



RACHEL D. LERNER, SPECIAL COUNSEL INDIANAPOLIS



8206 Rockville Rd, #321

Indianapolis, IN 46214

T: (414) 436-0353

F: (414) 436-0354

E: rachel.lerner@mwhlawgroup.com

PRACTICE AREAS

- Intellectual Property
- Contract Support
- Corporate and Transactional
- Technology Law

ADMISSIONS

- Ohio

BIOGRAPHY

Ms. Lerner has over twenty years of experience advising clients on legal issues related to intellectual property, technology, eCommerce and commercial transactions. She has large law firm, in-house and private practice experience. She represents entrepreneurs, start up, middle market, private and public companies and industry leaders including Adobe, American Greetings, AG Interactive, Hasbro, insurance.com, The Rock and Roll Hall of Fame and Museum, Goodyear Tire, Vitamix, International Spy Museum and Joe Solo Productions.

Ms. Lerner has extensive transactional experience, exceptional drafting skills, a keen legal mind and equally sharp business acumen. She is a high level strategic thinker who structures, drafts and negotiates complex domestic and international transactions including IP licensing (in-out-cross), development, distribution and acquisition, software licensing, development, open source, IT services, channel partner, distribution (OEM, Re-Seller, VAR), cloud computing (SaaS, ASP, Subscription), professional services, independent contractor, work-for-hire, NDA, agency, strategic alliance, joint development, website development, hosting and maintenance (Privacy Policy, Terms of Service, EULA), digital media, mobile applications, gaming, entertainment, sponsorship, promotion, consumer product/service and merchandise agreements. She performs services related to creative review, M&A due diligence, IP portfolio prosecution, corporate and legal affairs.

Ms. Lerner has significant advertising experience in areas including affiliate programs, electronic marketing campaigns, click-through internet, sponsorships, co-branding, marketing, social media, video advertising (standard and technical stream), advertising, content production, digital media license and production, publisher agreements and some public relations services.

She is an excellent communicator who develops meaningful relationships with business stakeholders, customers and clients. She is an enthusiastic client advocate and highly effective lead negotiator who can skillfully close a transaction that fulfills a client's business goal and support productive business relationships. She is an intellectually curious attorney with a collaborative approach and thrives in energetic, fast paced, high growth entrepreneurial environments.

Ms. Lerner is an intermittent Adjunct Professor at Case Western Reserve University School of Law where she teaches a course called Intellectual Property and Technology Transactions, the author of numerous articles and a frequent speaker on legal matters related to intellectual property technology, eCommerce and commercial transactions.

EDUCATION

- Cleveland Marshall School of Law, JD., Honors, (1996).
- International Law Seminar with Supreme Court Justice Anthony Kennedy
- Salzburg University, (Summer 1994).
- University of Florida, Bachelor of Arts, Philosophy, Honors, Cum Laude, (1991).
- University of Pittsburgh, Semester at Sea, (Spring 1990).
- New York University, Associate in Arts, Philosophy and Art History, Magna Cum Laude, (1989).

PROFESSIONAL MEMBERSHIPS

- Ohio State Bar Association Member
- Cleveland Metropolitan Bar Association Member
- Past Executive Council Member, Intellectual Property; CMBA
- Past Vice President, Sports and Entertainment Law; CMBA
- Ohio State Bar Association
- Board Member Freda Joyce Brint Foundation
- Volunteer 3R's Program
- Children International Lifetime Sponsor

PUBLICATIONS

- Rachel Lerner, IP Strategists and Company Market Values, Cleveland Metropolitan Bar Association Journal, (Spring 2011).
- Rachel Lerner, Music Publishing 101; The rules of the game and how to play. Cleveland Metropolitan Bar Journal, (Spring 2008).
- Rachel Lerner, The Importance of Having an Intellectual Property Risk Management Strategy; Cleveland Bar Journal, (Summer 2006).
- James Brelsford and Rachel Lerner, The Federal CAN-SPAM Act: New Requirements for Commercial E-Mail, Jones Day Technology Commentaries (February 2004).

PRESENTATIONS

- "Technology-Related Transactions: Protecting Against Risk in an Evolving Environment" Approved for MCLE credit by California; Presented in-house to Uber. (San Francisco, 2017).
- "Legal Issues For Entrepreneurs" Goldman Sachs 10,000 Small Businesses Entrepreneur Work-Shop. (Cleveland, 2016).
- "Legal Issues for Start Up Companies" Ohio Small Business Development Center Cleveland State University Business Accelerator Program Business Start Up Quarterly Meeting. (Cleveland, 2015).
- "IP Strategies for Commercial Clients" Meyers, Roman, Friedberg and Lewis Firm Meeting. (Summer, 2014).
- "Social Media Issues for Companies with Online Presence""Smart Business" Midwest Annual Meeting. (Cleveland, 2013).
- "Legal Issues Related to Online Social Networking" Cleveland Metropolitan Bar Association. Intellectual Property Section Quarterly Meeting. (Cleveland, 2011).
- "Intellectual Property Strategy for Small Business" COSE Annual Small Business Conference. (Cleveland IX Center, 2006, 2008, 2010).
- "Copyright Law Basics: Licensing Artistic Works" COSE Arts Network. (Cleveland, 2006, 2008, 2009).
- "Legal Compliance Issues to Consider in Connection with Electronic Marketing and Distribution of Products and Services" Senior Management Team, American Greetings Corp, Inc. (Cleveland, 2005).
- "Anonymity on the Web: How Companies Respond." Practising Law Institute. (New York, 2004).
- Television appearance, High Tech Pittsburgh; CAN-SPAM compliance. (Pittsburgh, 2004).
- Case Western Reserve School of Law Technology Conference. (Cleveland, 2002, 2003, 2005, 2006, 2006).