

## Alan M. Pate

### Of Counsel

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Austin

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Alan M. Pate is Of Counsel in the Austin office of Foley & Lardner LLP, where he is a member of the firm's Transactions Practice Group and the Emerging Companies & Venture Capital Lead for the Austin office. Alan represents technology companies at every stage of growth — from emerging startups to global enterprise providers — and also advises investor clients on intellectual property and technology risks in connection with financings, acquisitions, and portfolio exits.

Alan specializes in negotiating high-stakes, complex commercial technology transactions, including software-as-a-service (SaaS) agreements, strategic partnerships, joint development arrangements, and other technology-driven commercial ventures. He is a trusted advocate for clients navigating their most business-critical technology negotiations, leveraging more than a decade of experience structuring sophisticated licensing and commercial relationships.

Alan has deep experience with cloud services, data licensing, and critical technology vendor contracts, including those involving large-scale infrastructure, data-center platforms, and enterprise technology deployments. His clients rely on him to understand both the technical and operational dimensions of the technology at issue, which allows him to mitigate risk, streamline negotiations, and deliver practical, business-oriented solutions.

A recognized subject-matter resource on artificial intelligence, Alan frequently counsels clients developing or deploying cutting-edge AI solutions. His AI work includes:

- guiding companies integrating AI into their products and operations,
- negotiating with AI vendors and mitigating data, IP, and model-risk issues,
- crafting AI policies, licensing structures, and product terms, and
- advising on technology licensing throughout the data-center technology stack supporting AI workloads.

Alan also has significant expertise in open source software, including helping companies design and implement compliance programs and license open-source technology in commercial offerings. He advises investors and acquirers on open-source risk in corporate transactions, especially when evaluating targets with open-source-heavy technology portfolios.

His clients operate on the cutting edge of innovation, including in agentic AI, robotics, semiconductors, health-tech, insure-tech, and fintech software. Alan counsels companies from formation through exit on the technology and commercial agreements fundamental to their growth, including customer contracts, strategic partnerships, EULAs, website terms of service, and other outbound/inbound technology licensing agreements.

Clients value Alan's pragmatic, practical, and efficient approach, as well as his commitment to learning their technologies deeply — an approach that consistently strengthens his advocacy in negotiations and enables him to deliver advice aligned with real-world product and business realities.

## Representative Experience\*

- Represented 401GO, a fully-owned 401(k)-management platform, in its \$33 million Series B funding round.
- Represented Rambus Inc, a premier chip and silicon IP provider, on its acquisition by Cadence Design Systems, Inc of its Rambus SerDes and memory interface PHY IP business.
- Represented Radium, an innovator in single panel MicroLED display technologies on its acquisition by Google.
- Represented Ambarella, an AI vision silicon company, in its acquisition of Oculii, expanding its addressable market into radar perception and fusion with its existing edge AI CV perception SoCs for automotive and other IoT endpoint applications, including mobile robotics and security.
- Represented The Roald Dahl Story Company, the international entertainment business managing the rights to Roald Dahl's iconic characters and stories, and its shareholders on its sale to Netflix.
- Represented BigCommerce, an Open SaaS ecommerce platform, in its \$145 million acquisition of Feedonomics, a full-service data feed management platform.
- Represented ART19, a podcast solution provider, in its acquisition by Amazon Music.
- Represented Transcarent, a consumer-directed health and care platform, on a Series A financing and its acquisition of BridgeHealth, a provider of surgical advocacy and centers of excellence programs.
- Represented Everlywell, a leading digital health company, on a \$175 million Series D financing that will be used to expand its virtual care offerings and grow its at-home testing market share.
- Represented CloudSimple, a leading provider of dedicated environments to run VMware workloads in the cloud, in its acquisition by Google.

*\*Matters handled prior to joining Foley*

## Sectors

- Manufacturing

- Supply Chain

## Practice Areas

- Corporate
- Transactions

## Education

- University of Virginia School of Law (J.D., 2012)
  - Articles Review Committee, *Virginia Law & Business Review*
- University of Mississippi (B.A., magna cum laude, 2009)
  - Political Science
  - Member of Phi Beta Kappa

## Admissions

- New York
- Texas