

## Parag Gheewala

RETIRED MEMBER

Seattle

### EXPERIENCE

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Parag Gheewala retired as a partner from Wilson Sonsini Goodrich & Rosati in March 2017. During his tenure at the firm, he managed the technology transactions practice in the firm's Seattle and Austin offices. Parag advised clients on intellectual property issues and transactions involving the development, acquisition, use, or exploitation of technology. He represented companies at all stages of growth—from promising start-ups to industry-leading, multinational public companies—in an array of technology sectors, including cloud, mobile, software, software-as-a-service, hardware, video gaming, social networking, semiconductor, media, e-commerce, and alternative energy.

In addition, Parag structured, drafted, and negotiated a broad range of commercial agreements, including customer, distribution, licensing, research, development, manufacturing, purchase, supply, and marketing agreements. He counseled clients on a variety of intellectual property issues, including intellectual property portfolio strategy, open source compliance, standards body participation, and settlement of intellectual property litigation. Parag also advised clients on intellectual property issues in mergers, acquisitions, intellectual property purchases, divestitures, public offerings, and investments.

### CREDENTIALS

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#### Education

- J.D., New York University School of Law  
*Member, Moot Court Board*
- B.S., Interdisciplinary Engineering Studies (Electrical Engineering and Public Policy), University of Washington  
*Student Body President; Presidential Scholar; Member, Eta Kappa Nu Electrical Engineering Honor Society*

#### Associations and Memberships

- Editorial Board Member, *Washington Journal for Law, Technology, and the Arts*

#### Honors

- Selected for inclusion in the 2015 and 2016 editions of *Chambers USA: America's Leading Lawyers for Business*
- Designated as a Certified Licensing Professional
- Recognized in *Washington Super Lawyers* in 2011-2016, and as a "Rising Star" from 2003-2008
- Recognized as a "Top Lawyer" by *Washington CEO Magazine* (2008)
- Designated as a Black Duck Legal Specialist (assist companies with analyzing open source reports)

#### Admissions

- State Bar of Washington

## MATTERS

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### Select Experience

- Customer and end-user arrangements, including end-user license agreements (EULAs), enterprise software license agreements, software-as-a-service (SaaS) subscriptions, website and mobile application terms of use and privacy policies, and terms of purchase for hardware and other equipment
- Distribution and sales channel relationships, including reseller agreements, original equipment and original device manufacturer agreements (OEM/ODM), "white-label" distribution agreements, sales representative agreements, and sales referral agreements
- Developer and application development and distribution programs for platform operators, including application programming interface (API) agreements, "sandbox" environment agreements, and app store terms and conditions
- Manufacturing and supply chain arrangements, including contract manufacturing agreements and component and finished product purchase agreements
- Research and development agreements
- Open-source matters, including compliance audits, analysis of Black Duck and other third-party audit reports, remediation of compliance errors, establishing internal policies, launching open-source projects, and structuring open-source or "dual licensed" business models
- Patent monetization, including patent licenses and patent acquisitions
- Video game development and publishing arrangements
- Relationships with universities and research institutions, including sponsored research agreements and technology licensing or transfer
- Negotiated settlements of intellectual property litigation, including cross-license agreements
- Intellectual property and commercial due diligence in mergers, acquisitions, divestitures, investments, and public offerings

### Select Transactions

- Represented **Bungie**, the creators of the blockbuster *Halo, Myth, and Marathon* video game franchises, in connection with its **exclusive 10-year partnership with Activision Blizzard** to develop and publish *Destiny*, a multi-platform video game
- Represented **Twitter** with respect to intellectual property and technology matters related to numerous acquisitions, including acquisitions of **Gnip, SnappyTV, Namo Media, Madbits, Apps & Zerts, ZipDial, Whetlab, TellApart, Niche, CardSpring, and Peer**
- Represented **salesforce.com**, the leading customer relationship management cloud platform, in connection with its **global strategic partnership with Microsoft** to deliver new solutions that connect Salesforce and Microsoft products
- Advised **Tencent** on a variety of intellectual property matters and commercial transactions, including mobile and PC video game distribution and publishing, the international distribution and promotion of the WeChat mobile communications platform, the establishment of open-source software projects, the licensing and acquisition of patents, and the establishment of music and video licensing relationships
- Negotiated commercial relationships for and provide strategic intellectual property advice to **MasterCard**
- Represented **RealNetworks**, a provider of digital media services, in connection with the **sale of a significant portion of its patent portfolio to Intel for \$120 million**
- Represented **Dashwire** in its **acquisition of patents under Intellectual Ventures' IP for Defense program** for counter-assertion against competitor Synchronoss, its subsequent settlement of the Synchronoss litigation, and its successful sale to HTC Corporation
- Represented China's largest and most-used Internet service portal, **Tencent**, in connection with its strategic relationship with Activision Blizzard to bring the Call of Duty video game franchise to China
- Represented **FireEye**, a leading security company, with respect to intellectual property and technology matters related to its public offerings and numerous acquisitions, including acquisitions of **Mandiant, nPulse, and Ensignta**
- Represented **salesforce.com** with respect to intellectual property and technology matters related to numerous acquisitions, including its **\$2.5 billion acquisition of public company ExactTarget** and its acquisitions of **RelateIQ, cloudconnect, and EdgeSpring**

## INSIGHTS

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### Select Publications and Presentations

- Taught "Drafting Technology Contracts" at the University of Washington Law School from 2003 to 2007
- Legal Essentials for Startups
- Negotiating IP Representations, Warranties, and Indemnifications
- Licensing Patents and Other Technologies from Universities
- Drafting Workshop: Constructing Effective Software Licensing and Transfer Agreements
- Contract Drafting for Dollars