



# Intellectual Property and Technology in Luxembourg

GLOBALLY CONNECTED

# Contents

- 3** Introduction
- 4** Our services
- 8** Our complementary services
- 10** Our global presence
- 11** Key contacts

# Introduction

Our Intellectual Property and Technology team in Luxembourg is part of DLA Piper's global Intellectual Property and Technology group. We have one of the largest IPT practices in the world, comprising nearly 550 lawyers.

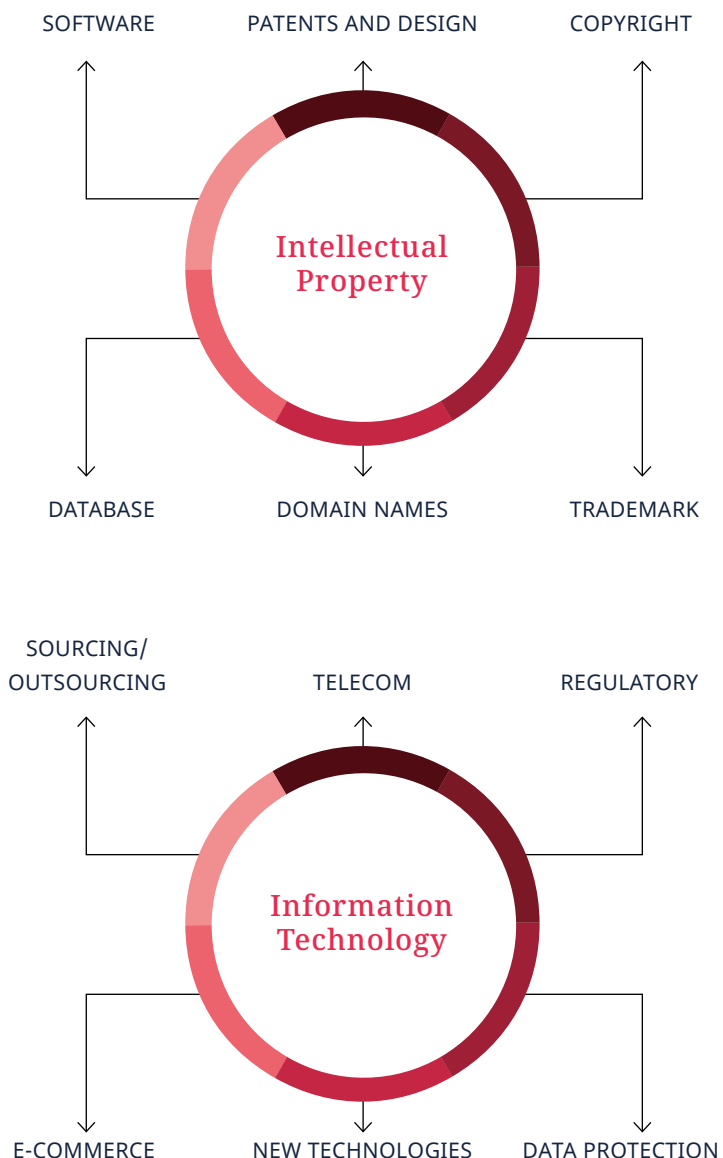
In Luxembourg, our IPT group is very active in both local and international associations and working groups regarding FinTechs, GDPR and intellectual property, allowing the team to be at the forefront of the latest information in these fields.

Digital technology is at the heart of the Luxembourg economy. Luxembourg is a globally recognized center of excellence for ICT and positions itself as a trusted data hub in Europe.

Luxembourg is an excellent location which offers many opportunities for startups, SMEs and large enterprises alike.

Through collaboration with DLA Piper's network, we provide sophisticated and highly practical advice for clients wherever they do business.

## Our team has expertise in:



## Our services



### Data protection and security

Our reputation as a knowledgeable and solution-driven practice is gained from our many years of experience in advising clients from diverse business sectors as well as having an unmatched international team.

We have a strong track record of experience in counseling clients on all issues arising in data protection and security, both contentious and non-contentious. This includes notably large-scale national and international data protection audits, data protection issues in corporate transactions and in insolvency proceedings, including database ownership and transfer, international transfers of personal data, and drafting intra-group and third-party transfer agreements. We advise on e-discovery and investigations issues, and regularly vet privacy compliance of new technologies and tools.

We are also regularly involved in the handling of personal data breaches at an international level.

**WE ARE HIGHLY EXPERIENCED IN PROVIDING ADVICE, ASSISTANCE AND SUPPORT TO OUR CLIENTS GLOBALLY IN RELATION TO THE FOLLOWING:**

- Audits and data mapping
- Incident response planning and execution
- Compliance programs and policies
- Lobbying and government liaison
- Data security, data loss prevention and data breaches
- Supervisory authority relations (notifications, authorizations, DPO appointments)
- Online and mobile tracking and consumer protection regulation
- Whistle-blowing hotlines, employee monitoring and suspect persons screening
- E-discovery and investigations management
- Data subject access and opposition rights
- Global data transfer management (transfer agreements, BCRs, etc.)



## Intellectual property

Our team has renowned experience in intellectual property law, including trade marks, patents, designs and models, domain names, copyright, image rights, know-how and trade secrets.

We advise our clients on a daily basis on their trade marks, designs and domain names filing strategy, and we manage their portfolios on a global level.

We handle litigation in these matters, we ensure the defence of intellectual property rights at national, EU or international level, in the context of any civil or criminal action for infringement, invalidity, revocation or unfair competition.

We manage transactional work (licensing, assignment, acquisition, R&D agreements...).

### WE ARE HIGHLY EXPERIENCED IN PROVIDING ASSISTANCE IN RELATION TO THE FOLLOWING:

- Prosecution of intellectual property rights (e.g. filing/registration of trade marks, administrative proceedings/oppositions before the local, EU and international intellectual property offices)
- Management of leading intellectual property rights portfolios
- Intellectual property rights surveillance/watch services
- Coordination of proceedings with the EU customs authorities in the context of infringement of intellectual property rights
- Intellectual property litigation (trade marks, designs, patents, advertising, unfair competition, etc.)



## Outsourcing

Outsourcing IT functions (ITO), business processes (BPO), application maintenance (AMO) or other needs is an attractive proposition to many businesses and its popularity continues to grow. The vast majority of medium to large-scale organizations will have outsourced at least part of their organization and many companies are already on their second or third-generation deals. Our technology team is renowned for its business-focused legal advice on technology and outsourcing matters.

### OUR EXPERIENCE IN OUTSOURCING INCLUDES:

- Infrastructure operation and/or management
- Business processes
- Network
- Applications
- Help desk
- Desktop
- Security services
- Engineering
- Data storage
- Disaster recovery programme
- Engineering operations



### **IT contracts**

Our team members have wide industry sector experience, allowing us to provide valuable practical advice and innovative solutions over and above our technical and legal know-how. Our lawyers are at the forefront of new developments and thinking on emerging areas of law and innovation sectors.

#### **OUR LAWYERS FOCUS ON TECHNOLOGY MATTERS AND TRANSACTIONS SUCH AS:**

- IT implementation
- Software development and licensing
- Maintenance services
- Hardware acquisition
- Telecoms services
- Online services



### **E-Commerce**

At DLA Piper, we combine our passion for technology with in-depth experience across a wide range of e-commerce businesses. In this respect, you will find lawyers within our group who genuinely understand your business and are ready to provide immediate and specialized advice on any matter connected with your e-commerce activities.

#### **WE ADVISE CLIENTS ON ALL ASPECTS OF E-COMMERCE, INCLUDING:**

- Consumer protection
- Sales promotions
- Regulatory and tax issues
- Intra and extra EU distribution agreements, both online and offline
- Cross-jurisdictional prize promotion terms and conditions
- Marketing campaigns including agreements involving top models and photographers

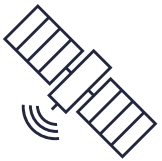


### **IP litigation**

We have one of the largest international dispute resolution practices, with more than 1,400 lawyers across the globe. We act for both suppliers and large-scale users of IT services and have an in-depth understanding of the legal and commercial aspects of IT law. We aim to help our clients avoid disputes if at all possible and we advise on the interpretation of clauses in contracts and other issues which may lead to future litigation between the negotiating parties.

#### **OUR TEAM COVERS A WIDE RANGE OF LITIGATION CASES INCLUDING:**

- Large-scale contractual disputes
- Disputes over performance or pricing issues on major projects
- Litigation arising out of the termination of IT contracts
- Regulatory and competition disputes
- Outsourcing and public procurement disputes
- Software disputes
- Insurance disputes
- Trademark and copyright litigation



## Telecommunications

### TELECOMMUNICATION CONTRACTS

We offer a global full-service capability to the telecommunications sector. Our telecommunications practice is founded on specialist knowledge of the commercial, transactional and regulatory aspects of telecommunications law. Our experience and expertise cover all of the major telecommunications technologies, including wireless, broadband, internet, mobile, satellite, fixed and submarine.

### WE HAVE A PROVEN TRACK RECORD OF ADVISING ON A WIDE RANGE OF TELECOMMUNICATIONS ASSIGNMENTS, INCLUDING:

- Commercial agreements (supply, procurement, implementation operation, maintenance, enhancement of communication systems and services)
- Outsourcing agreements
- Satellites agreements
- Submarine cables agreements, IRU Infrastructure sharing
- Towers sales and leaseback agreements
- Agreements relating to data centers (establishment of data centers and internet exchanges, establishment of data center facilities or network support and maintenance services)
- Setting up of MVNOs, commercial agreements between MVNOs and mobile operators
- M&A/Corporate in the communications sector

### REGULATORY TELECOMMUNICATIONS

We help keep companies up to date with the latest regulatory requirements. We deal with national and international regulatory bodies and have experience on regulatory requirements, notably on product safety and liability, where products are supplied. We also assist them in obtaining certifications.

### WE ADVISE CLIENTS IN RESPECT OF ALL ASPECTS OF TELECOMMUNICATIONS REGULATION, INCLUDING:

- Licensing and interconnection
- Frequency management
- Telecommunications equipment
- Communications sector disputes
- Mobile money
- Pricing
- Competition and customer protection
- Foreign investment participation
- Export and import

*“Our lawyers are at the forefront of new developments and thinking on emerging areas of law and innovation sectors.”*

# Our complementary services

In the fluid, fast-changing field of data management, security and privacy, we give you access to the latest tools and services:

## GLOBAL CONTRACT LAWS

As a global leader in commercial contracts, delivering hundreds of successful transactions worldwide every year, we have developed a detailed knowledge of the market and your needs and have developed a number of cutting-edge resources that will support delivery of your requirements.

## DIGITAL LEGAL SERVICES HUBTM

A secure online environment through which you can conveniently provide new instructions to a dedicated team of DLA Piper attorneys, who work as an extension of your in-house team. Instructions are provided online, and are generally acknowledged within four working hours.

## DATA PROTECTION LAWS OF THE WORLD

A succinct overview of the areas of data protection law that have the most practical significance to businesses. The areas covered include international data transfer restrictions, security obligations, breach notification requirements, enforcement, electronic marketing and online privacy, including cookies and location data. The handbook provides details of these areas for 100+ jurisdictions, with the ability to compare and contrast laws in different jurisdictions in a side-by-side view. It also features a visual representation of the level of regulation and enforcement of data protection laws around the world, in the form of a heat map.

## PRIVACY MATTERS BLOG

A dedicated data protection blog on which members of our global team post regular updates on topical data protection, privacy and security issues and the practical implications they have for businesses.

## GDPR APP

A mobile app available on Apple and Android devices, which allows access to the full text of the EU General Data Protection Regulation on the move.

## GDPR FOCUS PAGE

Brings together the EU General Data Protection Regulation information in one place, including background, key changes, actions to take, how we can help and resources.

## DATA PRIVACY SCOREBOX

Helps you to assess your organisation's level of data protection maturity. It requires completion of a survey covering areas such as storage of data, use of data, and customers' rights. Once completed, a report summarising your organisation's alignment with 12 key areas of global data protection is produced. The report also includes a practical action point checklist and peer benchmarking data.

## EUROPEAN LAW ON COOKIES

Consolidates the regulatory guidance from across Europe and contains the main areas of focus for each jurisdiction, including key enforcement trends

that multinational organisations should be aware of. The guide also summarises practical requirements which organisations should consider when analysing their overall cookies compliance, including in relation to banners, policies and consent collection.

## EUROPEAN GENERAL DATA PROTECTION REGULATION

Provides key information such as what GDPR covers, the impact it is likely to have on organisations in different sectors, actions to take now to prepare, as well as regular updates on our webinars and events on this topic.

## GUIDE TO THE GENERAL DATA PROTECTION REGULATION

Presents an outline of each section of the GDPR, highlighting the key areas of reform and giving practical pointers about the tasks to take to support compliance.

## TRAINING ACADEMY

Provides practical, interactive guidance on how to establish and manage compliance as a DPO, consistent with the many requirements of the GDPR. Upon completion, participants are equipped with knowledge of the relevant legal, technical and operational skills needed to successfully fulfil the DPO role. Participants also receive a comprehensive toolkit of supporting guidance notes and template documents to use in this role.



**TECHNOLOGY AND SOURCING*****Contract Dashboard***

An interactive, online contract assessment and reporting tool which helps provide a simple, visual answer to the question: "How good is this contract?"

***Status Snapshot***

Allows progress to be tracked and shared with bidders, demonstrating the positive areas of their response but also where they need to improve – focuses bidders on the truly material issues and any necessary concessions are necessary to move issues out of the "red" zone.

***Global Sourcing Portal***

Brings together our market-leading Ascendant sourcing resources in a single and easily accessible place online – the gateway to our award-winning sourcing tools, materials and global team.

***Ascendant 2.0***

Innovative, interactive platform allowing centralised management of a project and visibility of progress during the bidding and down-select phase. Gives you greater visibility, saves time and money.

***Sourcing Reference Guide***

Enables the identification and resolution of key issues involved in sourcing transactions, helping you to achieve a commercially robust and successful, long-term partnership.

**TELECOMMUNICATIONS LAWS OF THE WORLD**

Provides global businesses with an overview and comparison of key telecommunications laws and policies across the world, including: telecommunications laws, regulations and policies; regulatory bodies or authorities; overview of consents, licenses and authorizations; regulatory taxes and fees; and key sanctions and penalties.

**GLOBAL TRADEMARK GUIDE**

Enables you to compare trademark practise and procedure around the world through selecting from key laws and regulations for the countries of interest to your organisation. The guide includes content from over 40 countries, expanding on topics such as domain names and calculation of deadlines. It also includes a quick reference accession treaty map.

**PRIZE PROMOTIONS AROUND THE WORLD**

Introduces you to some of the key requirements surrounding prize promotions, from the management of the early stages, to bringing to your attention potentially problematic issues.

Provides an overview of the legal framework for influencer marketing in 22 jurisdictions around the world.

**RE:MARKS BLOG**

Focusses on the latest trademark, copyright and media issues, and the developing legal landscape impacting our clients.

**CPI**

Allows you to access your trademark data online at any time. The online portal also connects you with the DLA Piper trademark team, and gives information on up-to-date legislation in a number of jurisdictions.

**IPT NEWS**

Reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

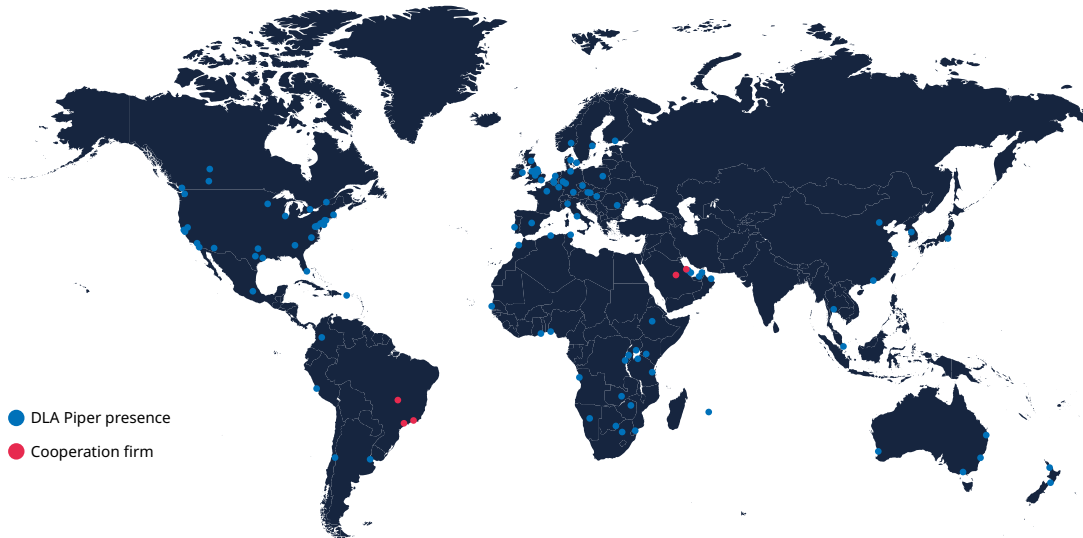
**EU TRADEMARK REFORM**

DLA Piper's hub for information relating to the EU Trademark Reform.

**GLOBAL PATENT LAWS**

Allows you to compare patent laws around the world, providing valuable insight into the procedural matters that businesses need to know about. A strong awareness of cross-border variations in patent laws is crucial to companies operating in multiple countries. The guide provides information on approaches to patent infringement, preliminary injunctions, obtaining evidence, assessing validity, and the typical time to trial.

# Our global presence



## AMERICAS

Atlanta  
 Atlantic City  
 Austin  
 Baltimore  
 Bogota  
 Boston  
 Brasilia\*  
 Buenos Aires  
 Calgary  
 Chicago  
 Dallas  
 Edmonton  
 Houston  
 Lima  
 Los Angeles  
 Mexico City  
 Miami  
 Minneapolis  
 Montreal  
 New York  
 Northern Virginia  
 Philadelphia  
 Phoenix  
 Raleigh  
 Rio de Janeiro\*  
 Sacramento  
 San Diego  
 San Francisco  
 San Juan  
 Santiago  
 São Paulo\*  
 Seattle  
 Short Hills  
 Silicon Valley  
 Toronto  
 Vancouver  
 Washington, DC  
 Wilmington

## EUROPE

Aarhus  
 Amsterdam  
 Antwerp  
 Birmingham  
 Bratislava  
 Brussels  
 Bucharest  
 Budapest  
 Cologne  
 Copenhagen  
 Dublin  
 Edinburgh  
 Frankfurt  
 Hamburg  
 Helsinki  
 Leeds  
 Lisbon  
 Liverpool  
 London  
 Luxembourg  
 Madrid  
 Manchester  
 Milan  
 Munich  
 Oslo  
 Paris  
 Prague  
 Rome  
 Sheffield  
 Stockholm  
 Vienna  
 Warsaw

## MIDDLE EAST

Abu Dhabi  
 Al Khobar\*  
 Doha  
 Dubai  
 Manama  
 Muscat  
 Riyadh\*

## AFRICA

Algiers  
 Addis Ababa  
 Accra  
 Bujumbura  
 Casablanca  
 Dakar  
 Dar es Salaam  
 Ebène  
 Harare  
 Johannesburg  
 Gaborone  
 Kampala  
 Kigali  
 Lagos  
 Luanda  
 Lusaka  
 Maputo  
 Mwanza  
 Nairobi  
 Tunis  
 Windhoek  
 Zanzibar

## ASIA PACIFIC

Auckland  
 Bangkok  
 Beijing  
 Brisbane  
 Hong Kong  
 Melbourne  
 Perth  
 Seoul  
 Shanghai  
 Singapore  
 Sydney  
 Tokyo  
 Wellington

\* Cooperation firms

## Key contacts



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*“The team is supported by advanced, state-of-the-art technological tools enabling ‘best in class’ effective and transparent management.”*

— Legal500, 2020

*“Olivier Reisch is very knowledgeable and is able to address the queries from a very diversified audience in a simple and efficient manner which helps to solve lots of issues.”*

— Legal500, 2021

*“David Alexandre’s talents in co-ordinating diverse counsels around the world ensured that we had a homogeneous top-quality experience. We relied on his experience and practicality to suggest winning overall strategies on a complex playing field.”*

— Legal500, 2021

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