experienced in a wide range of technical areas.

Our clients are diverse and include both large and small tech companies and many non-tech companies that encounter issues related to technology, software, data privacy, and protecting intellectual property and proprietary data.

### AREAS OF EXPERTISE

**Transactions and Agreements.** We regularly negotiate and draft agreements, on both the vendor and user side, for technology services and products, including the following:

- Software licenses, development contracts, implementation, and maintenance agreements
- Source code development agreements
- Master service agreements
- Hardware acquisition, installation, and maintenance agreements
- WiFi, Electronic Network, and website development and hosting agreements
- Technology outsourcing agreements
- Network, Internet and email use policies
- Website terms of use and privacy policies
- Data transfer and Electronic Data Interchange (EDI) agreements

**Electronic Privacy Matters.** We are experienced with various electronic privacy matters, such as:

- The Gramm-Leach-Bliley Act (GLBA);
- The Health Insurance Portability and Accountability Act of 1996 (HIPAA);
- Identity Theft Protection Act;
- The Child Online Privacy and Protection Act (COPPA); and
- Developing workplace policies for email, instant messaging and computer use.

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### ATTORNEYS

#### Shareholder

Taylor A. Gast

Mark T. Koerner

Nicholas M. Oertel

#### Associate

Lindsey M. Mead

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### RELATED PRACTICES

Business Contracts

Business Law

Deal Team - Mergers & Acquisitions

Family Owned Businesses

International Business & Trade

Non-Profit Corporate Law

Patents, Copyrights, Trademarks and Intellectual Property

Tax Law

Telecommunications

Trade Secrets & Non-Compete Contracts



**Copyright.** Copyright and other intellectual property issues often accompany technology matters. Whether it is an issue related to ownership of intellectual property, whether a project is a "Work Made for Hire" or crafting an enforceable Intellectual Property assignment, we have the experience to meet our clients' needs.

## **PUBLICATIONS & ALERTS**

Dept. of Treasury Changes Course Regarding Biogas Property: Upgrading Equipment Included Again, *Foster Swift Agricultural Law News*, March 20, 2024

Will Recent Alabama Ruling Stay Implementation of the Corporate Transparency Act?, *Foster Swift Business & Tax Law News*, March 5, 2024

The AI revolution: A look back at 2023 and the future of AI in the law, *Michigan Bar Journal: February 2024 Edition*, February 11, 2024

Business Update: How will the CTA affect your business?, *Business & Tax Law News E-blast*, January 16, 2024

2023 Year-End Checklist for Businesses, *Foster Swift Business & Tax Law News*, November 17, 2023

2023 Legal and Regulatory Developments for Agribusinesses, *Foster Swift Agricultural Law News*, August 30, 2023

Michigan Court of Appeals Holds Drone Surveillance a Search Under Fourth Amendment, *Foster Swift Municipal Law News*, November 18, 2021

2021 Year-End Checklist for Businesses, *Foster Swift Business & Tax Law News*, October 24, 2021

Drone Registration Requirement: Here's What You Need to Know, *Foster Swift Agricultural Law News*, October 22, 2018

Farm Drones – Steer Clear From Michigan's 230 Airports, *Foster Swift Agricultural Law News*, January 24, 2018

It's Not 'If', It's 'When', *Greater Lansing Business Monthly*, August 8, 2017

Sixth Circuit Decision Encourages Lawsuits by Customers and Employees Affected by Data Breaches, *Foster Swift Business & Corporate Law News*, October 31, 2016

Turning Bytes of Data into a Farming Boon, *Foster Swift Agricultural Law News*, March 27, 2015

HB 5335: A Proposed Change to the OMA to Prohibit Voting by Telephone and Video Conference, *Foster Swift Municipal Law News*, March 2012

The Taxation of Cloud Computing, *Foster Swift Business & Corporate Law Report*, Winter 2011

"Private" Information on Social Networking Websites Deemed Discoverable, *Foster Swift Information Technology E-News*, November 16, 2010

HITECH: New Security and Privacy Requirements, *Foster Swift Employment, Labor & Benefits Quarterly*, Spring 2010

Protecting Company Interests When Employees Use Social Media, *Foster Swift Employment, Labor & Benefits Quarterly*, Spring 2010

HITECH: February 17, 2010 Deadline Approaching, *Foster Swift Employment, Labor & Benefits E-News*, February 12, 2010



The E-Verify Program: Requirements for Federal Contractors, *Foster Swift Employment, Labor & Benefits Quarterly*, October 2009

Use of Generic Terms Precludes Otherwise Well-Known Brand Names From Obtaining Trademark Protection, *Foster Swift Information Technology E-News*, September 1, 2009

E-Discovery: Text Messages Not Off Limits, *Foster Swift Information Technology E-News*, September 2008

## NEWS

Small Business Month: Foster Swift Highlights Importance of Planning with Legal Resource Advisors, *Globe Newswire*, May 9, 2024

Are You Prepared? New Video Series Exposes Potentially Devastating Legal Challenges for Young Adults & Their Families, *EIN Newswire*, November 21, 2023

Foster Swift Elects Four Shareholders, January 10, 2022

Koerner Discusses Dapper Dads on Michigan Business Network, *Michigan Business Network*, August 19, 2021

New Rising Star Listing in Super Lawyers 2021, *Michigan Super Lawyers*, August 13, 2021

Attorney Joins 2021 Dapper Dads for Good Cause, July 15, 2021

Mashni Named SBM ACES Chair, *Foster Swift Business & Tax Law News*, February 4, 2020

Municipal Attorney Joins Dapper Dads, April 24, 2019

Foster Swift Elects New Shareholders, *Lansing Regional Chamber*, January 21, 2019

Mark Koerner Joins Foster Swift, August 1, 2018

Richardson Named VP of MDTC, July 28, 2017

4 Greater Lansing hacks already, who's next?, *Lansing State Journal*, July 13, 2017

Attorney Josh Richardson elected Boys & Girls Club of Lansing Chair, January 26, 2015

Webinar addresses legal issues in software transaction, September 30, 2013

Iris Linder Weighs in on Crowdfunding, "Join the crowd - with caution" - *Michigan Lawyers Weekly*, April 30, 2012

## EVENTS

2024 AI Predictions and Legal Strategies for Women Leaders, *Legal Strategies for Women Leaders*, June 4, 2024

What AI Legal Issues Can Impact Your Business?, *Second Wednesday Sessions*, March 13, 2024

Watching Out for Trademark Trolls, *Michigan Business Network*, February 16, 2024

How Will the CTA Affect Your Business?, *Second Wednesday Sessions*, February 14, 2024

The Latest on the Corporate Transparency Act, *Michigan Business Network: Michigan Business Beat*, December 12, 2023

Employers' Use of Artificial Intelligence (AI), *Fall 2023 Labor & Employment Law Update*, October 12, 2023



Catchup to ChatGPT: An Introduction to and Overview of Artificial Intelligence in 2023, *Insurance Alliance of Michigan (AIM) Claims Seminar*, September 18, 2023

Hot Legal Topics in Ag for 2023, *AgroExpo 2023*, August 15, 2023

ChatGPT: Your New Artificially Intelligent Associate?, *Detroit Bar Association*, June 21, 2023

Should Employers Use Generative AI for the Hiring Process?, *Foster Swift Second Wednesday Lunch Break*, June 14, 2023

Avoid the Virtual Traps of the Rapidly Changing Tech Law Landscape, *MICPA Learning Showcase*, June 15, 2021

TikTok, WeChat & More: Talking Tech and IP in The U.S. & China, *Global Business Club of Mid-Michigan*, February 17, 2021

Municipal Regulation of Wireless Telecommunication Facilities in the Public Right of Way: Guidance for Counsel, *Strafford*, October 29, 2020

You've Been Breached! An Interactive Incident Response Simulation, *Presented by SIKICH*, March 19, 2019

UAVs (Drones) — What's Legal?, *Michigan Agri-Business Association Winter Conference*, January 13, 2015

Social Media Policies — Are they Needed?, *Michigan Business Network*, October 24, 2013

Webinar: Top 5 Legal Issues To Address in Every Software Transaction, October 16, 2013

WEBINAR | Protecting Against the Unknown: How to Successfully Review IT Contracts to Increase Your Rights and Avoid Potential Liability, June 22, 2010

Business Law Issues for Managers of IT Businesses, *LINC-IT Development Association Speed-LINC Forum*, September 2008