

## INFORMATION AND TECHNOLOGY

Federal and state agencies increasingly are relying on information and technology to meet their needs and to deliver services in a more efficient, cost-effective manner. As a result, public contracting is becoming more focused on intellectual property such as software, manufacturing processes, designs, engineering or medical studies, raw data, analyzed data, and all manner of trade secrets. Public agencies routinely fund the development of intellectual property and, by regulation, the government is entitled to receive certain rights to use and to allow others to use the information covered by those rights. At the same time, businesses want to retain ownership of the data and information that they develop under a contract and limit the scope of rights to be conferred upon the government. Our attorneys regularly advise clients on how best to address the tension that inherently exists whenever there is an allocation of data rights between the government and its prime contractors and their subcontractors.