

Dean W. Harvey



Partner

1717 Main Street
Suite 3700
Dallas, TX 75201
P: 214.659.4736
F: 214.915.1433
deanharvey@andrewskurth.com

Dean's practice focuses on technology and business process-related commercial transactions, such as outsourcing and licensing arrangements. He also assists clients in acquiring and developing technology, software and other technology.

Before practicing law, Dean worked in the software industry for ten years. He started his technical career at EDS Research and Development, where he developed expert systems. He went on to specialize in communications device driver and operating systems development on behalf of companies such as IBM and CalComp. In 1992, Dean started his own software consulting company.

REPRESENTATIVE EXPERIENCE

Outsourcing

- Represented governmental entity in outsourcing all lottery operations, involving aggregated payments of approximately \$1 billion to the vendor
- Represented an international retail energy company in a \$300 million business process outsourcing related to call center, billings, collections, and other back office functions
- Represented a public hospital system in an IT sourcing valued at \$150 million and in successfully resolving a related bid protest
- Represented a vendor in a public-private partnership arrangement with a state agency, under which the vendor would develop and operate a state government portal (and call center and help desk) for citizen government interactions
- Represented a vendor in its bid for a billion-dollar business process outsourcing for a state agency
- Represented an energy company in an \$80 million business process outsourcing arrangement
- Represented a large public hospital system in sourcing a central pharmacy operation as well as its dietary services
- Represented a \$10 billion private company in an HR-related sourcing
- Represented a large healthcare provider in an HR-related sourcing
- Represented a managed services firm in creation of a national electronic filing program for state and local courts

Licensing and Technology Arrangements

- Represented a *Fortune* 100 client on a \$120 million software development project

INDUSTRIES

Biotechnology, Life Sciences and Medical Devices
Clean Technology
Health Care
Internet/E-Commerce
Software/Electrical
Sports/Entertainment
Technology
Technology and Emerging Companies

PRACTICES

Corporate
Technology and Emerging Companies

EDUCATION

JD, 1997, The University of Texas School of Law, *Texas Law Review*, Associate Editor, Order of the Coif
BS, 1986, *summa cum laude*, Computer Science, West Virginia University

ADMISSIONS

Texas 1997

Dean W. Harvey

- Represented clients in connection with transactions with Transora, WWRE, and other supply chain ventures
- Represented B2B providers with legal issues associated with establishing and operating their websites
- Represented a telecommunication software company in the purchase of operation support system assets of a major Canadian telecommunication equipment maker
- Represented Canadian telecommunication software company in connection with Agreement to provide video on demand (VOD) services to large telecommunication companies in Austria and Italy
- Represented a technology company in various data licensing transactions involving hardware and automotive industries
- Represented a technology company in various ASP arrangements in the construction industry

Privacy and Security

- Assisted a \$10 billion retail entity in establishing a compliance office to oversee compliance with HIPAA and Gramm Leach Bliley privacy and security requirements
- Assisted client in the creation of registration authorities, certificate practice statements, certificate policies, and relying party agreements for an industry-wide authentication mechanism
- Advised healthcare entity on authentication issues under California and federal law
- Lead the security practice of a 50-member healthcare entity consortium
- Advised a major west coast computer manufacturer on security issues and assisted in the development of forms for its security consulting business
- Developed manual of security policy and procedure templates
- Represented a *Fortune 100* client with privacy and security issues associated with establishing a website to perform a \$40 billion loan syndication online

Representative Technical Experience

- Network administration, including creation, control, and maintenance of the access control mechanisms, and creation, control, and maintenance of a trusted host network security mechanism, on a TCP/IP network
- Designed and developed an I/O subsystem of a microkernel operating system intended for use on thin client computer systems
- Debugged, ported, and maintained device drivers which implemented to lowest layers of the TCP/IP protocol, including ethernet and token ring device drivers
- Designed and developed distributed system based upon the hypercube concept on a network of Sun workstations, which utilized the TCP/IP protocol to monitor the status of workstations in the network and to distribute work across the network
- Designed and developed communications device drivers for the AIX (Unix) operating system
- Familiarity with encryption and other security issues

PUBLICATIONS

- Lessons from the Facebook Privacy Fiasco *IP and Technology Developments - January 2012* (January 19, 2012)
- EU Requires Consent Before Cookies Can Be Placed *IP and Technology Developments - July 2011* (July 21, 2011)
- "Data Pass" and Online Negative Option Marketing Now Deceptive Trade Practices *IP and Technology Developments - April 2011* (April 19, 2011)
- "Special Member HIPAA Briefing Collection: Section IV—Security Standards," *American Health Lawyers Association*, October 2004
- "The Impact of Computer Security Regulation on American Companies," *Texas Wesleyan Law Review*, Symposium 2002 (co-authored)

Dean W. Harvey

PROFESSIONAL RECOGNITION

- Named a "2012 BTI Client Service All-Star" by BTI Consulting Group
- Profiled as one of the leading Technology & IT Outsourcing lawyers in Texas, *Chambers USA: Leading Lawyers for Business* (2003-2012)
- *The Best Lawyers in America*, Cyber Law (2005), Information Technology Law and Technology Law (2006-2011)
- "Top Lawyer," *IP Law & Business* (2006); *Lawdragon 500* (2006); *Lawdragon 3000 Leading Lawyer in America* (2006)
- Texas Rising Star, *Texas Monthly* (2004-2006)

BRIEFINGS, SEMINARS & SPEECHES

- "The Plumbing of Applications ('Apps')," 24th Annual Technology Law Conference, Austin, Texas, May 26-27 2011
- "Special Licensing Issues Involved with Spin-Outs: Joint IP, Cross-Licensing and More," 23rd Annual Technology Law Conference, Austin, Texas, May 27-28, 2010
- "CFOs and Cybersecurity: Practice and Policy," TechAmerica's CFO Forum, March 23, 2010 (panelist)
- "Advanced Licensing Issues and Technology Contracts," 22nd Annual Technology Law Conference, Austin, Texas, May 21-22, 2009
- "Integrated Security and Privacy Risk Management: The PCI Case Study," Dallas, Texas, September 2008
- "Software Licenses - Ten Things You Oughta Know," The Health Law & Policy Institute's Health Care Law, Dallas, Texas, July 2008
- "Choosing What to Outsource and Selecting the Best Provider," Third Annual Healthcare Outsourcing Congress, Reston, Virginia, April 19-20, 2004
- "Special Considerations for Business Process Outsourcing Transactions," Lorman Education Services, Nashville, Tennessee, June 3-4, 2004
- "Structuring and Negotiating Outsourcing Agreements," World Research Group, Chicago, Illinois, June 28-30, 2004
- "Drafting and Implementing Effective Security Policies and Procedures," Technology and Health - American Health Lawyers Association, San Francisco, CA, October 16-17, 2003
- "The Emerging Law of Internet Privacy," Marketing Products on the Internet - National Institute, American Bar Association, Chicago, Illinois, September 22, 2000; Co-Chair, "Doing Business Online," Dallas, Texas, September 7-8, 2000
- "The Law of Cyberspace," Law Conference 2000 - Distribution & Partnering in the Age of Convergence, San Antonio, Texas, May 10-11, 2000; In-house presentations to clients re HIPAA and Internet privacy issues

AFFILIATIONS

- Member: American Intellectual Property Law Association; Licensing Executives Society; Public Affairs Committee, Dallas Chamber of Commerce Technology Business Council
- Advisory Board: The Healthcare Outsourcing Congress; The Institute for Law and Technology

PRESS RELEASES

- Two Andrews Kurth Partners Named 2012 BTI Client Service All-Stars (February 7, 2012)
- Andrews Kurth Adds Attorney Dean Harvey in Dallas (January 24, 2011)