

FOULSTON

ATTORNEYS AT LAW



WILLIAM P. MATTHEWS

PARTNER

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PROFILE

Mr. Matthews is a member of the intellectual property and general business teams within the firm. His practice encompasses a wide variety of IP and business matters, including federal trademark registration prosecution and maintenance, copyrights clearance, software licensing, trademark and personality licensing, franchise regulation, e-commerce contracting, mergers and acquisitions, and compliance with HIPAA and other privacy regulations. Mr. Matthews represents and advises a wide variety of clients—from large, public companies to small and medium-sized businesses—in a variety of industries, including hospitals and healthcare providers, manufacturers, and licensors. Mr. Matthews has been selected by his peers for inclusion in *The Best Lawyers in America*® and the *Missouri & Kansas Super Lawyers*® “Rising Star” list.

Education

- University of Kansas (J.D., 1997)
Note and Comment Editor - *Kansas Law Review*; Faculty Award for Outstanding Scholastic Achievement
- Oklahoma State University (B.S., 1994)
With Honors; Phi Kappa Phi; Mortar Board

Admissions

- U.S. District Court for the District of Kansas (1997)
- Kansas (1997)

PRACTICE AREAS

- Intellectual Property
- Business & Corporate Law

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- E-Commerce
- Franchise & Distribution
- Startup/Entrepreneurship
- Private Equity & Venture Capital
- Securities & Corporate Finance
- Healthcare
- Privacy & Data Security

INDUSTRIES

- Franchise & Distribution
- Healthcare
- Technology

COMMUNITY INVOLVEMENT

- Leadership Wichita, Wichita Regional Chamber of Commerce
- Heartspring Foundation, Board of Directors
- Greater Wichita YMCA, Downtown Branch Advisory Board (2011-2013)
- Center of Innovation for Biomaterials in Orthopaedic Research (CIBOR), Founding Member Board of Trustees (2009-2010), CEO Search Committee (2010)
- Heartspring, Inc., Audit Committee Chair (2006-2011), Member Board of Trustees (2005 – 2011)
- YMCA Downtown Men's Club, Member (1998-present), Investment Chair (2005-2010), President (2011-2012)
- Boy Scouts of America, Eagle Scout
- Wichita United Way, Young Leader

RELEVANT EXPERIENCE

Mr. Matthews has had extensive experience in the acquisition, licensing, and protection of intellectual property assets, including trademarks, copyrights, trade secrets, and patents. As principal technology counsel for several large clients, he has prepared, reviewed, and negotiated hundreds of software licenses, software development, and technology sales agreements for both licensors/sellers and licensees/buyers. With recent changes in federal privacy laws, Mr. Matthews has expanded his IP practice to include advising clients concerning the vast regulatory schemes impacting the acquisition, dissemination, and use of customer information, including the Gramm-Leach-Bliley Act, the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Federal Fair Credit Reporting Act, and others.

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Mr. Matthews has prepared and prosecuted numerous trademark and service mark applications before the U.S. Patent and Trademark Office. He has handled responses to examining attorney actions and opposition proceedings, and post-registration filings. His experience with intellectual property ownership and licensing issues includes deal preparation, due diligence, and negotiation of mergers and acquisitions with significant intellectual property components. As part of his comprehensive administration of IP matters, Mr. Matthews has aided in the preparation of franchise disclosure documents and litigation of master brand licensing disputes.

PROFESSIONAL MEMBERSHIPS, AFFILIATIONS, AND HONORS

- Selected by peers for inclusion in *The Best Lawyers in America*® in the areas of Copyright Law and Trademark Law, 2006-2024; Franchise Law, 2022-2024; and Information Technology Law, 2023-2024
- Selected for inclusion in Missouri & Kansas Super Lawyers® List Rising Star, 2008-2010 (a Thomson Reuters business)
- Identified in Chambers USA as a leading lawyer in the United States for Intellectual Property, 2022-2023
- Wichita Business Journal / 40 Under 40 Business Leader 2010
- American Bar Association - Sections of Intellectual Property Law and Business Law
- Kansas Bar Association - Corporation, Banking, and Business Law Section, Executive Committee (2002-present), President (2010-2011); Subcommittee on Amendments to the Kansas General Corporation Code, Chair (2013-present); Subcommittee on Amendments to the Kansas Limited Liability Company Act, Member (2011-2013)
- Wichita Bar Association

PRESENTATIONS

2022

- The Legal and Ethical Responsibilities of the Board Member (Foulston Siefkin LLP, Corporate Counsel Series: Ethics)

2014

- Updating the Kansas Revised Limited Liability Company Act (Wichita Bar Association, Emerging Issues in Business Law)
- 2014 Updates to the Kansas Revised Limited Liability Company Act (Kansas Bar Association, Nuts & Bolts Seminar)
- 2014 Updates to the Kansas Revised Limited Liability Company Act (Kansas Bar Association, 32nd Annual Plaza Lights Institute)

2013

- Preliminary Deal Agreement (Kansas Bar Association, Nuts & Bolts Seminar)

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2012

- Email Marketing: Understanding the CAN-SPAM Act (Wichita American Marketing Association, Monthly Lunch Meeting)
- Negotiating Software Licensing Agreements: A Practical Approach for Licensees (Kansas Bar Association, Nuts and Bolts 2 for the Transactional Lawyer)

2011

- Securing and Protecting Employee-Created Intellectual Property (Foulston Siefkin Regional Bioscience Law Conference)
- Basics of Effective Contract Drafting (Kansas Bar Association, Nuts and Bolts 1 for the Transactional Lawyer)

2010

- Basics of Effective Contract Drafting (Kansas Bar Association, Nuts & Bolts for the Transactional Lawyer)
- A Beginner's Guide to Drafting Effective Contracts (Kansas Bar Association, Annual Meeting and Joint Judicial Conference)

2008

- Ethical rules that apply to use of electronic communications (Kansas Ethics Seminar)
- Non-Disclosure Agreements: Protecting Your Trade Secrets and Your Business (Kansas Manufacturer's Network)
- What Every Business Should Know About Trademark Law (Wichita Metro Chamber of Commerce, Small Business Working Lunch)
- What Every IP Lawyer Should Know About the HIPAA Privacy Rule (American Intellectual Property Law, Annual Meeting)

PUBLICATIONS

2010

- Kansas Intellectual Property Section
-LawForChange, Lex Mundi

2007

- Kansas Case Summaries
-Business News: Kansas Bar Association, Corporation, Banking & Business Law Section Newsletter

2006

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- Kansas Author, Intellectual Property World Desk Reference
-Kluwer Law International

2005

- HIPAA Handbook for Health Care Providers
-Foulston Siefkin Press

2003

- Caught Up in the Expanding Net: Regulation of the Business Associate Under the HIPAA Privacy Regulations
-Journal of the Kansas Bar Association

2002

- Who Owns the Work You Hire Your Workers to Perform?
-Kansas Employment Law Letter

2001

- .BIZ Registration Deadline Extended! You Still Have Time
-Legal Brief

1996

- Encoded Confidences: Electronic Mail, the Internet, and the Attorney–Client Privilege
-45 University of Kansas Law Review 273

ISSUE ALERTS

2023

- Some Corporate "Officers" May Lose Indemnification July 1 Without Corporate Action

2011

- New .xxx Domain Name Registry Announced: Act Now to Protect Your Brand