
News In Brief

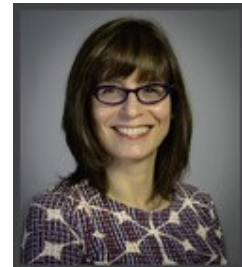
November 2014 • Vol 1 Issue 1



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Barton is pleased to welcome three new partners to the firm. Charles B. Hughes joins to head Barton's Venture Capital and Private Equity Practice. Kenneth N. Rashbaum also joins as a partner of Barton to head its Privacy and Cyber Security Practice. Orrit Herskovitz joins Barton as a Partner to expand its Family Law Practice.



Super Lawyers

Thompson Reuters' annual survey of the top 5% of lawyers in the Nation named six Barton attorneys (Roger E. Barton, Orrit Herskovitz, Mathew Hoffman, Abe Mastbaum, Randall Rasey and Cynthia Rubin) as Super Lawyers.



Seed Forum International to host its 20th investor conference in New York City. Roger E. Barton will deliver the key note address at the conference before an audience of venture funds, investment companies, family offices and individual investors who are interested in emerging international tech companies selected by Seed Forum to present at the conference. **For more information and registration, click here.**



CLSA, Asia's leading brokerage and investment group presents: The Internet of Things Innovation Summit in NYC. Kenneth N. Rashbaum will be leading a panel titled "Exploring the Security of the Internet of Things: Trust Comes First". The exclusive summit aims to help investors make sense of the fragmented landscape of the internet.

Introducing: The Family Business Institute



Barton LLP is a co-founder of the Family Business Institute, a new and exciting national resource for owners and senior management of family owned

businesses. The Family Business Institute serves as a nation-wide program to connect, educate, and train its members who share in common the opportunities and challenges faced in operating a family owned business. The Family Business Institute's inaugural event, which took place November 4th, featured well-known author and speaker Lewis Schiff who discussed his new book **Business Brilliant: Surprising Lessons from the Greatest Self-Made Business Icons**. Schiff's discussion addressed the best practices of high net worth and high-performing family households.

[Click here for more information on The Family Business Institute.](#)

In The News: 3 Trending Topics You Should Know About

1

Upcoming HIPAA Audits: Is Your Hospital or Medical Practice Ready?

Soon, the Office for Civil Rights ("OCR") of the U.S. Department of Health and Human Services ("HHS") will commence a round of Phase 2 audits for compliance with the HIPAA Privacy and Security Rules. A protocol for these will be released shortly, but OCR has stated that audits will begin with organizations receiving a pre-audit survey. While not all organizations that receive the survey will be audited, failure to submit all information for the pre-audit survey within the deadline will result in a more robust audit. Many electronic medical record (EMR) platforms provide capability to compile data most likely to be used for the survey. Thus, it would be advantageous to make sure proper EMR settings are enabled to pull the information that may be necessary to respond to the audit survey. In addition, it would be cost-efficient to prepare for the coming audits by conducting an EMR assessment guided by advice on the provisions of HIPAA most likely to be the subject of an audit.

If you have any questions regarding readiness for OCR surveys and audits, please contact [Kenneth N. Rashbaum](#) or [Jason M. Tenenbaum](#).

2

NLRB Reviewing Ambiguous Employee Handbook Policies

The National Labor Relations Board ("NLRB") is persistent in reviewing and striking down employee handbook policies that have potential to or are in violation of the National Labor Relations Act (the "Act"). Because of the broad provisions of the Act, employee handbooks are under extreme scrutiny for the purpose of protecting the rights of non-union and unionized employees. Even well-intentioned and business-focused policies are not safe from review if they include any hint of ambiguity that could be perceived as unlawful. One seemingly unfair restraint of an employee's protected legal right under the Act is all it takes for the NLRB to pull a company into long and expensive litigation. As result, companies should immediately assure that their employee handbooks are in compliance with the evolving standards set by the NLRB.

If you have any questions regarding the terms of the act and employee handbook policies, please contact [Philip S. Mortensen](#).

3

Hurdles Ahead For Software Patents

Many software patents have been nullified just months after the Supreme Court ruled when and whether companies qualify to register abstract software patents. Because of the ruling, the validity of certain software patents can be challenged if they are describing a digitalization of an old idea. Patent licensing firms, who may otherwise be referred to as "patent trolls", may find a hard time battling computer-based intellectual property protection on the road ahead. The unpatentability of certain software presents a challenge that may stifle creativity and ownership of ideas. Because of this there may be a wider impact on patents protecting inventors, researchers and developers who rely on strong legal protection for marketing purposes.

If you have any questions regarding patents and intellectual property protection, please contact [Roger E. Barton](#) or [Maurice Ross](#).

contact.

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