



Society for
Computers
and Law

10th Annual SCL Conference

Bath Spa Hotel, Bath

The Software Symposium



The Evolution of Software -
From Mainframes to iPods

Software Development Risks -
Waterfall or Rapid Applications
Development (RAD)/Agile/Lean

Software and Cloud Computing

Proprietary or Open Source - Take your Pick

The Law Firm Battleground: Software v Lawyers?

**Software and Transformational
Outsourcing Contracts**

Software Spats - Litigation over Software
Performance Issues

Registration fees (including accommodation and conference dinner)

SCL and IFCLA Member: £545 + VAT,

Non Member: £695 + VAT

Join now at www.scl.org (£95 per year) and pay the member's rate

15

OCTOBER

16

2010

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10th Annual SCL Conference

The Software Symposium

“Those parts of the system that you can hit with a hammer (not advised) are called hardware; those program instructions that you can only curse at are called software.”
(Anon)

The theme for this conference is software. The creation, protection and exploitation of computer programs have always been of keen interest to lawyers. Now we have new challenges associated with cloud computing (or software as a service), the increasing use of open source software and the evolution of enterprise wide software where individual programs are supplanted, or perhaps enhanced by interconnected companywide software. On top of all this as practising lawyers we have many exciting new applications which we can use in our own practices – the increasing use of SharePoint as a knowledge and document management tool being an obvious example.

In addition to sessions on the legal issues around software the conference will consider the opportunities which emerging software products create for us to help manage our legal practices more effectively and to deliver a better service to our clients and in-house customers.

As ever, this is an opportunity to gain knowledge at an SCL Conference coming with an unparalleled opportunity to exchange ideas in a collegiate atmosphere.

What makes the SCL Annual Conference Different?

The SCL Annual Conference provides a unique forum for the dissemination of IT law knowledge and know-how. Instead of the conventional lecture format, the conference is structured as a series of practical, interactive sessions. For each topic the speakers will give short presentations on the key issues and they will be followed by panellists who will initiate the debate which will then be thrown open for questions and contributions from the delegates.

This hands-on approach ensures that each session is lively and that there is the maximum opportunity for delegates to share knowledge and their own experiences in practice.

Who should attend

- private practice legal advisers to IT and digital media companies
- in-house counsel
- IT consultants and business advisers
- senior law firm managers and team leaders

Conference Chairs

Day 1: Clive Davies, Senior Counsel, Government Division, Fujitsu Services

Day 2: Roger Bickerstaff, Partner, Joint Head of the IT Sector Group, Bird & Bird LLP

Conference Dinner Speaker

Andrew Charlesworth, Director of the Centre for IT and Law, University of Bristol

Convenors

Mark Henley, Director in the TelTech Team, Wragge & Co LLP

Mark O'Connor, Partner, Technology, Media & Commercial Group, DLA Piper UK LLP

Clive Seddon, Partner, Head of Outsourcing Technology & Commercial, Pinsent Masons LLP

Harry Small, Partner, Head of the Global Technology Practice Group, Baker & McKenzie LLP

Richard Stephens, Principal, LORS Online

Conor Ward, Partner, Hogan Lovells

Ruth Ward, Head of Knowledge Systems & Development, Allen & Overy LLP

Contributors

Susan Atkinson, Director, Corporate & Commercial Groups, GallenAlliance Solicitors

Professor Martin Campbell-Kelly, Department of Computer Science, University of Warwick

Alex Charlton, QC, 4 Pump Court

Alan Dion, Associate Partner, KPMG

Melanie Farquharson, Consultant, 3Kites Consulting

Martin von Haller Grønbaek, Partner, Bender von Haller Dragsted

Barry Jennings, Associate, Bird & Bird LLP

David Kemp, Executive Director of Legal Policy, Autonomy Systems Limited

Charles Lilley, Head of Legal, Steria Ltd

Phyto Michael, European Technical Account Manager, Black Duck Software

Struan Robertson, Legal Director, Pinsent Masons, LLP

Day 1 - Friday 15 October 2010

Chair: Clive Davies, Senior Counsel, Government Division, Fujitsu Services

11.00 - 11.20

Registration and coffee

11.20 - 11.30

Chair's Introduction

Clive Davies, Senior Counsel, Government Division, Fujitsu Services

11.30 - 12.15

The Evolution of Software - From Mainframes to iPods

"Computers are useless. They can only give you answers." (Pablo Picasso)

Harry Small, Partner, Head of the Global Technology Practice Group, Baker & McKenzie LLP

Professor Martin Campbell-Kelly, Department of Computer Science, University of Warwick

A business/technical session charting the development of software from the days when "bugs" meant moths causing short circuits through enterprise architectures to downloading "Apps"

12.15 - 13.25

Software Development Risks - Waterfall or Rapid Applications Development (RAD)/Agile/Lean

"Most software today is very much like an Egyptian pyramid with millions of bricks piled on top of each other, with no structural integrity, but just done by brute force and thousands of slaves." (Alan Kay)

Conor Ward, Partner, Hogan Lovells

Susan Atkinson, Director, Corporate & Commercial Groups, GallenAlliance Solicitors

Richard Stephens, Principal, LORS Online

This session reviews the various methodologies used and the related legal issues, particularly after BSKyB. What form of contract works best for the different types of development?

- What is the "agile" method and how does it differ from the waterfall approach
- The issues with agile (including lack of certainty, warranties and allocation of responsibilities)
- The issues with the waterfall method (including "Big Requirements Upfront" and change management)

13.25 - 14.35: Lunch

14.35 - 15.50

Software and Cloud Computing

"...we've redefined cloud computing to include everything that we already do... The computer industry is the only industry that is more fashion-driven than women's fashion." (Larry Ellison)

Mark O'Connor, Partner, Technology, Media & Commercial Group, DLA Piper UK LLP

Barry Jennings, Associate, Bird & Bird LLP

OGC Representative

There is a distinct evolutionary step in outsourcing business models and potentially a very great proportion of outsourcing contracts are destined to be replaced by SaaS, IaaS, PaaS and all other manner of cloud services.

- Commercialising the cloud - public and private clouds
- Technical aspects of the cloud model - e.g. virtualisation, what is it and how does it work and are there any downsides?
- G-Cloud
- Legal issues - allocation of risk in contracts
- The security aspects of cloud computing generally - are the risks significantly higher than traditional computing models?

15.50 - 16.20: Tea

16.20 - 17.30

Proprietary or Open Source - Take your Pick

"There are two ways of constructing a software design. One way is to make it so simple that there are obviously no deficiencies. And the other way is to make it so complicated that there are no obvious deficiencies." (C.A.R Hoare)

Mark Henley, Director in the TelTech team, Wragge & Co LLP

Martin von Haller Grønbaek, Partner, Bender von Haller Dragsted

Phyto Michael, European Technical Account Manager, Black Duck Software

A revolution has taken place in software design under our very eyes. Collaborative working has driven a new form of development and exploitation of software that challenges the hegemony of major software vendors.

- Are licences for open source in fact risk free and simple - or are they rather a potential pitfall for the unwary?
- Public sector attitudes and policy picking up on the re-launch of their open source policy 12 months ago and also the newly launched Govt ICT Strategy
- How can you properly carry out a due diligence exercise when acquiring services or a business with extensive open source software?

20.00 - 20.30: Reception

20.30 - 22.00

Conference Dinner with guest speaker

Andrew Charlesworth, Director of the Centre for IT and Law, University of Bristol

Day 2 - Saturday 16 October

Chair: Roger Bickerstaff, Partner, Joint Head of the IT Sector Group, Bird & Bird LLP

09.30 - 10.30

The Law Firm Battleground: Software v Lawyers?

"People always fear change. People feared electricity when it was invented, didn't they? People feared coal; they feared gas-powered engines. There will always be ignorance, and ignorance leads to fear. But with time, people will come to accept their silicon masters." (Bill Gates)

Ruth Ward, Head of Knowledge Systems & Development, Allen & Overy LLP

Melanie Farquharson, Consultant, 3Kites Consulting

David Kemp, Executive Director of Legal Policy, Autonomy Systems Limited

Struan Robertson, Legal Director, Pinsent Masons, LLP

This session focuses on the battle beginning to be played out in both large and small law firms in response to the changing market landscape and the client drive to provide 'more for less'. The panel of legal and technology specialists will reflect on the software weapons of choice - social media and collaboration tools, search and aggregation tools and workflow tools - being used by law firms, buyers of legal services and third party suppliers. Might these be early skirmishes at the beginning of "The End of Lawyers"?

10.30 - 11.00: Coffee

11.00 - 12.00

Software and Transformational Outsourcing Contracts

"There's an old story about the person who wished his computer were as easy to use as his telephone. That wish has come true, since I no longer know how to use my telephone." (Bjarne Stroustrup)

Clive Seddon, Partner, Head of Outsourcing Technology & Commercial, Pinsent Masons LLP

Alan Dion, Associate Partner, KPMG

Charles Lilley, Head of Legal, Steria Ltd

A discussion on the critical and complex issues associated with the management and development of software in the context of transformational outsourcing contract.

12.00 - 13.00

Software Spats - Litigation over Software Performance Issues

"Of course the code works. It just compiled, didn't it?" (Anon)

Richard Stephens, Principal, LORS Online

Alex Charlton, QC, 4 Pump Court

Harry Small, Partner, Head of the Global Technology Practice Group, Baker & McKenzie LLP

Latest cases and practice in litigating software disputes.

- The essence of the BSKyB decision was a failure to develop a CRM system
- How can suppliers avoid such failures?
- If they cannot how do they manage litigation involving a failure to develop or configure software?
- And do customers have a stronger position to bring claims now - or is the cost prohibitive?

13.00 - 13.10

Chair's summary

Chair: Roger Bickerstaff, Partner, Joint Head of the IT Sector Group, Bird & Bird LLP

13.10 - 14.00: Buffet Lunch

14.00: Close of conference

REGISTRATION FORM

10th SCL Annual Conference

15 and 16 October 2010 – The Bath Spa Hotel, Bath

To reserve more than one place, please copy this form. Please return your completed form to: SCL (2010 AC), 10 Hurlie Crescent, Bristol, BS8 2TA or apply online at www.scl.org

First Name: _____

Surname: _____

Company/Firm/Organisation: _____

Position: _____

Address: _____

City and Post Code: _____

Email: _____

Tel No: _____ Mobile no: _____

Special dietary requirements (including vegetarian): _____

Join SCL at the same as applying to attend the conference and pay the member's fee

	Net price Including accommodation on Friday night	VAT @ 17.5%	Price inc VAT
SCL and IFCLA Member's Fee	£545.00	£ 95.38	£640.38
Non SCL Member's Fee	£695.00	£121.63	£816.63
SCL Membership (Valid for 12 months)	£ 95.00	Zero rated	£
		Total Due	£

* Please delete as appropriate

I am a member of SCL/IFCLA Member Organisation*: YES/NO*

If a member of an IFCLA Member Organisation, please state the name of your organisation:

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Cheque made payable to "Society for Computers and Law"

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Bank transfer - BACS (On the bank transfer please include delegate's name and company)

Account name: Society for Computers and Law Registered Charity. Account no: 60441368. Sort code: 20-13-34. Name and address of bank: Barclays Bank plc, 86 Queens Road, Bristol, BS8 1RB, UK. IBAN: GB75 BARC2013 3460 4413 68. SWIFTBIC: BARCGB22

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10th Annual SCL Conference The Software Symposium 15 and 16 October 2010

Administration notes:

Enquiries: Caroline Gould, Society for Computers and Law, 10 Hurlie Crescent, Bristol, BS8 2TA, United Kingdom. Tel: +44 (0)117 923 7393. Fax: +44 (0)117 923 9305. E-mail: caroline.gould@scl.org

Fees: All fees are inclusive of refreshments, lunch on Friday and Saturday, reception and dinner on Friday evening, accommodation on Friday night and conference documentation. SCL and IFCLA Members: £545 + VAT @ 17.5%. Non-members: £695 + VAT @ 17.5%. SCL Membership (Valid for 12 months from date paid): £95.00. Members who join SCL at the same time as applying to attend the conference are entitled to attend the conference at the member's rate.

How to book: Please complete the attached registration form and send it to: SCL (2010 AC), 10 Hurlie Crescent, Bristol, BS8 2TA or book and pay online at www.scl.org.

Booking terms: Either send your cheque with the form or complete your credit card details or ask to be invoiced or book and pay on line. All invoices for this conference must be paid prior to the conference. Application by telephone, fax, email, the website or the submission of a completed registration form constitutes a firm booking and an undertaking to pay the registration fee.

Conference Venue: The Macdonald Bath Spa Hotel, Sydney Road, Bath, BA2 6JF, UK. Tel: +44 (0) 0844 879 9106 www.macdonaldhotels.co.uk/BathSpa/

Bath: For more details of Bath, please visit <http://visitbath.co.uk/>

Hotel accommodation: The cost of single room en-suite accommodation on Friday 15 October 2010 (including breakfast) at The Macdonald Bath Spa Hotel is included in the conference registration fee. If you would like to extend your stay at the hotel or bring a partner, please contact Caroline Gould. Tel: +44 (0) 117 923 7393 Fax: +44 (0) 117 923 9305 Email: caroline.gould@scl.org

Telephone bookings: Telephone bookings are only accepted if paid by credit card. All other bookings must be confirmed in writing.

Confirmation of Registration: If you have not received confirmation of your registration 5 days before this conference, please telephone Caroline Gould on +44 (0)117 923 7393 to confirm that your registration form has been received.

Cancellations and refunds: Registration fees will be refunded (less an administration fee of £50.00 + VAT) only in respect of written cancellations received in Bristol by 09.00 hours on Friday 24 September 2010.

Substitute delegates: If you are unable to attend, a substitute may attend in your place provided that they pay the appropriate registration fee.

CPD credit (England and Wales): Under the Solicitors' Regulation Authority and under the Bar Standards Board's New/Established Practitioner Programme the conference is credited with 8 hours CPD.

It may be necessary for reasons beyond the control of the Society for Computers and Law to change the content/timing of the programme and/or speakers.

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