



Charles M. Hosch

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Charles M. Hosch is a co-founder and member of Hosch & Morris, PLLC.

Charles has more than 35 years' experience in complex business transactions and litigation.

Charles handles all aspects of data and technology, including development, analysis, use, licensing and global outsourcing, together with advice on due diligence, minimizing costs and risks, and litigation as necessary. He has long experience protecting trade secrets and clients' business, personal, and financial privacy. He has written, litigated, mediated and arbitrated software development agreements for developers and customers, representing both plaintiffs and defendants. Charles advises on cybersecurity, and guides clients in escalating cyber breach responses.

Throughout his career, Charles has protected trademarks and trade dress, copyrights, rights of publicity, "know-how," and other intellectual property rights through registration, enforcement, and other means, as well as certain patent transactions and litigation. Charles' practice has continually included clearing and defending advertising, marketing and promotion, and product labeling; guidance on FTC and statutory regulation of trade practices; and business tort litigation, including tortious interference, false advertising, commercial disparagement, common-law misappropriation, RICO, fraud, the Computer Fraud and Abuse Act, digital misappropriation, and now "cyber torts." Charles serves as outside general counsel to



middle-market businesses, some of whom he has represented for more than 35 years and two generations of owners. He has written and negotiated hundreds of complex business agreements, across dozens of industries.

Charles has handled business lawsuits throughout his career, including many involving seizure orders and other extraordinary remedies. Since 1991, he has served as a mediator resolving many complex, emotional business disputes. In a time when many business litigators lack first-chair trial experience, Charles has successfully tried "bet the company" matters which his clients could not afford to lose.

For over 25 years, Charles has dedicated himself to helping aspiring young lawyers. He has taught continually at SMU Dedman School of Law since 1991. From 1997 - 2015 he co-taught Trademarks and Business Torts, and since 2016, has taught Trade Secrets and Business Torts. He is a frequent CLE speaker and author.

Charles is triple certified by the International Association of Privacy Professionals as a Certified Information Privacy Professional –United States (CIPP/US) and Europe (CIPP/E), and a certified Information Privacy Manager (CIPM).

EDUCATION

HARVARD LAW SCHOOL

J.D., 1983

HARVARD COLLEGE

A.B., cum laude, 1980

ADMISSIONS & CERTIFICATIONS

- Texas
- U.S. District Ct., N.D. of Texas
- U.S. District Ct., S.D. of Texas
- U.S. District Ct., E.D. of Texas
- U.S. District Ct., W.D. of Texas
- U.S. Court of Appeals, Federal Circuit
- International Association of Privacy Professionals – Certified Information Privacy Professional: United States (CIPP/US), Europe (CIPP/E) through the International



Association of Privacy Professionals, and Certified Information Privacy Manager (CIPM)

AWARDS/ACHIEVEMENTS

- Named *D Magazine* Best Lawyers in Dallas for Digital Information & Technology (2020-2023)
- Named among The Best Lawyers in America – Litigation, Intellectual Property by Best Lawyers, BL Rankings (2018- 2019)
- Named to Texas Super Lawyers by Thomson Reuters (2003- 2005, 2007, 2023)
- Texas Bar Foundation, Fellow

PROFESSIONAL & COMMUNITY SERVICE

SMU Dedman School of Law, Adjunct Faculty

Bencher, “Mac” Taylor Inn of Court

Eagle Scout Committee, West Park District, Circle Ten Council, BSA

Adult Sunday School teacher, University Park United Methodist Church

PRESENTATIONS

- *U.S. Litigation of Trademark, Copyright, and Trade Secret Claims over Products that Originate in China*, China IP Roadshow, United States Patent and Trademark Office (USPTO) (June 2023)
- *Cyber Security Protection in IT Contracts - in a Hurry*, Dallas Bar Association (March 2022)
- *Cybersecurity, Privacy, and Data Protection*, TXCPA CPE Value Conference (October 2019)
- *Cybersecurity vs. Privacy*, Dallas Bar Association, Technology Summit (September 2019)
- *Data Protection and Privacy: A New Look At “Private Banking”*, Southwest Association of Bank Counsel (November 2018).
- *Technology Competence & Data Protection in Litigation: A sit-down talk about ethics and privacy for stand-up lawyers*, Dallas Bar Association, Trial Skills Section (October 2018)
- *Data Protection Ethics: A Different Kind of Dirt Law*, Dallas Bar Association, Real Estate Section (October 2018)



- *Data Protection 2018-2020: Achieving Compliance When You Don't Have Enough Time, Budget, or Management Attention*, Texas General Counsel Forum - Dallas-Fort Worth Chapter (September 2018)
- *Privacy and Data Protection 101*, Dallas Paralegal Association (September 2018)
- *Protecting Your Ideas: Intellectual Property Law for the Entrepreneur*, SMU Cox School of Business (2003-present)
- *Coming Out of Shadow IT: Lighting Up Data Security*, Texas Association of Bank Counsel (2017)
- *A Tour of Intellectual Property Law, With Detours*, Executive MBA Program, Baylor School of Business
- *Step Right Up: Trends, Tricks and Traps in Advertising Law Today*, American Corporate Counsel Association (2007)
- *Back to "Likely," But Only if You're Really Famous: Federal Dilution Today*, SMU Symposium on Emerging Intellectual Property Issues (2007)
- *Arbitration in the Entertainment World*, Dallas Bar Association Entertainment and Sports Law Section (2002)
- *Franchise Arbitration vs. Litigation: Practical Problems, Real Solutions*, DBA Franchise Law Section (2002)
- *International Trademark Protection: Current Developments, Practical Tips and the Madrid Protocol*, International Franchise Association Legal Symposium (May 2002)
- *Advice of Counsel: Things Every Client Ought to Know*, University of Texas McCombs School of Business (2001)
- *I Know What You Had for Breakfast: Privacy in eCommerce Today*, DBA Intellectual Property Section (2001)
- *Unfair Advertising: Product Comparisons and Disparagement*, State Bar of Texas Advanced Business & Commercial Law (2001)
- *Digital Risks, Digital Opportunities*, DBA Entertainment Law Study Group (2000)
- *Protecting Trade Secrets in the Digital Age*, American Law Firm Association (2000)
- *Making It Work Website Development, Hosting and Maintenance*, Franchising Updates, E-Franchising, Internet & Technology Conference (June 2000)
- *Finding the Cash to Grow Your Company*, Strasburger & Price, LLP and SMU Cox School of Business (April 2000)



- *Sight, Smell and Taste: Pushing the Frontiers of Goodwill*, American Bar Association Patent, Trademark and Copyright Section (June 1996)
- *The Seven Deadly Sins of Software Development Agreements*, The 1995 Intellectual Property Symposium (October 1995)

PUBLICATIONS

- Co-author, *Crime & Sacrifice: Criminal Liability for Concealing Data Breaches*, DBA Headnotes (February 2023)
- Co-author, *Privacy Risk in Outsourcing*, Texas Lawyer (January 2019)
- *Sorriness in the Marketplace: Cases and Materials on Business Torts*, Trademarks and Business Torts Course, SMU Dedman School of Law (2011 - 2015), Trade Secrets and Business Torts Course, SMU Dedman School of Law (2016 - present)
- *Privacy, Data Protection and the Lack Thereof*, State Bar of Texas, Advanced Administrative Law Seminar (June 2018)
- *SEC Updates Guidance on Cybersecurity Disclosures*, Strasburger Intellectual Property Law Blog (February 2018)
- Co-author. *The Patent Infringement Litigation Handbook: Avoidance and Management*, ABA Publishing (2010)
- *Business Torts*, SMU Law Review Annual Survey of Texas Law, 56 SMU L. Rev. 1171 (Summer 2003); 57 SMU L. Rev. 629 (Summer 2004); 58 SMU L. Rev. 579 (Summer 2005); 60 SMU L. Rev. 713 (Summer 2007) (co-author L. Becker); 61 L. Rev. 589 (Summer 2008); 62 SMU L. Rev. 905 (Summer 2009) (co-author L. Becker); 63 SMU L. Rev. 629 (Summer 2010) (co-author L. Becker); 64 SMU L. Rev. 87 (Summer 2011) (co-author L. Becker); 65 SMU L. Rev. 315 (Spring 2012) (co-authors L. Becker and K. Hodgman)
- Co-author. *Built to Last: Copyright in Architectural Works*, State Bar of Texas Construction Law Section Annual Institute (2011)
- Co-author. *Copyright in Multimedia: Or, How We Learned to Stop Worrying and Love the Copyright Act*, Graduate Class in Education, SMU School of Education (2010)
- Chapter Co-author. *Intellectual Property in Bankruptcy*, Norton on Bankruptcy (1993)

MEDIA

- In the News, Dallas Bar Headnotes (July 2018)



- Social Media Threats & The First Amendment, KRLD-TSNCBS Radio Dallas (December 2014)
- Feds Sue AT&T Over Mobile Customer Data, NBC5 DFW (October 2014)
- Who Needs Hackers? AT&T Says Customer Info Stolen - By an Employee, WAOI 1200 News Radio (October 2014)
- Nokia Sues Apple, Claims iPhone Infringes on Patents, USA TODAY (October 2009)
- Motorola Sues Aruba for Infringing WLAN Patents, eCommerce Times Article (August 2007)
- The Future of Wireless, CNBC Power Lunch (July 2007)
- Patents: Chipmakers at the White House Door, BusinessWeek (July 2007)
- Google Asks DOJ To Watch Microsoft, CIO TODAY (June 2007)
- LG Answers Hitachi Patent Suit with Counterclaim, eCommerce Times (June 2007)
- What's Behind Google's Sneak Attack Against Microsoft?, Ecommerce Times (June 2007)
- Say 'Bon Vonage' To Web Phone Service?, Financial Week (May 2007)
- Microsoft Prevails In Patent Case, San Antonio Express News (May 2007)
- Vonage Takes Another Blow As Its CEO Steps Down, USA Today (April 2007)