



# Frank Pugliese

## Member

## New York

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Frank focuses his practice on strategic outsourcing and cloud-based transactions, optimizing digital assets, internal data management, and privacy governance, as well as M&A and other corporate-level technology transactions. Frank often advises clients in their open source usage, as well as vendor software audits. He has a broad range of experience representing vendors and customers in a multitude of industries ranging from professional services, manufacturing, retail, health care, and investment banking to telecommunications and cable service providers.

Prior to joining the firm, he was a partner at a national law firm where he focused on strategic outsourcing, digital assets and data management, technology-related mergers and acquisitions, emerging companies and privacy governance, and technology transactions.

Frank earned his bachelor's degree, *cum laude*, from New York University and his law degree from Fordham University School of Law.

## Experience

Represented a professional services firm in the acquisition of a cloud-based managed hosting solution.

Represented a multinational organization in the development, licensing, and implementation of a global multimedia storage and retrieval system for a top-four major U.S. sports organization.

Represented a health care technology company in the creation of cloud services form agreements, and negotiated several deals against health care and insurance providers for cloud-based patient data storage and use services.

Represented a digital workplace communication tool provider in a cloud-based employee communication solution for a global energy company.

Represented a professional services firm in the acquisition of a cloud-based employee investment tracking system, and negotiated multiple data feed agreements with financial institutions for access to data regarding employee investment transactions.

Represented one of the largest blood centers in the country in outsourcing its IT department, including application development and staff. This representation included leading negotiations, drafting documents, and advising the client.

Represented a major cosmetics company in procurement and implementation of a global enterprise resource planning system. This representation included leading the negotiation of system development.

Represented a community health organization in the acquisition of a cloud-based electronic health record system.

Represented one of the leading e-commerce solution vendors in licensing and managed-service transactions.

## Practice Areas

- Artificial Intelligence
- Business
- Italy Practice
- Technology, Privacy & Data Security

## Industry Sectors

- Cryptocurrency and Blockchain Technology
- Software

## Education

- Fordham University School of Law, J.D., 1991
- New York University, B.A., *cum laude*, 1988

## Bar Admissions

- Connecticut
- New York

## Court Admissions

- U.S. District Court -- Connecticut
- U.S. District Court -- Eastern District of New York
- U.S. District Court -- Southern District of New York

## Affiliations

American Bar Association

ITechLaw

Rye Brook Technology and Communications Commission

## Awards & Honors

- Who's Who Legal, Information Technology, 2013-2016
- The Best Lawyers in America, 2008-2024
- Lawyer of the Year, The Best Lawyers in America, New York: Technology Law, 2012
- New York Super Lawyers, 2006, 2009 to 2012, 2014, 2018, 2019 and 2020

## Frank Pugliese

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Represented the developer of an interactive application in a dispute with the NFL for use of an application in conjunction with Thursday Night Football viewing.

Represented a major investment bank in development, licensing, and managed-service transactions.

Represented a major New York hospital in an outsourcing agreement for the operation of its data center and maintenance and development of its software applications, and in connection with an inter-entity transition services agreement as part of the hospital's unwinding of an earlier merger.

Represented a global media company in an e-commerce fulfillment services transaction.

Represented a national commercial property owner in an outsourcing of its real estate accounting department.

Represented a national telecommunications provider in connection with the provision of high-speed internet access to the resort hotels of a major U.S. theme park.

Represented a major cable company in the development of a dedicated telecommunications network.

Represented the owner of U.S. convention centers in connection with creating wireless hot spots in its facilities.

Represented a technology firm providing short message service (SMS), including assisting the client with the creation of customer, reseller, and OEM agreement templates.

Represented Binarytree.com Inc., a provider of cloud based software migration services, in its acquisition by Quest Software Inc., a global systems management, data protection, and security software provider.

Represented Sherpa Software, LLC, an enterprise data governance and eDiscovery solutions provider, in its sale to Gimmel LLC, an information governance software solutions provider.

Represented Othot, Inc., a provider of advanced analytics software to higher education institutions, in its sale to Liaison International, a student recruitment and admissions management and marketing automation software provider.

Represented United Intermodal Enterprises LLC in its sale of Consolidated Chassis Management LLC, a manager of marine chassis pools in the United States, to funds managed by the Transportation Infrastructure strategy of Oaktree Capital Management, L.P.

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