

FuelCell Energy

The Brightest Idea is a Protected Idea

Business Overview

FuelCell Energy, Inc. is the largest publicly-traded fuel cell manufacturer in the United States. With more than 50 installations on three continents, its power plants include one in Connecticut, which is the largest fuel-cell park in North America, and one in South Korea, which is the largest in the world. The company serves the growing demand for clean, renewable energy based on natural gas and bio-gas. Founded in 1969, its customer base covers a wide range of commercial and industrial enterprises, from utility companies to universities.

Challenges

When Henry Sire joined FuelCell Energy as Associate Counsel, he inherited over 3,000 non-disclosure agreements (NDAs) in a file folder on a desktop. These documents protected the technology of the most prominent fuel cell manufacturer in the world. The future of its business hinged on the ability to enforce those agreements. Yet, it was in complete disarray with limited oversight.

“Our company is very tech-heavy, working on a lot of R&D and our

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— Henry Sire, Assoc. Counsel
FuelCell Energy

discussions with anyone need to be covered under NDAs. But the process had so many problems. We had no idea what NDAs we had and when they expired; if we were still talking with those outside

parties, that information might no longer be covered. Some of these are large, very sophisticated partners, so they could have theoretically started developing the technology themselves. We didn’t need a folder to store these documents; we needed a system that tracked, alerted, automatically generated contracts, recorded and assigned ownership, linked every NDA to the requester, and established a process that left no room for questions,” Henry explained.

With no connection to the originators and the only documentation on a hard drive visible to the Legal team, there was also limited ability to



Industry

- Energy

Challenges

- No organization and oversight provided to more than 3,000 documents protecting vital intellectual property
- Required unique system for non-disclosure agreements with build-out potential for all contract types
- Highly customized functions, including a request template preceding the contract process and a series of automated emails sent to contract parties

Agiloft Solution Benefits

- Transformed Legal team’s repository into intuitive, accountable practices that empower all employees
- New system effectively protects vital technology and ideas, avoiding costly compromising partnerships
- Enables customization to address all requirements

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engage the larger employee population in the process.

One of the unique customizations that Henry and his team identified to address the systemic issues was to precede the workflow with a request to the Legal team. Prior to initiating any discussion with an outside partner, employees needed an intuitive, user-friendly request form to notify the Legal team of their intentions. This way, users wouldn't be creating their own contracts and multiplying the problems in the broken system; instead, they would be initiating a dynamic dialogue between all the parties at the onset. This would require highly customized tables, non-traditional workflows and uniquely automated alerts.

The Search

FuelCell Energy began their search for a solution with 17 vendor demonstrations. Henry created an elaborate spreadsheet with all the pros and cons, and the team's list of criteria.

"Ultimately, it came down to Agiloft's extraordinary customization and its versatility. Unlike a lot of other companies, it was not an NDA-specific application. Down the road, we can extend the solution to other areas. Agiloft had the functionality to do everything we needed now and in the future. Also, the price was great. Other vendors were charging five times more and their solutions weren't designed for a company our size. Agiloft had the best value proposition and all the features we could possibly want. Lastly, I do appreciate expert opinion, so I carefully read the PC Magazine review selecting Agiloft as an Editors' Choice. That was very helpful when comparing against competitors."

Since then, Henry has passed on that informative spreadsheet to colleagues in the field. "I did all my research and this is the solution that fits. I'm confident it's right for others as well."

The Project

In early 2016, FuelCell Energy began a phased rollout of the Agiloft Contract Management platform. It began with the users who requested the most NDAs, and then extended it further. The process went smoothly and employees took to the system quickly, embracing the new approach. In addition, the legacy data from the folder on Henry's desktop now lives within an organized and responsive environment where originators receive notifications about upcoming expirations and potential limitations upon their NDAs.

"The value is far greater than what Agiloft charges. It's a great return."

— Henry Sire

To implement the customization required to create a request workflow within a contract management architecture, Henry turned to Agiloft Project Manager Jennifer Ross. "Jennifer is very creative. Whenever we ran into something that the system wasn't explicitly designed for, she took it on and configured it to work the way we wanted. These were elements that we didn't want to have to pay extra for and Jennifer made sure we found the optimal solution. She's very clever. She is also very responsive and thorough. When I called her, she would always pick up and I knew we had someone there who understood where we were going and what we needed," Henry noted.

Jennifer enjoyed the challenge of creating a solution that leveraged Agiloft's strengths while considering the unique needs of the client. "It was a great collaboration. They were invested in making the system work well for all of their end-users. They had defined requirements, but were also very open to exploring new solutions whenever they saw additional features that Agiloft could provide, and this contributed to a successful system. One of these solutions was in response to the need to write

similar emails to clients at certain points in the contract workflow. To make this more efficient, we added buttons to quickly generate emails based on predefined templates. These emails include formulas for the recipient name and the sender's email signature, so they don't necessarily require processing before sending. In these cases, the emails can be sent immediately with one click of a button, but we also added an option to preview and modify the emails before sending. We also developed a Legal Requests table, which provides a simple interface where users can request contracts. Those requests can undergo an initial vetting process before they are approved and converted into contract records. We also incorporated many unique fields, built out the Insurance Certificates table to track additional information, and added color-coding and icons to provide a quick, user-friendly way to see the status of each contract."

Solution Benefits

In addition to the valuable time saved, the Agiloft system has enabled greater protection of FuelCell Energy's intellectual property. Employees no longer assume that information is protected simply because an NDA is in place. Agiloft has helped teams visualize and understand the importance of this necessary business step and enabled them to easily fulfill their role in that step.

With the Agiloft solution, Henry and his team have increased protection over the company's technology. Specifically, Agiloft funnels each new NDA request to the appropriate Legal team member who screens the company. They probe to see if there are any issues or concerns with the potential partner and cross-check against government watch lists.

"It has saved the team a tremendous amount of time. Beyond this, the new approach—enabled by the Agiloft system—has allowed us to quickly deny requests that came from unscrupulous partners. We've created a process by which we have prevented bad business dealings while increasing our compliance."

The time saved, the increased efficiency, and the better governance of vital resources have prompted Henry and his team to consider the many other internal processes that could benefit from Agiloft. Henry concluded, "The value is far greater than what Agiloft charges. It's a great return."

Let Us Show You

What Agiloft has done for FuelCell Energy, it can do for you. Let us show you how. In a few hours, we can set up a custom proof of concept featuring your toughest business process. Give us a call to schedule a time.

About Agiloft, Inc.

Over 3 million users at organizations ranging from small enterprises to U.S government agencies and Fortune 100 companies depend on Agiloft's top rated product suites for [Contract Management](#), [Service Desk](#), [Custom Workflow](#), and more. Agiloft specializes in automating processes that are too complex for competing vendors. Our best practice templates and adaptable technology ensure rapid deployment and a fully extensible system. For more information, visit <https://www.agiloft.com>.