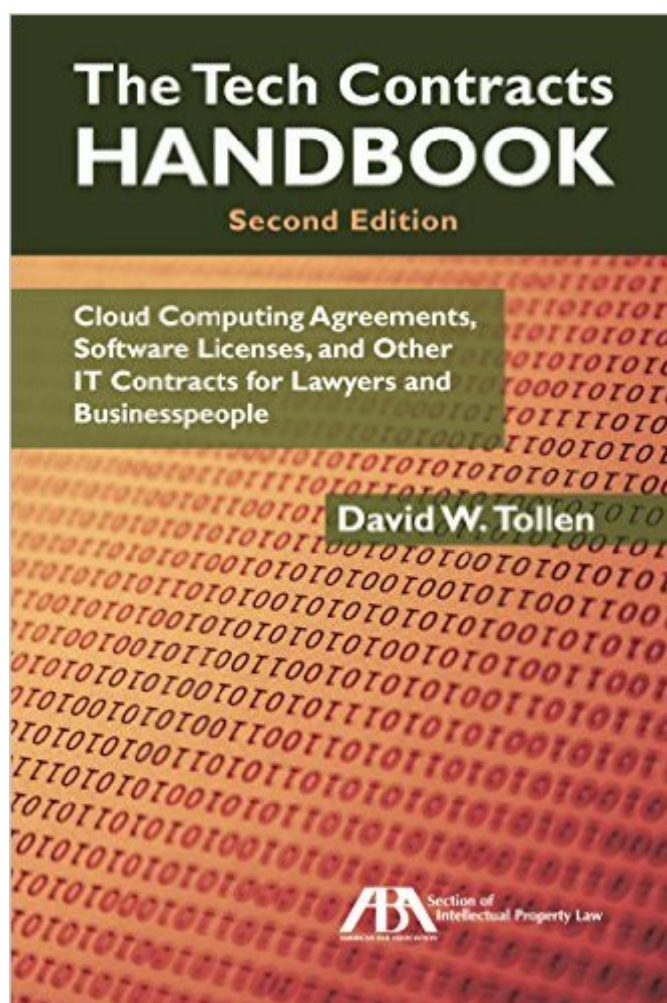# The Tech Contracts Handbook: Cloud Computing Agreements, Software Licenses, And Other IT Contracts For Lawyers And Businesspeople

The Tech Contracts
HANDBOOK

Second Edition

Cloud Computing Agreements,
Software Licenses, and Other
IT Contracts for Lawyers and
Businesspeople

David W. Tollen

ABA Section of
Intellectual Property Law

Synopsis

The Tech Contracts Handbook is a practical, user-friendly reference manual and training guide on cloud computing agreements, software licenses, and other IT contracts. It's a clause-by-clause "how to" resource, covering the issues at stake and offering negotiation tips and sample contract language.The Handbook is for both lawyers and businesspeople -- including contract managers, procurement officers, in-house and outside counsel, salespeople, and anyone else responsible for getting IT deals done. Perhaps, most important, it uses clear, simple English, like a good contract.Topics covered include:Software-as-a-service (SaaS) subscriptionsWarranties and service level agreements (SLA's)Data security and privacyIndemnitiesDisaster recovery (DR)Non-competesLimitations of liabilityClickwrapsOpen source softwareNondisclosure agreements (NDA's) and confidentialityTechnology escrowCopyright and other intellectual property (IP) licensingInternet and e-commerce contractsAnd much more ...

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Customer Reviews

This book is a must for every Software Entrepreneur and Founder! As the authors says, it is not a substitute for attorneys but it helps entrepreneurs and founders with a checklist of items that need to be covered. Attorneys may not know as much about their business as they do. This book provides a basic understanding of various clauses that need to go into technology contracts. The author divides these into Prime Clauses, General Clauses and Boilerplate Clauses. Prime ones deal with crucial parts of the contract such as Software Licensing, Payments and Technology Ownership. General Clauses deal with many nitty gritty details of all ancillary stuff that need to be covered like

Indemnity, Documentation, Training, Limitation of Libaility, Maintenance Terms, etc. The Boilerplate clauses deal with things like non-compete, Bankruptcy rights, etc. The author is an attorney and has served as the VP of Business Development in a software company. His having to deal with the day to day activities of a software company and the need for technologists to understand tech contracts to protect themselves shows through very well in this book. Would recommend it highly! Like the author says "Good Fences make Good Neighbors". Good tech contracts that cover the particulars of your own business is critical and it is only up to you to make sure that your attorney makes your contracts complete, comprehensive and adequate to protect your interests!

Great resource. I watched a video by David Tollen on this topic for CLE requirements, which prompted me to buy the book. Straight forward and written in plain English. You don't need to be a lawyer to understand Mr. Tollen's delivery. If you're a practitioner, this is a great desk reference. If you just want to have a solid reference for drafting and/or negotiating technology oriented agreements for any reason, you should get this book.

My biggest reservation when it comes to reading any book written by a lawyer arises from the fact that most attorneys are terrible writers. Thankfully, Mr. Tollen is an exceptional writer with a real gift for making difficult concepts easy to understand. As an attorney without experience in intellectual property, I've found this book to be a useful resource, and I've recommended it to several of my clients in the tech space. This book is an excellent investment for anyone involved in IT contracts, from attorneys to business people.

California author David Tollen made a startlingly fine debut with his first novel THE JERICHO RIVER â " and it just may be a path for other writers to follow â " teaching history through time travel and exploration of past civilizations. He has penned a number of books about technology law, of which this THE TECH CONTRACTS HANDBOOK is a fine example. David earned law degrees from Harvard Law School and Cambridge University in England, as well as a B.A. in history from U.C. Berkeley. He's the founder of Sycamore Legal P.C., a San Francisco technology and intellectual property law firm. He also provides training and expert witness services related to negotiating and drafting IT contracts.David is such a fine writer of fiction it is interesting to read his technical books to see if his savvy with words and phrasing are equal when discussing technical issues. This book is definitely intended for lawyers and businesspeople â " a goldmine of information about Cloud computing agreements software licenses and IT contracts. The presentation of the

material is accessible for his intended audience. Las for those who are not advanced in the fields he discusses the book is slow reading â " albeit solid in scope and content.David fulfills the promise the PR has made about his book: â ˆThe book addresses four principle types of IT contracts - Software license agreements and software ownership agreements, IP professional services agreements, Cloud services agreements, Combination agreements. Topics include warranties, indemnities, open source software, nondisclosure agreements, limitations of liability, software escrow, data security, copyright licensing, both private and government contracts.â ™This is a resource book to grow into for those who are not lawyers or high profile business women and men. Very solid. Grady Harp, April 16

I cited to David Tollen's first edition of the Tech Contracts Handbook in my law school thesis a few years ago (The Flaws of Fixed Price: International Technology Services Contracts). Now I have the second edition sitting on my desk at work. I refer to the book and to his equally helpful website whenever in doubt! It's an absolutely fantastic reference book, both for laymen and for practicing commercial transaction attorneys who need a little guidance on the technology side.

A focus on whatâ ™s fair may lead you to reject deals that make economic sense, or to accept deals that donâ ™t, according to David Tollen in this book. The better question is: would doing the deal under these terms be more profitable than not doing it?This concise book provides precedents for a broad range of IT agreements, but it is unusual in that it specifically explains each clause in a manner designed to be understood by someone with no previous legal knowledge. In my opinion it is simply not possible for one book of this size to provide all the education necessary for the reader to produce a high quality agreement, but the book will be very useful for:â ¢ Lawyers to give their clients to help them understand the terms of IT agreements;â ¢ Business people seeking to understand contracts presented to them;â ¢ Lawyers who have not had significant prior experience with IT agreements; andâ ¢ Business people who need an agreement but cannot justify the cost of a lawyer.The book has been written with regard to terms suitable for IT agreements in the US. Most of the terms will also be suitable for international agreements, but local advice for each country is advisable, particularly with regard to tax treatment of payments and any terms which might be unlawful according to local law or terms which might be implied into the agreement by local law.I disagreed with the authorâ ™s statement on page 18 that â œarguably, public performance rights are implied by the right to reproduce or use software with audio or visual content, even if not specifiedâ •. Nonetheless, this is in my opinion the best plain English book on the subject of IT

contracts that I have read, and I highly recommend it to business people and their advisers.

The Tech Contracts Handbook: Cloud Computing Agreements, Software Licenses, and Other IT Contracts for Lawyers and Businesspeople iSpeak Cloud: Crossing the Cloud Chasm: Create a Cohesive Cloud Strategy The Four Agreements Companion Book: Using the Four Agreements to Master the Dream of Your Life (Toltec Wisdom) Wireless Computing in Medicine: From Nano to Cloud with Ethical and Legal Implications (Nature-Inspired Computing Series) An American's Guide To Doing Business In China: Negotiating Contracts And Agreements; Understanding Culture and Customs; Marketing Products and Services Smart Contracts: How to Use Blockchain Smart Contracts for Cryptocurrency Exchange High Tech Start Up, Revised and Updated: The Complete Handbook For Creating Successful New High Tech Companies Software Reuse for Dynamic Systems in the Cloud and Beyond: 14th International Conference on Software Reuse, ICSR 2015, Miami, FL, USA, January 4-6, ... (Lecture Notes in Computer Science) Adobe Dreamweaver Creative Cloud: Comprehensive (Stay Current with Adobe Creative Cloud) Adobe Photoshop Creative Cloud Revealed (Stay Current with Adobe Creative Cloud) Cracking the Tech Career: Insider Advice on Landing a Job at Google, Microsoft, Apple, or any Top Tech Company Cloud Computing: SaaS, PaaS, IaaS, Virtualization, Business Models, Mobile, Security and More Cloud Computing: A Hands-On Approach Cloud Computing: The MIT Press Essential Knowledge Series Technology Tips for Lawyers and Other Business Professionals The Complete Internet Handbook for Lawyers Strategic Computing: DARPA and the Quest for Machine Intelligence, 1983-1993 (History of Computing) Dependable Computing for Critical Applications 5 (Dependable Computing and Fault-Tolerant Systems) Introduction to Evolutionary Computing (Natural Computing Series) CUDA Programming: A Developer's Guide to Parallel Computing with GPUs (Applications of Gpu Computing)