
CMLS LEGAL COUNSEL SEMINAR

Wednesday, October 5, 2011, Tucson, AZ

Session for lawyers only (CLE credits applied for in attendee states, where available)

MORNING SESSIONS

- 8:30 a.m. **MLS Rules and Regulations and Antitrust Laws**
Speaker: Thomas Brown, O'Melveny & Myers LLP (San Francisco)
This program will review the principles under which an industry trade group, particularly one in the technology space like an MLS, can appropriately regulate its members without running afoul of competition regulators. Audience discussion and question and answer to follow.
- 10 a.m. **Break**
- 10:15 a.m. **Patent Law and Real Estate Technology**
Speaker: TBD
This program will cover the basics of patent law, including subject matter and validity of patents. It will specifically address some patents that have been at issue in the real estate industry, including CIVIX, *College.net v. Marketlinx*, and others. The program will briefly address due diligence for avoiding infringement, outline of patent infringement litigation.
- 11:30 a.m. **MLS Data Licensing**
Speaker: Mitchell Skinner, Larson/Sobotka PLLC
Mr. Skinner has negotiated and drafted numerous license agreements between MLSs and third parties using comprehensive listing data for real estate analytic products (such as CoreLogic and RPR) and will discuss major issues in such contracts, using an annotated copy of the RPR agreement as a focus for the discussion. The audience will be invited to take part in identifying best practices.

WORKING LUNCH

- 12:30 p.m. **Ralph Holmen, NAR Deputy General Counsel**
Mr. Holmen will discuss the recent CIVIX patent litigation and license and his impressions of important legal issues on the horizon for MLSs. The audience will be invited to take part in a discussion of current and horizon issues.

AFTERNOON SESSIONS

- 1:45 p.m. **Business Issues Update: Listing Syndication**
Speaker: Merri Jo Cowen, Board Chair, CMLS
Moderator: Chris Osborn, Foster Pepper PLLC
A CMLS board member will present an overview of listing syndication, addressing business issues and concerns from the operational perspective. Mr. Osborn will moderate an audience discussion of legal questions and issues.
- 2:45 p.m. **Real Estate and Social Media**
Speaker: John Rees, Callister Nebeker & McCullough
Mr. Rees will identify legal and ethical issues relating to social media use by MLSs and uses of those media by real estate brokers that have implications for MLSs.
- 3:30 p.m. **Break**
- 3:45 p.m. **“Blind Spots”**
Moderator: Brian Larson, Larson/Sobotka PLLC
Panelists: Presenters/moderators from earlier sessions; Courtney Dyer, O’Melveny & Myers LLP (Washington DC)
Panelists and audience members will attempt to identify legal issues that may be in the “blind spots” of MLS executives and managers. Each panelist will briefly identify a concern; audience and panelists will discuss the audience concerns during a moderated open forum session. Results of the discussions may be reported to the full CMLS conference later.
- By 4:45 p.m. **Adjourn**