

THE HACKERSTAR NEGOTIATION

Full materials for the scenario are available from the Harvard Law School Program on Negotiation [Clearinghouse](#). The following abstract is taken from this website.

Scenario: In *The HackerStar Negotiation*, two improvisational actors play the roles of Allen Hacker and Stanley Star, partners in a small software company called HackerStar, Inc. Hacker and Star are engaged in a dispute over PowerScreen, a new product that Hacker developed against Star's wishes. Hacker contends that he developed PowerScreen on his own time, using the company equipment only outside of business hours for debugging, and that he owns exclusive rights to the product. Star argues that, according to Hacker's employment contract, he owes all of his creative energy to the company and that PowerScreen therefore belongs to HackerStar, Inc.

The video, which is unrehearsed and unscripted, follows Hacker and Star from a bitter fight regarding PowerScreen, through their separate advising sessions with their attorneys, and then to the final negotiation with both clients and attorneys present. Harvard Law School Professor and *Getting to YES* co-author Roger Fisher acts as Hacker's attorney, while experienced Boston litigator Ann Berry acts as Star's attorney. After lengthy negotiations, the parties reach an amicable agreement (though their only instructions were to "settle or not as you wish, but don't get taken").

Application: This video, which includes a set of teaching notes, provides a rich set of data for analyzing and evaluating different preparation and negotiation styles. It also depicts the use of principled negotiation to prepare for and resolve a dispute, with a particular emphasis on Roger Fisher's "Seven Elements" of negotiation (detailed in Fisher and Ertel's *Getting Ready to Negotiate*, a companion workbook to Fisher, Ury and Patton's classic *Getting to YES*).

The background facts for *The HackerStar Negotiation* are identical to those in the *PowerScreen Problem* role simulation, also available from the Clearinghouse. The video may either be used by itself or in conjunction with *The PowerScreen Problem*.