Dear All,

This week we will take a few minutes to negotiate a Confidentiality Agreement (also known as a Non-Disclosure Agreement or NDA).

You will break up into teams of two-on-two, one two-person team representing the US company looking to go abroad, the other, the representative of a foreign company who is looking to be either a distributor or joint venture partner.

As we will discuss later in the course, a distributor is a person or company who purchases product and then sells it at a mark-up to the end user located in the distributor's designated territory; a joint venture partner usually assumes less risk because they work together with the manufacturer to make the sale and then split the profit.

One-half of the class has received an email with information about the US company's potential deal and confidential information regarding the product and/or the US company's intentions.

The other half of the class has received an email with information about the foreign company's potential deal and confidential information regarding the product and/or the foreign company's intentions.

In order to prepare, you must decide which form of Confidentiality Agreement you will use and, given the confidential information/intentions, what are areas of the document you want to change.

I will be available during the negotiation session to "consult" with any team with questions.