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**DUANE BERLIN CALLS ON NEED FOR RESEARCH COMPANIES TO INSIST ON
CLIENT SERVICE AGREEMENTS AND CONTRACTS**

"You won't lose any business by negotiating agreements, but you will obtain essential legal protection"

Port Jefferson, NY—October 17, 2006— Duane Berlin, of the Connecticut-based law firm of Lev and Berlin, PC, who serves as general counsel to CASRO, and legal advisor to many research companies, urged research organizations to insist on and negotiate client service agreements. Berlin spoke at the annual CASRO conference held at the Ritz Carlton Hotel in Los Angeles.

For research companies to start work on a research project without a jointly negotiated contract would be like diving into a pool without knowing how deep it is. "Corporate purchasing departments often offer research companies a "boilerplate" contract used for many different types of industries. Research companies may be agreeing to issues that do not apply to research companies, but could make them liable to problems that can haunt the research company and cost it money and legal fees."

Among these are:

- An Exposure to liability in excess of the value of the work you will perform
- The ownership of your intellectual property could be called into question

- You could be obligated to perform work or provide services you had not anticipated. If you are unable to use your own form of agreement, and decide (for whatever reason) not to engage the services of an attorney.

There are a number of issues of which you should be wary, including:

- Liability
- Damages
- IP
- Implied Warranties
- Subjective Standards
- Insurance
- Mutuality
- Respondent Information
- Exclusivity
- Privacy Laws

Berlin's advice for each of these is: Negotiate to limit your liability, disclaim consequential damages, protect intellectual property, disclaim implied warranties, remove subjective standards, define insurance provisions, seek mutuality in indemnification, confidentiality and other issues, protect respondent information according to industry and government codes, negotiate exclusivity agreements to make them fair, and include attention to privacy laws. This is but the tip of the iceberg as other issues that survey research consider critical may be routinely left out of standard contracts.

Berlin ended his talk with the reassurance that, "as the research industry matures, formal contracts with clients have become the norm, not the exception." So negotiating contracts is the rule, not the exception.

About CASRO

CASRO, the Voice and Values of Research, represents nearly 300 survey research and marketing research businesses from America and abroad reflecting over 80% of annual US marketing and corporate research revenues.

Our mission is fourfold:

- **Communicate** to the industry and the public about the changing world of research,
- **Educate** members to enhance the high level of industry professionalism,
- **Protect** the public by requiring a commitment to high standards from every organization that joins our association,

- **Advocate** the research industry's uncompromising commitment to ethics and professionalism

For more about CASRO go to www.casro.org

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