

Advertisement for Upcoming Webinar on Negotiating SaaS Agreements Sponsored by Clear Law Institute

Webinar Mailer 10.26.18

The Prinz Law Office to Launch New Alternative Billing Solution

The Prinz Law Office is pleased to announce the launch of a new alternative legal billing solution for our clients in the software/SaaS, tech and health tech/digital health, and IT/healthIT industries: the subscription billing model. We have been following the recent popularity of this model with California companies, and have decided to adopt our own version. We believe that it may be a good fit for clients with ongoing firm needs, particularly in the transactional space. Our new plans will be based on daily and half-daily billing, eliminating traditional hourly timekeeping for clients who choose this option. For more information on how a subscription solution would work, please contact Kristie Prinz at kprinz@prinzlawoffice.com or 408.884.854.

HP Launches New Digital Rights Management Software Controversy with Security Update Downloads

HP has set off a new DRM software controversy over printer cartridges with a recent security update to HP printers, which made third party printer cartridges no longer compatible with their printers. The Silicon Valley Software Law Blog explores the controversy and suggests that new litigation over DRM software could be on the horizon in the following blogpost:

Digital Rights Management Software and the Printer Hardware Business

SaaS Lawyer Kristie Prinz to Speak at Upcoming Webinar on “Negotiating Software as a Service Contracts”

SaaS Lawyer Kristie Prinz will be speaking on “Negotiating Software as a Service Contracts” at a webinar sponsored by Clear Law Institute, which will be held at 10 a.m. PST/1 p.m. EST on May 6, 2016. For more information on the webinar, please contact Clear Law Institute at <http://clearlawinstitute.com/>.

Microsoft Launches New Constitutional Challenge Against Alleged Federal Government Searches of Customer Data in Cloud

Microsoft has just launched a constitutional challenge against the federal government over its use of indefinite gag orders when the government subpoenas information from customer cloud account. The action was clearly timed to capitalize on public sentiment against the government for its perceived intrusion on privacy rights in the recent action against Apple regarding the encryption of the San Bernardino terrorist smartphone. The Silicon Valley Software Law Blog further explores this development in the blogpost linked below:

<http://www.siliconvalleysoftwarelaw.com/microsoft-launches-new-constitutional-challenge-against-government-over-secret-data-requests>

Government Signals Possible Reversal of Course on Apple

Litigation

The Department of Justice signaled today that it may be rethinking moving forward with the Apple litigation over the iPhone encryption issue, canceling a hearing scheduled for tomorrow in order to explore a possible new method that had come to light for unlocking the terrorist iPhone that has sparked the dispute. The Silicon Valley Software Law Blog further explored today's developments in the following blogpost:

<http://www.siliconvalleysoftwarelaw.com/government-backtracks-in-dispute-against-apple-over-unlocking-terrorist-iphone>.

Silicon Valley SaaS Lawyer Kristie Prinz to Speak at Upcoming Webinar on “Negotiating Software as a Service Contracts

Silicon Valley SaaS Lawyer Kristie Prinz will be speaking on “Negotiating Software as a Service Contracts” at a webinar sponsored by Clear Law Institute at 10 a.m. PST/1 p.m. PST on May 6, 2016. To sign up to attend the program, please register at the Clear Law Institute Website at www.clearlawinstitute.com.

The Encryption Debate: Will Government or Industry Win?

When the Justice Department decided to wage a legal battle against Apple over encryption on the iPhone of one of San Bernardino terrorists, the government moved the encryption debate into the public arena and triggered a public debate over the issue. Now, it is reported that the government is considering launching a second case over the encryption issue against yet another company. Who will be the ultimate winner in this debate? The Silicon Valley Software Law Blog explores the issues in the following blogpost:

<http://www.siliconvalleysoftwarelaw.com/who-will-ultimately-win-in-the-fbis-standoff-with-the-software-industry>

Software Industry Considers Consequences of Supreme Court Decision on Patent Validity Defense to Claim of Induced Infringement

The U.S. Supreme Court has just issued an opinion in the *Commil vs. Cisco Systems* case, prompting members of the software industry to consider how the ruling will impact

member software companies, as we further explored in our recent Silicon Valley Software Law Blog Posting:

<http://www.siliconvalleysoftwarelaw.com/silicon-valley-software-industry-considers-impact-of-supreme-court-decision-on-patent-invalidity-defense-to-claim-of-induced-infringement>

Senate Cybersecurity Bill May Increase Government Surveillance Pressures on Cloud Companies

Privacy groups have voiced concerns about the Senate Intelligence Committee's recent introduction of a cybersecurity bill, as was further explored by the firm in the following Silicon Valley Software Law Blog posting linked below:

<http://www.siliconvalleysoftwarelaw.com/new-senate-cybersecurity-bill-may-expand-government-surveillance-pressure-on-cloud-companies>

Software Companies Consider Impact of FCC Decision on Net Neutrality

The Federal Communications Commission (“FCC”) recently adopted rules on the issue of net neutrality. The Silicon Valley Software Law Blog looked at the recently decision and contemplated the impact in the link posted below:

<http://www.siliconvalleysoftwarelaw.com/fcc-decision-on-net-neutrality-what-does-this-mean-for-the-software-industry>

Distinguishing Between the Software License and the SaaS Contract

The Silicon Valley Software Law Blog looked at what the differences are between the software license and the SaaS contract models in a recent blog posting linked below:

<http://www.siliconvalleysoftwarelaw.com/software-licensing-vs-software-as-a-service-saas-the-importance-of-the-technology-model-to-contract-drafting>

Report Claims that Most Apps Fail to Protect Users' Privacy

Do most apps on the market fail in provider users' with basic privacy protections?

As the Silicon Valley Software Law Blog reported in a recent blog posting, a recent study suggests that this is in fact a common problem in the software industry, as further discussed in the link below:

<http://www.siliconvalleysoftwarelaw.com/report-reveals-that-the-majority-of-apps-on-market-ignore-privacy-concerns>

California notifies App-based Ride Service Uber and Competitors that Service is Illegal

The state of California has notified Uber, Lyft, and Sidecar that their services are illegal under California law, as further discussed by the Silicon Valley Software Law Blog in the post below:

<http://www.siliconvalleysoftwarelaw.com/california-notifies-app-based-ride-service-uber-and-competitors-that-service-is-illegal>

Google Settles with FTC over In-App Purchases Made by Children

The Federal Trade Commission has announced that Google has agreed to refund customers' unauthorized in-app purchases made by their children in the Google Play Store, as the Silicon Valley Software Law Blog discussed in its recent blog posting attached below:

<http://www.siliconvalleysoftwarelaw.com/ftc-settlement-with-google-to-require-refund-of-unauthorized-in-app-charges>

\$163 Million Damage Award in Federal Case Against Scareware Software Company and Founders

The U.S. District Court for the District of Maryland has awarded damages in excess of \$163 million in a FTC case against a "scareware" software company, Innovative Marketing, Inc. and its founders, as further discussed by the Silicon Valley Software Law Blog in the blog post link below:

<http://www.siliconvalleysoftwarelaw.com/federal-court-awards-163-million-judgment-against-scareware-software-company-in-ftc-case>

FTC Proposing New Rules to Protect Children's Online Privacy

FTC has announced that it is proposing an amendment to the Children's Online Privacy Protection Rule ("COPPA"). The Silicon Valley Software Law Blog discussed the proposed changes as well as the pros and cons of potential implementation in its blog posting linked below:

<http://www.siliconvalleysoftwarelaw.com/ftc-proposing-new-rules-to-protect-childrens-online-privacy>

President Obama Announces The Consumer Privacy Bill of Rights

President Obama has announced the Consumer Privacy Bill of Rights initiative, as further discussed by the Silicon Valley Software Law Blog in the following blog post linked here:

<http://www.siliconvalleysoftwarelaw.com/president-obama-unveil>

How to Protect Your Ideas Before the Launch of a Software Start-up

How do you protect your ideas before you launch your novel software start-up? The Silicon Valley Software Law Blog explored this issue in the following blog post linked here:

<http://www.siliconvalleysoftwarelaw.com/tips-to-protecting-your-ideas-before-you-launch-your-software-start-up-company>

Consider Alternatives to Equity When Launching Your Start-up's First Development Project

If you are like many software start-ups, you probably think that equity is the only way to pay for your development work. However, this is not in fact the only option for a cash-strapped start-up, as the Silicon Valley Software Law Blog discussed in the blog post linked here:

<http://www.siliconvalleysoftwarelaw.com/equity-not-the-only-option-for-software-start-ups-hiring-first-developer>

Most Early-Stage Development Projects Overlook the Need to Procure a Copyright Assignment

If you are like most early stage software companies, you will complete your next development project without ever asking for or procuring a copyright assignment. The Silicon Valley Software Law Blog explored this issue in the blog post linked below:

<http://www.siliconvalleysoftwarelaw.com/copyright-assignments-overlooked-in-most-development-projects>