OFFER LETTERS, NONCOMPETES AND NDAS: WHAT DO THEY REALLY MEAN?

Monday, October 15 | 3:30 – 4:45pm | 2-142
A Workshop with Lou Rodriques and John Akula, Senior Lecturers in Law at MIT Sloan
Sponsored by CAPD and ISO

For those entering the US job market, the legal framework governing employment is full of surprises, some of them very unpleasant. That is especially true for those whose value lies in their ability to bring to bear cutting-edge skills – as is the case for so many MIT students. And international students are typically more likely to be blind-sided by some of the relatively unique aspects of the US system.

This workshop will review and discuss the kinds of offer letters, noncompetition agreements, nondisclosure agreements, and invention assignment agreements that new employees are regularly asked to sign as they join companies. Using actual agreements, we will examine:

- The extent to which offer letters truly mean what they say, and whether and to what extent they are negotiable;
- Whether noncompetes are enforceable;
- The restrictions actually imposed by the typical NDA (non-disclosure agreement) and Invention Assignment Agreement,
- Whether and to what degree employees can retain intellectual property rights in the innovations to which they contribute; and
- The special problems of planning to start your own company while still working.

The instructors were for many years practicing attorneys – the focus of this workshop is on realistic, practical concerns. No prior knowledge of the law is necessary.