

In-house lawyers are always searching for opportunities to streamline a process. Often, a streamlined process equates to efficiencies within the legal department and higher productivity of the in-house lawyers and paralegals.

Streamlining the contract process is an area that can be considered for outsourcing. A December 2007 *ACC Docket* article, "Transitioning Your

tion necessary to do business. Cisco has established in-house solutions. However, there are outsourcing solutions to handle the mundane process of delivering NDAs to your sales staff around the world.

The Legal Process Outsourcing (LPO) industry has developed an outsourcing solution for companies that are not as advanced in its "efficiencies" development. The LPO provider

to the company or individual that is requesting to execute it.

If there are red flags or specific inquiries that may trigger an issue, an alert email request will be sent to an appropriate attorney in the LPO office so that specific issues may be addressed pertaining to that particular NDA. If necessary, the designated attorney within the legal department of the US company client requesting the NDA will be contacted directly to identify the specific issue for discussion pertaining to the agreement.

Based on my experience, this rarely happens because most customers seeking information from our respective companies are willing to sign NDAs without changes, alterations, or negotiations except for a "term" reduction or a "governing law" change. But if there is a red flag that surfaces, this process does permit professional review and advice from a trained lawyer in India and additional review by the in-house counsel designated with responsibility for the NDA, if the issues are raised to that level.

Sharing of information by companies is essential in doing business. The protection of trade secrets, intellectual property, and financial data are necessary components of doing business. The legal department of a corporation is constantly called upon to provide NDAs. Outsourcing that commodity process can bring efficiencies to the company and save the precious time of the limited legal staff. There is a solution for this in the outsourcing world. ■

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Outsourcing NDAs

BY KENNETH A. CUTSHAW

Contract Process from the Artistic to the Industrial" by Brian C. Quinn and Kenneth A. Adams, articulately presented how we can address this challenge. If you have not read the article, I recommend you do so. The article shared the challenges we have in our legal departments dealing with commoditized contracts. The templates and the standard contracts that we all use can be processed internally, but is there another way?

A section from the article certainly triggered a hot button for me. Cisco offered a case study on managing a contract process for nondisclosure agreements (NDA) known as NDA Central. NDA Central provides an efficient approach to sending these to many of the contractors that do business with Cisco. Cisco is not an exception: We all receive many requests for NDAs. The volume of NDA requests varies with each company: Cisco offers 8,000 NDAs a year; a company such as mine does several hundred; and I am sure there are companies that exceed Cisco's NDA numbers because of the many sales staff seeking to share informa-

tion necessary to do business. Cisco has established in-house solutions. However, there are outsourcing solutions to handle the mundane process of delivering NDAs to your sales staff around the world. The Legal Process Outsourcing (LPO) industry has developed an outsourcing solution for companies that are not as advanced in its "efficiencies" development. The LPO provider that I reference is in Gurgaon, India. The process works this way: The non-lawyer professional—whether it is a sales person or other professional relationship manager in the company—would access a secure website offered by the LPO company. That website would ask a limited

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number of questions and would require sufficient answers in order to proceed. The LPO company creates the NDA and emails it to the professional representative of the company. The NDA can also be sent directly



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