

SOFTWARE DEVELOPMENT & LICENSING

Husch Blackwell's attorneys protect software developers by providing a full spectrum of intellectual property and licensing services. Our team advises clients on patents, copyrights, trademarks, and licensing agreements to help preserve and protect intellectual property rights throughout development while maximizing their commercial value.

Our team's experience spans services from hosting, cloud computing, and custom-developed software to smartphone applications and compliance, as well as Platform as a Service (PaaS) and Software as a Service (SaaS).

Representative Experience

Advised a multistate healthcare system when its primary IT vendor failed to perform its contractual obligations, thereby affecting the clinical and business operations and electronic medical records (EMRs) for tens of thousands of transactions and patients. Resulted in termination of the vendor, a lawsuit, and change to alternative vendor while maintaining operations and EMRs until the switch.

Handled trademark, software and licensing matters regarding pediatric genetic testing for Children's Mercy Hospital in Kansas City, Missouri.

Resolved IT transition issues on behalf of Children's Mercy



"The firm has substantial trial experience, which is essential to be effective in litigation, and has the confidence to take matters to trial."

— Chambers USA
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Hospital in the sale of its managed-care business operating under the name Family Health to Coventry Health Care.

Counseled healthcare providers on Internet law, including web hosting, development, and terms of use.

Drafted and negotiated complex agreements on software licensing, software and web development, joint development, patent and technology licensing, and confidentiality.

Represented numerous clients with health information data breaches involving hundreds of thousands of patient medical records. Advised clients on appropriate responses and best practices to protect patient data. In many instances, we were able to determine and document that no breach occurred due to the relationship of the parties and status of the recipients.

Represented more than 100 clients in analyzing and implementing policies and procedures for compliance with federal and state privacy legislation such as HIPAA, the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH), and breach notification requirements.

Represented specialty physician group practice after discovering that its computer system was compromised by the download of patient records after the departure of one of its providers. We assisted in getting the records returned and ensured compliance with HIPAA and HITECH. Our client was able to recoup all costs relating to this matter.

Counseled various healthcare providers, including hospitals, on data security program requirements, reviewing cyberliability insurance coverage, and managing breach incident response.

Advised healthcare providers on understanding, obtaining, certifying, and maintaining all phases of Meaningful Use regulations. Assisted in creating ongoing processes to maintain certification standards.

Worked on a pediatric teleradiology consultation services agreement with a Chinese government-operated medical college associated with large teaching hospitals throughout China.