

Scott M. Kline



**Partner**

1717 Main Street  
Suite 3700  
Dallas TX 75201

P: 214.659.4556  
F: 214.659.4401  
scottkline@andrewskurth.com

**INDUSTRIES**

Technology  
Venture Capital and  
Emerging Companies

**PRACTICE AREAS**

Corporate/Securities  
Intellectual Property  
Technology and  
Emerging Companies

**EDUCATION**

JD, 1988, *cum laude*,  
Harvard Law School  
BA, 1985, *summa cum  
laude*, Yale University,  
Phi Beta Kappa

**ADMITTED**

Texas 1988  
US Supreme Court  
US Court of Appeals for  
the Fifth Circuit  
US District Court for the  
Northern District of  
Texas  
US District Court for the  
Eastern District of  
Texas

Scott's practice focuses on corporate transactions, with an emphasis on intellectual property, technology contracting, licensing law, Internet and electronic commerce, and business strategy and advising.

Scott's background and expertise are unique because he has worked for many years as an executive within corporations. He has served as CEO and President, COO, General Counsel, Director and General Manager during his career. These positions have given Scott a unique understanding of the pressures under which his corporate clients operate. As a result, his practice and client base has grown not around particular areas as much as around particular clients who want a counselor with firsthand and long-term business experience.

Scott has also worked with venture capital firms and technology companies as an advisor. He has helped build and manage a diverse range of technology companies, including B2B Internet portals and distance-learning companies.

Scott has published numerous articles on legal, technology, and educational issues, and has served as a contributor on educational projects including the Houghton Mifflin English Grammar and Composition textbook.

**REPRESENTATIVE EXPERIENCE**

Representative clients include American Airlines, the National Collegiate Athletic Association (NCAA), Blue Lion Capital, Genuitec, ExpressJet, Scorpion Offshore and Olathe Health System.

- Representation of American Airlines, Inc. (NYSE:AMR) in technology-related transactions with Orbitz, Microsoft, Graybar, Expedia.com, Nortel, Symantec, Sprint, Verizon, Boeing and Oracle
- Representation of American Airlines in transactions to acquire and support the hardware, software, technical services and online operations that form American's business infrastructure, including Web hosting agreements, software license agreements and technology consulting agreements for the AA.com site and for American's worldwide operations
- Successful representation (at both trial and at Fifth Circuit) of the NCAA and the Illinois High School Association in trademark and domain name dispute regarding "March Madness" and the NCAA basketball tournament

## Scott M. Kline

- Representation of American Airlines in multimillion dollar, multi-year telecommunications transactions with Société Internationale de Télécommunications Aéronautiques
- Representation of ExpressJet (NYSE: XJT) in intellectual property matters
- Representation of American Airlines in major technology initiatives with Hewlett-Packard and IBM involving a master agreement establishing a hardware and software alliance between the companies
- Representation of Nextwave Telecommunications in corporate and intellectual property matters
- Representation of Dallas-based Home Interiors and Gifts in its Web-based and electronic commerce activities
- Representation of Dogleg Right Corp., a manufacturer of new-generation golf clubs, in intellectual property licensing transactions with companies such as Nike
- Representation of Metallect, a high-growth enterprise software provider, in its corporate, finance and intellectual property matters
- Representation of Poly-America in transactional and intellectual property matters
- Representation of Scorpion Offshore in outsourcing, contracting and related business transactions
- Representation of Metreos, a leading provider of Voice Over IP integration (VoIP) and solutions, in intellectual property and licensing matters and in its sale to Cisco Systems (Nasdaq: CSCO)
- Representation of Colonial Press in corporate publishing and intellectual property matters
- Representation of Electrolux in multinational negotiations and outsourcing, licensing and franchising agreements, and the establishment of Aerus as a new brand
- Representation of Goldcrest Investments in corporate and intellectual property matters
- Representation of Caprock International in corporate and fund formation matters
- Representation of Blue Lion Capital in corporate and fund formation matters
- Representation of Olathe Health System in intellectual property and transactional matters

### ARTICLES/PUBLICATIONS

- "Attempting to Transfer Venue Based on Local Religious Bias" The Trial Lawyers Guide, Vol. 36, No. 2 (1992)
- "Advising Clients on the Distinction of Documents Prepared and Used to Formulate Discovery Responses: Perils and Pitfalls" The Review of Litigation, University of Texas School of Law (Fall 1991)
- "Managing Confidential Relationships in Intellectual Property Transactions: Use Restrictions, Residual Knowledge Clauses, and Trade Secrets" The Review of Litigation, University of Texas School of Law (May 1, 2006)

### BRIEFINGS, SEMINARS & SPEECHES

Scott has been asked to testify on education and technology issues before the US Congress.

### PROFESSIONAL/CIVIC AFFILIATIONS

#### Member

- Dallas Bar Association
- Board of Advisors, The Review of Litigation, The University of Texas School of Law
- Board of Directors, The Gladney Center for Adoption/The Gladney Center Fund

#### Listed

- Texas Super Lawyer in Intellectual Property, Texas Monthly (2005, 2006, 2007 and 2008)
- Named one of America's Best Lawyers, Forbes Business Channel, 2005

Scott M. Kline

#### MEDIA

- "Mobile-Phone Programmer Wins Rights to 'March Madness,'" by Dan Slater with *The Wall Street Journal's Law Blog* (March 31, 2008). **Please click [here](#) to view the blog.**
- "Thinking of Using the March Madness Logo? The NCAA is Watching," by Dan Slater with *The Wall Street Journal's Law Blog* (March 28, 2008). **Please click [here](#) to view the blog.**
- "March Madness - A Great Trademark," *Legal Trade: A Blog About Lawyering*, by Mary Flood with [The Houston Chronicle](#) (March 14, 2008). **Please click [here](#) to view the blog.**
- Think Like a CEO and Protect your IP and Brand--NCAA and March Madness

#### HEADLINE NEWS

- Thirty-Five Andrews Kurth Partners Named in Texas Super Lawyers 2008 (October 3, 2008)
- Thirty-Six Andrews Kurth Partners Named in Texas Super Lawyers 2007 (October 2, 2007)