



Rich Spilde

Partner

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Rich focuses on technology, outsourcing and offshoring, telecom transactions, and data security matters.

PRACTICES

Telecoms Transactions
 Intellectual Property
 IT, Software and Technology Transactions
 Outsourcing and Offshoring
 Privacy and Information Security
 Cybersecurity and Data Breach Defense
 Cybersecurity and Privacy

EDUCATION

University of Denver College of Law,
 J.D., 2000
 Order of St. Ives
 University of Denver Student Law Office
Transportation Law Journal, Member
 Moot Court Board, Member
 Colorado State University, B.A., 1995
 Political Science

BAR ADMISSIONS

Colorado

He represents clients in a variety of industries, including financial services, healthcare, manufacturing, media and entertainment, natural resources, and software. Having served as in-house counsel for a large communications company, Rich truly appreciates the challenges and opportunities clients face to exploit and preserve the value of their technology assets in a rapidly evolving environment. He delivers sophisticated, practical advice to help his clients identify issues and structure technology transactions that manage their risk, protect their intellectual property, and meet their overall strategic objectives.

EXPERIENCE

Technology Transactions and Licensing

- IP and technology development, licensing, and distribution transactions
- Multi-media, e-commerce, and licensing agreements, including advertising and affiliate agreements, strategic alliances, website and app development, ASP, SaaS and cloud services agreements, and professional services agreements
- Content and data license agreements, software license and subscription agreements, support and maintenance agreements, click-wrap and shrink-wrap agreements, and open source software
- OEM, product and service distribution, and reseller agreements, joint venture agreements, independent contractor and consulting agreements, and non-disclosure and confidentiality agreements
- Trade secrets and intellectual property development license and transfer agreements, technology transfer agreements, marketing agreements, co-branding agreements, and network site license agreements

Data Security and Privacy

- Advice and counseling on matters related to the Cable Communications Policy Act, PCI-DSS, PA-DSS, COPPA, the GDPR, Fair Credit Reporting Act, and individual state data protection and breach notification laws
- Data breach incident response, remediation, notification and compliance

- Terms of Service and Use, Privacy Policies, and EULAs
- Support on data security matters in day-to-day operations and as these arise in transactions, including data collection, vendor oversight, and information security standards compliance and audit
- Drafts policies, protocols, and practices tailored to address the privacy and security needs of individual clients

Outsourcing and Technology Procurement

- Initial RFP planning, vendor selection, contract structuring, and negotiation of complex business process and information technology sourcing transactions, including:
 - Help desk and call center services
 - HR, payroll, and payment processing services
 - Information technology solutions and services
 - Managed services
 - Gainsharing

Telecommunications Services

- Draft and negotiate wholesale and enterprise telecommunications services and infrastructure transactions, including agreements involving:
 - Colocation, data center, and cloud services
 - Local access and network services
 - Network services
 - Private line, transport, and wavelength services
 - Telecommunications facilities and infrastructure
- Extensive experience structuring transactions using conduit, fiber optic, and submarine cable indefeasible rights of use, and matters involving access to rights-of-way for the installation and operation of telecommunications facilities

Financial Services

- PA – DSS, and payment card industry security standard compliance
- International card brand rules compliance, including advice and counseling on transaction processing rules
- Payment processing and related services transactions with merchant banks, payment processors, and the payment brands

SPEAKING ENGAGEMENTS

"The State of Play for Cybersecurity and Privacy Laws: the GDPR and CCPA as Case Studies," *Red Sky Security Conference*, May 21, 2019

"[Cybersecurity Breakfast Series: GDPR – Where Are We Now?](#)," 03/06/2019

"GDPR Understood," *Red Sky Security Conference*, November 7, 2018

"Data-Centric Security," *CISO Executive Network Roundtable*, Las Vegas, Nevada, October 24, 2018

"Wyoming Cybersecurity Symposium," *Presenter and Panelist*, *University of Wyoming*, Laramie, WY, October 18, 2018

"Data-Centric Security," *CISO Executive Network Roundtable*, Denver, CO, October 16, 2018

"Cloud Security and Third Party Risk Management," *CISO Executive Network Roundtable*, Las Vegas, NV, September 19, 2018

"Cloud Security and Third Party Risk Management," *CISO Executive Network Roundtable*, Denver, CO, September 11, 2018

"Security Innovation," *CISO Executive Network Roundtable*, Las Vegas, NV, June 13, 2018

"Security Innovation," *CISO Executive Network Roundtable*, Denver, CO, June 5, 2018

"Post Breach Response - Incident Handling and Data Breach Communications," *CISO Executive Network Roundtable*, April 25, 2018

"Incident Response," *CISO Executive Network Roundtable*, April 10, 2018

"Cybersecurity Issues in the Colorado Community," *Colorado Bar Association*, April 4, 2018

"[Are You Ready? Building or Strengthening Your Cybersecurity Incident Response Plan](#)," March 13, 2018

"Talking to the Board: Improving Your Board's Cybersecurity Literacy," *Association of Corporate Counsel*, *Ethics Day*, December 6, 2017

"[Cybersecurity Grabs Headlines, But Privacy Policies and Practices Are as Important](#)," *Holland & Hart Cybersecurity Breakfast Series*, 11/16/2017

"Data Is the New Oil: Minding the Gaps in Cybersecurity," *Co-presenter*, *Information Security Corporate Counsel*, November 2017

"[Protecting Data in the Wake of Recent Attacks and the Legal, Regulatory, and Industry Frameworks that Govern](#)," *Holland & Hart Cybersecurity Breakfast Series*, October 24, 2017

"[What's My Data Worth? How to Monetize Startup Data in 2017](#)," *Presenter and Panelist*, *Denver Startup Week Session*, Denver, CO, September 29, 2017

"[Negotiating Healthy EHR and Healthcare IT Contracts: It's Not Just HIPAA](#)," *Healthcare Law Webinar Series*, September 28, 2017

"Cybersecurity Oversight Training," *National Cybersecurity Center*, May

2017

"A Legal Perspective of Enterprise Startups," *Boulder Startup Week, Panelist*, Boulder, CO, May 2017

"User Behavior, Effects on Civil Society, Business and Government," *Panelist, University of Colorado, Colorado Springs*, April 24, 2017

"PCI (Payment Card Industry) Risk and Compliance," *Cybersecurity Breakfast Series, Boise, ID*, April 4, 2017

"In House Counsel Cybersecurity Roundtable ," *Boise, ID*, April 4, 2017

"Cybersecurity Oversight for Board Directors – 2017 Legal Risks and Issues," *National Cybersecurity Center*, February 21, 2017

"Vendor and Service Provider Oversight and Diligence," *Holland & Hart Client Update*, November 30, 2016

"Cybersecurity Oversight for Board Directors – 2016 Legal Risks and Issues," *National Cybersecurity Center*, Colorado Springs, CO, November 16-17, 2016

"Data Monetization - Data is the New Oil - and Oil is a Liquid Asset," *Denver Startup Week*, Denver, CO, September 14, 2016

"Privacy Regulation In the Information Age," *Promise & Perils of Web 2.0 and Your Business, Holland & Hart seminar*, Denver, CO, November 2009

"Vendor Due Diligence," *Co-presenter, IAPP Knowledge Net*, Denver, CO, September 2009

"Software Distribution and Resale Agreements," *Intellectual Property and Technology Institute*, Denver, CO, June 2009

"ProPay Data Security Summit," *Speaker and Panelist*, Snowbird, UT, November 2008

"Having Your Cookies and Keeping Your Customers: Privacy Issues, Challenges and Threats in Electronic Commerce," *Outdoor Industry Association Rendezvous*, Boston, MA, October 2008

"Seven Deadly Sins of Data Security Breaches," *Speaker and Panelist, Association of Corporate Counsel*, Denver, CO, April 2008

"Trends and Developments in Blogs and the Law," *Colorado Software and Internet Association*, Denver, CO, February 2006

PROFESSIONAL AND CIVIC AFFILIATIONS

- American Bar Association, Member
- Colorado Bar Association, Member
- International Association of Privacy Professionals, Member

- Open Fairways, Board of Directors, 2008-2009
- Outdoor Industry Association, Member
- Volunteers of America
- National Cybersecurity Center
- Colorado State University Rams JD Steering Committee, Member
2015-present