



## Benjamin J. Siders

Intellectual Property Practice Group Leader

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A former software engineer turned IP attorney who understands technology from the inside out, Ben Siders helps tech companies protect their innovations through patents, copyrights, and licensing while navigating complex software compliance challenges that can cost hundreds of thousands in audit disputes.

As Practice Group Leader for Intellectual Property, Ben brings a rare combination of technical depth and legal acumen to complex IP challenges. A former enterprise software engineer specializing in C, C++, and Perl, he understands the technology behind the patents, the business models behind the licensing deals, and the real-world compliance issues that keep tech executives up at night.

Ben's practice spans sophisticated technology work, such as software licensing, open source compliance, patent prosecution, software audit management, and emerging AI legal issues, alongside creative IP protection for games, music, entertainment, and digital media companies.

Known for his candid, no-nonsense approach, Ben delivers practical counsel that bridges what the law says and what's actually possible in the real world. His approach is to help clients maximize their legal budget by prioritizing the work that matters most.

Ben serves as Chair of the American Intellectual Property Law Association's Copyright Committee, co-authored the American Bar Association's *Legal Guide to Video Game Development*, and co-hosts *A Lawyer's Guide to the Galaxy*, a podcast exploring the intersection of law, technology, and geek culture.

### Education

- Washington University in St. Louis School of Law (J.D., *magna cum laude*, 2009)
  - Order of the Coif
  - *Washington University Law Review*, senior editor
- University of Iowa (B.A., 1999)
  - English

### Services

- Intellectual Property
- Information Technology
- Artificial Intelligence
- Complex Litigation
- Title Insurance Litigation
- Education
- Design & Luxury
- Early-Stage Companies

## **Legal Background**

- Intern, U.S. Attorney for the Eastern District of Missouri (January 2009-April 2009)
- Summer associate, Lewis Rice LLC (2007, 2008)
- Research assistant, Prof. Neil Richards, Washington University in St. Louis School of Law (2007)

## **Corporate Background**

- Application engineer, A.G. Edwards & Sons, Inc. (2005-2006)
- Software engineer, Computerized Medical Systems, Inc. (2002-2005)
- Programmer, Amdocs, Ltd. (2001-2002)

## **Professional Affiliations**

- American Bar Association
  - Intellectual Property Law
  - Science and Technology Law
- American Intellectual Property Law Association
  - Chair, Copyright Law Committee (2023-present)
  - Vice-Chair, Copyright Law Committee (2021-2023)
  - Subcommittee Chair for Legislation and Copyright Law Substantive Review, Copyright Law Committee (2019-2021)
- Bar Association of Metropolitan St. Louis
- International Game Developer Association (IGDA)
- International Association of Privacy Professionals
- Internet Corporation for Assigned Names and Numbers Intellectual Property Constituency (ICANN IPC)

## **Admissions**

- U.S. Supreme Court
- Eastern District of Missouri, U.S. District Court
- Registered to practice before the U.S. Patent and Trademark Office
- Missouri Bar
- Illinois Bar

## **Charitable & Civic Involvement**

- Secretary, The Siders Foundation (2012-present)
- Member, University of Iowa ASIST (2010-present)
- University of Iowa Alumni Association, St. Louis chapter (2010-present)
- Secretary, St. Louis Game Developer Cooperative (2015-2017)
- Secretary, Ohmes Farm Homeowners Association (2014-2016)
- Secretary, International Game Developers Association, St. Louis Chapter (2013-2015)

- Board member, Iowa Student Computing Alumni (2011-2012)
  - Judge, American Mock Trial Association Championship Series (2010, 2012)
  - Law merit badge counselor, Boy Scouts of America, Greater St. Louis Area Council (2010)
  - Assistant scoutmaster, Boy Scouts of America, Troop 809 (2009-2010)
  - Den leader, Boy Scouts of America, Pack 809 (2007-2009)
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# Software Licensing Lifecycle and Audit Management

## Software Licensing & Compliance

Most companies treat software licensing as an IT purchasing decision, but Ben treats it as a business risk management strategy. With enterprise software costs often representing millions in annual spend, licensing mistakes can result in devastating audit outcomes, compliance violations, or unexpected fees that destroy budgets.

Ben's unique background as a former systems programmer gives him insights that pure legal training alone cannot. He understands how software is deployed, used, and managed in real enterprise environments and can cut through the legalese to make complex licenses comprehensible in plain English.

The best audit defense is compliance. But software licenses are often complex and unclear, and licenses for legacy software can be difficult apply to modern service delivery environments. Ben knows how vendors interpret licenses and helps clients conduct internal-self audits to ensure a compliance state before an audit begins. In addition to shielding the enterprise from future audit risk, these exercises often reveal that enterprises are paying for more licenses than they need, presenting cost reduction opportunities.

## The Vendor Advantage

Software licenses often preserve the flexibility to change licensing terms after the fact, or the use rights are written in terms that become ambiguous and unclear as applied to new service delivery models and technologies. Most companies do not learn how broadly their vendors interpret the licensing requirements until their first audit, often years after signing contracts they thought they understood. Many software vendors aggressively monitor public filings and news reports, watching for routine business activities like acquisitions and mergers that could result in compliance challenges. Audit notices tend to arrive when the vendor knows you at your most vulnerable.

## Strategic Compliance Management

Ben helps companies understand what they're actually buying, implement proper compliance frameworks, and avoid common traps that lead to expensive surprises. His approach focuses on aligning legal requirements with operational reality, ensuring your licenses actually cover how your business deploys software and delivers information technology services. This helps companies ensure that they are paying for the licenses they're using according to the contract terms they agreed to, and not being bullied or misled into paying more. Ben's technical background allows him to spot the disconnect between how vendors structure their licensing terms and how companies use software in

the real world.

## Who We Serve

### Enterprise Software Users

Large and mid-market companies with complex software deployments face sophisticated audit strategies from vendors who know exactly how to maximize settlement amounts by taking advantage of ambiguities in their license terms when applied in complex modern deployment models. These organizations need counsel who understands both the technical deployment patterns and the contractual nuances that determine actual compliance obligations.

### Small and Growing Businesses

Software vendors target smaller companies knowing they lack enterprise license tracking systems and often settle quickly to avoid legal fees. These businesses must defend themselves using purchase receipts, email records, and upgrade documentation that auditors routinely challenge. Ben helps smaller clients by maximizing license deployment strategies and leveraging other legitimate licensing rights that can significantly reduce or eliminate claimed violations.

### Services include:

- Pre-signature contract analysis and risk assessment
- Compliance program design and implementation
- Vendor management, audit defense, and dispute resolution
- Self-audit assessment with remediation and optimization recommendations
- Training programs and process improvements for procurement and IT teams

When you understand both the technology and the fine print, you can make informed decisions about software investments and maintain defensible compliance positions. The best audit defense starts before the audit notice arrives.

## Case Studies

Because software vendors typically require strict confidentiality regarding settlement amounts, we generally cannot share specific outcomes. However, in many instances we have successfully persuaded auditors to drop audits entirely or concluded matters with a finding of no liability. Where settlements were required, our clients consistently achieved outcomes far more favorable than initial demands.

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## Code & Lore (Core)

When technology meets creativity, innovation happens. But so do complex legal challenges that traditional lawyers often miss.

Code & Lore is the intersection of two worlds that increasingly define modern business: the technical systems that power digital experiences (Code) and the creative content that makes them meaningful (Lore). Ben helps companies operating at this intersection protect their innovations, navigate complex licensing requirements, and build sustainable business

models around their **Core** assets - creative and technical.

## Who We Serve

Code & Lore clients are companies where technology and creativity converge:

- **Game studios** developing video games, board games, and mobile experiences
- **Creative technology companies** building AR/VR, interactive media, and digital storytelling platforms
- **Software companies** using creative, entertainment, or media components
- **Entertainment companies** leveraging technology for content creation and distribution
- **Creative agencies** developing digital experiences, apps, and technology-driven campaigns
- **Authors, filmmakers, musicians, and other creators** leveraging digital technology to bring their visions to life

These businesses and innovators face unique challenges that require legal counsel who understands both the technical architecture and the creative process.

## The Challenge

Most lawyers focus on either technology law or creative industries, but rarely both. Tech attorneys may understand software licensing but miss the nuances of character rights and creative collaboration. Entertainment lawyers may grasp publishing agreements but struggle with open-source compliance and technical intellectual property. Companies operating at the intersection of Code and Lore need lawyers who can navigate both with equal legal fluency to deal with every day business challenges.

- **Revenue Protection:** Ensuring your licensing agreements generate the revenue you're counting on, whether that's software subscriptions, creative content licensing, or hybrid models.
- **IP Clarity:** Sorting out who owns what when contractors contribute code, artists create characters, and collaboration gets messy. Getting this wrong up front can cause expensive disputes later.
- **Compliance Without Chaos:** Building compliance systems that don't slow down creative and development processes, especially for open-source usage and content licensing obligations.
- **Deal Structure:** Negotiating agreements that make business sense for companies that don't fit traditional legal categories, like video and board games, which are part functional and part creative.
- **Risk Management:** Identifying potential legal problems before they become expensive disasters, from patent disputes to licensing violations.

## Comprehensive Legal Services

### Code Services:

- Software licensing and compliance management
- Open-source license assessment and risk mitigation
- Patent prosecution for software and gaming innovations

- Technology transfer and development agreements
- AI and emerging technology legal frameworks

#### **Lore Services:**

- Creative IP strategy and protection (characters, worlds, brands)
- Game development and publishing agreements
- Content licensing and distribution contracts
- Influencer and collaboration agreements
- Brand protection and enforcement
- Clearance, fair use, and other copyright exceptions

#### **Where Code & Lore Intersect:**

- Complex development agreements involving both tech and creative elements
- Licensing deals that span software and creative content
- IP strategy for companies with both technical and creative assets
- Compliance programs that address both software and content requirements
- AI utilization and governance

#### **Supporting Business Needs:**

- Corporate formation and governance
- Employment agreements and contractor relationships
- Privacy and data protection compliance
- Commercial contracts and business transactions

### **Thought Leadership**

Ben co-hosts *A Lawyer's Guide to the Galaxy*, a podcast exploring the intersection of law, technology, and art in the context of geek culture. He is a recognized voice and frequent speaker on emerging issues in gaming and creative technology, with published articles on IP law for both technical and creative industries.

As Chair of the American Intellectual Property Law Association's Copyright Committee, Ben works with legislators and government leaders at the Copyright Office in Washington, D.C., on current challenges facing our IP systems. He has led efforts to provide comments to the Copyright Office on artificial intelligence, rulemaking initiatives, and other emerging policy issues. Licensed before the U.S. Supreme Court, Ben submitted an amicus brief in the high court's most recent copyright case.

### **Getting Started**

Whether you're launching your first game, scaling a creative tech platform, or navigating complex licensing deals that span technology and content, you need technical depth and creative industry experience to protect what you've built and accelerate what you're building next.

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## Off the Clock

Ben and his wife have five children and live in St. Charles County. Through a family foundation, they make selective grants each year to organizations providing meaningful community impact, ranging from public institutions such as schools, libraries, and parks, to private charities and civic organizations.

As an avid gamer, his office features a fully restored vintage Pac-Man cocktail table that hosts an annual tournament for the Firm's summer associates. Ben has also coded a fully multi-threaded on-line game server in C++, dubbed *Archon*. When not playing *just one more turn* of Civilization, he plays Minecraft and board games with his children.

A musician since childhood, Ben enjoys concerts and other live music, particularly classic rock. He maintains a vinyl record collection and plays trumpet, guitar, and electric bass. He majored in English at the University of Iowa, where he focused on fiction writing, and he continues to enjoy creative writing as a hobby. Ben has written several screenplays and short stories, and is always working on a novel. He also enjoys building elaborate LEGO sets and following his University of Iowa Hawkeyes in collegiate athletics.