



IT and Telecoms Disputes

IT and telecommunication services are business critical. It is of paramount importance for businesses to have at their disposal lawyers who understand the IT and telecoms sector, are experienced in handling large-scale commercial, regulatory and competition disputes and who can deliver value for money.

We have a large and dedicated international team of lawyers who work to resolve telecommunications and technology disputes and cover the complete range of cases in the sector worldwide.

We are fully experienced in all methods of dispute resolution including litigation, international arbitration, mediation and expert determination. All of our lawyers are trained in alternative dispute resolution and are skilled at identifying all available opportunities to resolve disputes.

CAPABILITIES

We advise clients on the complete range of cases in the IT and telecommunications sector including:

- Large scale contractual disputes
- Disputes over performance issues on major projects
- Interconnection and pricing disputes
- Litigation arising out of the termination of telecommunications and IT contracts
- Regulatory and competition disputes
- Freezing injunctions and search orders
- Outsourcing and public procurement disputes
- Major software disputes
- Insurance disputes
- Disputes involving the Internet and the conduct of e-business

EXPERIENCE

- Acting in one of the largest pieces of IT litigation before the Technology & Construction Court involving claims and counterclaims totalling in excess of £400m.
- Providing a bespoke litigation managed service to a global telecoms company around the world including resolving disputes in Egypt, Nigeria, Australia, Singapore, Taiwan and Venezuela.
- Advising a Government body in connection with a failure of a business critical IT System and resolving by mediation.
- Advising an Israeli telecoms company in respect of the failed launch of a satellite over Africa.
- Advising an international telecoms company in Denmark against a company in the US (allegations included premium rate and long firm

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fraud) by way of International Arbitration

- Acting for a global IT supplier regarding a failed implementation of IT services and telecoms equipment in the Congo.
- Advising several telecoms companies by way of simultaneous consolidated action against a telecoms group suspected of fraud (including proceedings in Ireland, Switzerland and Madeira).
- Acting for a global technology company against a provider of subsea cables in Asia following an outage affecting a significant part of its network.
- Advising NHS Connecting for Health on various contractual disputes relating to the implementation for the NHS of the £12.8 billion National Programme for IT including advising on the termination of a £1.4 billion contract and the subsequent on-going arbitration proceedings.
- Advising a Government Department concerning a significant IT programme in relation to contracts with a number of major international IT suppliers engaged on the program.
- Acting for a major telecoms operator in a claim against an Isle of Man telecoms company for in excess of £6 million for the payment of Operation and Maintenance fees payable under a 20 year contract for the provision of circuits across Europe and advising on the termination of the contract.
- Acting on behalf of a distributor for the incumbent national telecommunications services provider in bringing claims for several million UK pounds in relation to commission payments which were being withheld on the basis of retrospective amendments to the terms of business and what we argued was anticompetitive behaviour.
- Acting for a multinational telecom company in a stream of regulatory and competition disputes for alleged discriminatory pricing and margin squeeze in the market for fixed-to-mobile interconnection services.
- Assisting a telecom company in several disputes in Italy before the National Regulatory Authority regarding numbering, calls and SMS origination and termination services, and pricing.

INSIGHTS

Publications

WIN Wise: Liquidated damages for delay in tech disputes

30 June 2020

The current COVID-19 pandemic is wreaking havoc on businesses and their operations across sectors and geographies. The unprecedented spread of the virus has had, and will continue to have, a profound impact upon both suppliers and customers in delivering technology projects on time and to budget.

WIN WISE: IT Projects and dispute avoidance

14 May 2020

Underestimated costs, unexpected delays and poor governance are just a few of the reasons why some IT projects fail. COVID-19 has now potentially created the perfect storm. This dispute-avoidance checklist highlights what parties can do during the lifetime of an IT project to minimise the risk of disputes.

New era for privacy and data breach Class Actions in the UK

12 May 2020

The recent decision in the Morrisons case and the judgment in Lloyd v Google have significant implications for the growth of privacy and data protection Class Actions in the UK. If this type of Class Action can progress, the risks for organisations who commit a data breach will be unprecedented.

Issue 2: The governance of IT systems - a board level issue

6 April 2020

[LESSONS LEARNED FROM BATES V POST OFFICE IN AN INCREASINGLY SOFTWARE DEPENDENT](#)

WORLD: “BUGS, ERRORS AND DEFECTS”

In the latest judgment in the legal dispute *Bates v Post Office*, the judge was tasked with determining both the extent to which the ‘operation’ of the system employed by the Post Office across its post-master network was robust, and the effective cause of the electronic accounting shortfalls that had affected a number of Post Office branches.

Issue 1: The need for “robustness” and what this means

30 March 2020

LESSONS LEARNED FROM *BATES V POST OFFICE* IN AN INCREASINGLY SOFTWARE DEPENDENT WORLD: “BUGS, ERRORS AND DEFECTS”

As businesses process and store increasingly vast volumes of data, so the reliability and robustness of their IT infrastructure becomes increasingly critical. The recent decision in *Bates and others v Post Office Ltd* is a salutary reminder that IT the systems in place can be far from infallible.

Corporations need to remain vigilant amidst the rise of cyberattacks and cyberfrauds

2 December 2019

Recent figures show that Hong Kong and China remain the top destinations of fraudulent funds, most of which are the result of cyberfrauds. Read our article which gives helpful tips on how to avoid falling victim to these attacks.

Recent Landmark Case on Comparative Advertising in Hong Kong

12 OCT 2018

On 5 September 2018, the Hong Kong Court of First Instance handed down a significant win to Hong Kong Broadband Network Limited (HKBN) in dismissing a trade mark infringement claim brought against it by the PCCW-HKT group (PCCW). The case is the first decision the Hong Kong Court has made on section 21 of the Trade Mark Ordinance (Cap. 559) (TMO) and provided important guidance on the use of trademarks in the context of comparative advertising.

HKBN was represented by the legal team from DLA Piper Hong Kong led by May Ng, Partner, assisted by Queenie Chan, Associate.

Events

Previous

TechLaw

5 March 2020

TechLaw Event Series

Sydney

TechLaw

3 March 2020
TechLaw Event Series
Melbourne

TechLaw Event - "M&A for the New Digital Economy"

7 MAR 2019
TechLaw Event Series
Amsterdam

TechLaw Event - Online platforms - beyond playing innocence?

17 JAN 2019
TechLaw Event Series
Amsterdam

TechLaw London 2018

5 DEC 2018
TechLaw Event Series
London

TechLaw Event - Virtual Competition

22 NOV 2018
TechLaw Event Series
Amsterdam

Middle East Tech Summit 2018: The Digital Imperative

5 NOV 2018
TechLaw Event Series
Dubai

NEWS

Law firms collaborate on industry first to accelerate tech adoption in international arbitration

2 July 2020
DLA Piper is amongst six international law firms which have developed a Protocol to help deliver a globally consistent approach to the use of online case management platforms in international arbitration.

DLA Piper announces partnership promotions for 2020

30 April 2020

DLA Piper is proud to announce that 67 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2020 in the United States and May 1, 2020 for EMEA and Asia Pacific. The promotions have been made across many of the firm's practice areas in 35 different offices throughout 13 countries.

Across the firm's practices globally, Corporate saw the largest intake of new partners with 19 promotions, followed by Litigation and Regulatory with 15. Intellectual Property and Technology and Finance and Projects had ten and eight promotions respectively, while there were six in Real Estate. Tax and Employment both had four, and there was one in Restructuring.

DLA Piper lawyers named Acritas Stars

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

DLA Piper appoints Head of Global Government Affairs team

6 March 2020

DLA Piper announces the strengthening of its Global Government Affairs team with the appointment of Richard Sterneberg who will head up the team in its Brussels office. Richard brings with him over 20 years of experience working in Brussels as a global government affairs expert.

DLA Piper launches its Global Litigation Guide

3 December 2019

DLA Piper has launched its 'Global Litigation Guide', which covers aspects of civil litigation in 30 jurisdictions worldwide.

DLA Piper announces launch of Artificial Intelligence practice

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

DLA Piper announces launch of Blockchain and Digital Assets practice

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to

address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

Kate Brown de Vejar joins DLA Piper as global co-chair of International Arbitration

22 JAN 2019

DLA Piper announced today that Kate Brown de Vejar has joined the firm's Litigation practice as a partner in Mexico City and New York.

DLA Piper and IKM Advocates secure victory for the Republic of Kenya defeating a US\$2 billion ICSID claim

24 OCT 2018

In a decisive victory for the Republic of Kenya, DLA Piper and DLA Piper Africa member firm, IKM Advocates, have successfully defeated the claim estimated to be worth US\$2 billion in arbitration proceedings brought by a mining investor, Cortec Mining Kenya Limited. The claim was brought under the bilateral investment treaty (BIT) between the UK and Kenya dated 13 September 1999. The arbitration took place under the auspices of the World Bank's International Centre for Settlement of Investment Disputes (ICSID), with the hearing taking place in Dubai in January 2018. The Tribunal issued its award on 22 October 2018.

DLA Piper launches guide to navigating dispute resolution in the Middle East

22 OCT 2018

DLA Piper has today launched Dispute Resolution in the Middle East, an interactive online guide designed to assist clients in navigating the disputes process in the Middle East region.

DLA Piper hosts inaugural Afghanistan-UK Business Conference

18 SEP 2018

DLA Piper's London office yesterday hosted the first Afghanistan-UK Business Conference, organised by the Embassy of the Islamic Republic of Afghanistan in London and the International Chamber of Commerce in Afghanistan. The event, aimed at further enhancing Afghanistan-UK bilateral business, trade and investment relations, was attended by over 100 participants including public and private sector leaders, potential investors, NGOs and consultants, amongst others.
