



## Technology

DLA Piper works with many of the world's leading technology companies, offering advice throughout a broad range of areas - from corporate transactions to IP protection, patent law and litigation, and including regulatory, compliance, employment and contracting issues.

DLA Piper's global technology sector lawyers work across practice areas and offices to support technology clients wherever they do business. From startups to fast growing and mid-market businesses to mature global enterprises, our clients are companies that develop or create technology, are enabled by technology, or whose business model is fundamentally based on technology. Our technology sector clients include companies in the following areas:

- Software
- Computer hardware
- [FinTech](#)
- PayTech
- InsureTech
- [PropTech](#)
- [Artificial intelligence and robotics](#)
- [Blockchain](#)
- [Unmanned Aerial Systems and Unmanned Aerial Vehicles](#)
- [Telecommunications](#)
- Games and entertainment
- Online commerce and new media
- IT and outsourcing services
- CleanTech
- Semiconductors

We advise technology companies throughout the business life cycle. We help startups get organized and funded and assist both growing and established technology companies in employment matters, commercial and technology transactions and IP patent protection strategies.

Continued growth means a steady need for legal support in such areas as M&A, IPOs and dispute resolution. As companies expand their business internationally, we help with international tax planning, regulatory compliance, establishment of new entities and compliance with local laws for employment, benefit plans and company policies. For the largest companies, we partner with in-house legal departments, providing additional experience and capacity to address all these areas.

### Corporate

#### KEY CONTACTS

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#### RELATED SERVICES

- Data Protection, Privacy and Security
- Emerging Growth and Venture Capital
- International Tax Counsel
- IT and Telecoms Disputes
- Mergers and Acquisitions
- Patent Litigation
- Patent Prosecution and Strategic Patent Counseling
- Private Equity
- Public Company and Corporate Governance
- Technology Transactions and Strategic Sourcing
- Transfer Pricing

- Declarative Holdings, Inc., d/b/a Cloud Sherpas Inc., in its acquisition of Stoneburn Software Services Ltd (US\$5 billion)
- Virtustream, Inc., an enterprise-class cloud software and services provider, in its reverse triangular merger sale to EMC Corp., a provider of IT storage hardware solutions (US\$1.2 billion)
- Adobe Systems Inc. in its acquisition of Fotolia LLC (US\$800 million)
- Citigroup Global Markets Inc. as underwriters in the takedown of publicly registered floating-rate debt, guaranteed by Telefonica S.A. of Telefonica Emisiones S.A.U. (US\$500 million)
- Qualcomm Incorporated in the cross-border stock purchase acquisition by Qualcomm Life, its wholly owned subsidiary, of Capsule Technologies SAS, a France-based global provider of medical device integration and clinical data management solutions (US\$305 million)
- Comverse, Inc., a global provider of services and products to telecom companies, in the sale of its business support systems (BSS) to Amdocs Ltd., a multinational software services provider to communications and media companies (US\$272.8 million)

- Telecom

## RELATED SECTORS

- Media, Sport and Entertainment

## Intellectual Property

- Motorola for claims against Blackberry-maker RIM involving 27 patents in multiple courts and countries
- GSI Technology and five other clients against Cypress Semiconductor in a patent litigation matter in the ITC, and GSI in a parallel district court case, involving a total of six patents
- Toshiba in the successful defense of a Delaware district court action brought by Intellectual Ventures (IV) Litigation
- LUMOS Solar LLC in successfully opposing enforcement of an international arbitration award
- Extreme Networks, Inc. and its officers in a securities class action litigation filed in the Northern District of California
- ServiceSource International Inc., its CEO, and its subsidiary, Scout Analytics, Inc., achieving a total victory in a federal securities class action
- The former directors of TeleCommunication Systems, Inc. (TCS), achieving a total victory in two class action stockholder challenges to TCS's decision to be acquired by Comtech Telecommunications Corp. in an all-cash tender offer

## Strategic Sourcing / Technology Transactions

- HCL Technologies in concluding global outsourcing transactions with some of their very largest customers
- Atos in support of its sourcing engagements with its customers all around the world

## Awards and recognitions

- Ranked Band 1, Technology, Media & Telecom (*Chambers Global*, 2019)
- Ranked Band 3, FinTech (*Chambers Global* and *Chambers USA*, 2019)
- Named one of the top five Most Tech-Savvy Law Firms (BTI Consulting, 2019)
- Twice named Law Firm of the Year in Corporate Venture (*Global Corporate Venturing*, 2015-2016)
- Ranked Tier 2, Technology Transactions (*Legal500 US*, 2019)
- Ranked Tier 2, FinTech (*Legal500 US* and *Legal500 UK*, 2019)
- Ranked 2nd "Most Favorable" and "Recognized" Legal Brand Globally (*Acritas*, 2019)
- Recognized for strength of client relationships in many industries, including high tech (*BTI Industry Power Rankings*, 2017)
- #1 in Global M&A deal volume for tenth consecutive year (*Mergermarket*, 2019)
  - #1 in Europe and #3 in the US
- The only law firm to be ranked in the top five for venture capital, private equity, and M&A (*Pitchbook*, 2019)
- #2 Most Active Global Firm for PE deals, (*Pitchbook*, 2018)
  - #2 Most Active in IT deals
- #5 Most Active Global Firm for VC deals (*Pitchbook*, 2019)
  - #2 in Europe and #5 in the US
- Recognized as one of the top ten "Most Innovative Law firms" in North America for both the Business of Law and Legal Expertise overall categories (*The Financial Times*, 2018)

### Publications

#### **The impact of COVID-19 on digital transformation and the importance of continued innovation**

22 September 2020

#### **TECHLAW PODCAST**

Rosy Cinefra, Vice President, Head of Legal and Compliance at NTT Data, speaks to one of our partners, Giulio Coraggio about how digital transformation has been accelerated by the COVID-19 emergency.

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DLA Piper TechLaw Podcast Series · The impact of COVID-19 on digital transformation and the importance of continued innovation

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#### **A new EECC coming into play: Key points for electronic communications service providers**

15 September 2020

Entities providing an electronic communication service, such as email or video streamed over the Internet, may need to register as an ECS provider in relevant EU nations.

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#### **Cybersecurity and data protection within the context of COVID-19 and the IoT**

14 September 2020

#### **TECHLAW PODCAST**

Episode 25 of our TechLaw Podcast Series features CEO and founder of Context IS, Mark Raeburn, discussing cybersecurity and data protection with one of our partners, Ross McKean. The recent findings from our European Technology Index 2020 highlighting the importance of the relationship between cybersecurity and IoT is a key focus.

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#### **Human rights compliance programmes in the Technology sector**

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10 September 2020

The risk of adverse environmental, social or human rights impacts is one that Technology businesses will be familiar with.

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### **Human rights compliance programmes: Why now?**

10 September 2020

Businesses are increasingly required to identify and manage their involvement in adverse environmental and social impacts throughout their organisations and supply chains. Previously, drivers for developing human rights compliance programmes have included reputation risk and compliance with best practice and “soft law” standards.

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### **Details of the second tranche of Hong Kong’s Employment Support Scheme released**

24 August 2020

On 18 August 2020 the Hong Kong government announced details surrounding the second tranche of the Employment Support Scheme. While the majority of the rules surrounding the second tranche remain largely the same as the first tranche, there are new penalties for employers who have fallen foul of a number of nebulous terms.

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### **Blockchain and Digital Assets News and Trends**

21 August 2020

#### **[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)**

California appellate court affirms judgment for Coinbase in lawsuit over Bitcoin Gold – plus latest legal, regulatory and case law developments.

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### **The evolution and accountability of Diversity and Inclusion within the tech industry**

12 August 2020

#### **[TECHLAW PODCAST](#)**

Jiun Kimm from Samsung NEXT joins one of our partners, Luca Gori, to explore the importance of technology in the evolution and accountability of diversity and inclusion and how the findings from our European Technology Index 2020 relate to this highly topical subject.

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### **Release of exposure draft legislation for major reforms to Australia’s Foreign Investment Framework**

10 August 2020

Many governments around the world have been strengthening their laws relating to foreign investment. Australia is no exception

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to this development and has just released proposed sweeping reforms to its foreign investment regime. In this article, we provide a high level overview of the key proposed amendments and our thoughts on how some of those proposals are likely to affect foreign investment into Australia.

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### **Vlog series: How to raise equity capital during the Coronavirus pandemic (UK)**

4 August 2020

The first half of 2020 has seen an unprecedented volume of activity by companies raising capital through follow-on equity offerings on the London Stock Exchange in response to the Coronavirus pandemic. There have been over 140 equity issues on the London Stock Exchange's main market or AIM since 20 March 2020 raising more than GBP14 billion.

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### **Schrems II: Now what? New FAQs from EU data protection supervisors provide guidance on data transfers**

28 July 2020

Organizations relying on Privacy Shield for transfers to the US of personal data subject to GDPR must immediately implement an alternative mechanism or cease transfers.

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### **Tax manoeuvre for the Russian IT sector**

22 July 2020

Following the speech by the President on 23 June 2020 about far-reaching support measures for the Russian IT sector, in little less than a month, the Government prepared and introduced to the State Duma draft law No. 990337-7 "On Amending Part Two of the Tax Code of the Russian Federation (to the Extent Related to Supporting Organisations Doing Business in the Area of Information Technology)".

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### **WIN Wise: Top tips for making the most of your IT contracts**

20 July 2020

There can sometimes be a disconnect between lawyers who draft contracts, and those with primary responsibility for implementing them. Through smart collaboration, effective communication and shared vision, in-house lawyers and their commercial counterparts can work together to maximize value and generate extra revenue.

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### **Hong Kong Government increases statutory entitlement for maternity leave**

16 July 2020

On 10 October 2018, the Chief Executive stated in her policy address that the government proposed to increase the statutory maternity leave entitlement from ten to 14 weeks.

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### **Israel Group News July 2020**

8 July 2020

**ISRAEL GROUP NEWS**

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In this issue, our global activities, latest publications, recent events and more.

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### **Changes to Hong Kong anti-discrimination legislation**

30 June 2020

Anti-discrimination laws in Hong Kong have undergone a series of changes over the past few years.

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### **Supreme Court Corner**

30 June 2020

A quick look at three cases: *Thryv, Inc.*; *Lucky Brands*; and *Romag Fasteners*.

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### **Intellectual Property and Technology News (North America), Issue 46, Q2 2020**

30 June 2020

#### **INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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### **Hatch-Waxman Litigation 101: The Orange Book and the Paragraph IV Notice Letter**

30 June 2020

A few of the key issues that must be addressed before a Hatch-Waxman suit is filed.

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### **Are you ready for the USMCA? Customs-related takeaways on key changes from NAFTA**

30 June 2020

Claiming USMCA duty advantages – practical considerations.

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### **New Section 301 investigations into digital services taxes involving multiple countries**

29 June 2020

The US Trade Representative will investigate whether these DSTs discriminate against or place an unreasonable burden upon or restrict US commerce.

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### **First emerging technologies identified and controlled for export in the EAR**

26 June 2020

The designation also makes these a "critical technology," giving CFIUS jurisdiction over foreign investments in US businesses that engage with these items.

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## **CFIUS encourages public to provide tips and referrals**

24 June 2020

The new webpage encourages tips and referrals about non-notified deals, violations of CFIUS mitigation measures, and other matters that raise national security risk.

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## **Dublin office anniversary**

19 June 2020

Our people in the Irish practice are celebrating our first anniversary and the substantial growth that has been achieved in just 12 months.

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## **Blockchain and Digital Assets News and Trends June 2020**

18 June 2020

### **[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)**

World Economic Forum announces Presidio Principles as a foundation of blockchain ecosystem design – plus latest legal, regulatory and case law developments.

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## **World Economic Forum announces Presidio Principles as a foundation of blockchain ecosystem design**

18 June 2020

WEF's foundational values for a decentralized future.

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## **New Chinese Civil Code Introduces Greater Protection of Privacy Rights and Personal Information**

9 June 2020

China's top legislature, the National People's Congress, recently enacted the PRC Civil Code (the Civil Code), which will come into force on 1 January 2021. This first ever "codified" legislation covers a wide spectrum of rights and issues such as property rights, contracts, matrimonial and family law and tort liability.

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## **Navigating China Episode 13: (More) Important Developments in China's Privacy and Cyber Laws**

10 June 2020

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

China's privacy and cyber authorities have been busy in the last month enacting substantial enhancements and clarifications to data protection compliance obligations; and even more changes are expected before the end of 2020.

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## **Preparing for global class actions arising from COVID-19**

28 May 2020

The risk to companies of global and cross-border class action and collective redress proceedings is rising.

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## Third edition of *The Price of Data Security*, a guide to the insurability of GDPR fines across Europe

27 May 2020

We've partnered with global broker Aon for the third year running for the updated edition of *The Price of Data Security*, a guide to the insurability of GDPR fines across Europe that includes common issues faced by organisations in international cyber scenarios and illustrated with practical case studies.

GDPR has undeniably revolutionised the data protection regime and significantly affects how organisations worldwide collect, use, manage, protect, and share personal data that comes into their possession – with significant fines for non-compliance. Within the last year alone, a EUR18 million fine was issued against a national postal operator and a EUR14.5 million fine against a real estate company.

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## Chinese and other emerging market companies listed in the US face increased scrutiny from Congress and Nasdaq

27 May 2020

Within a span of two days, the US Senate, House and Nasdaq each took steps to safeguard investors in the US capital markets.

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## German Government intends to broaden investment control scope and scrutiny, especially with regard to the health sector

22 May 2020

In addition to the intended amendments to the Foreign Trade and Payments Act Germany's Federal Government on 20 May 2020 has decided on a bill that broadens the scope and the scrutiny with regard to foreign investments.

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## French court clarifies the nature of bitcoins: A consumable, fungible, intangible asset

20 May 2020

The dispute arose in the wake of the August 2017 hard fork split.

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## California bill proposes limits on application of securities laws to tokens

20 May 2020

The proposed changes are likely to be well received by those considering issuing tokens.

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## Blockchain and Digital Assets News and Trends

20 May 2020

### [BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

California may limit application of securities laws to tokens, French court says bitcoins are fungible assets – plus latest legal, regulatory and case law developments.

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## Latin America digital services tax update

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18 May 2020

For businesses that are non-resident digital service providers in Latin America.

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### **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.

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### **COVID-19: Using technology to address compliance**

13 May 2020

How can compliance routines be improved in a time of social distancing via technology?

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### **Facial recognition technology: Supporting a sustainable lockdown exit strategy?**

8 May 2020

Technology has played a dominant role during the lockdown and will be a key aspect of ensuring the transition back to normality is successful. This article discusses recent trends, particularly in Ireland, Denmark and China, regarding the adoption of facial recognition technology (FRT) as a result of the COVID-19 pandemic.

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### **Coronavirus: Changes to rules governing meetings and the execution of company documents (Australia)**

7 May 2020

Certain requirements in the *Corporations Act 2001* (Cth) (**Corporations Act**) relating to shareholders meetings, and document signatures, are not compatible with public health requirements for social distancing during the coronavirus pandemic. In order to facilitate these important corporate functions during this period, on May 6, 2020 the Australian Federal Government introduced the Corporations (Coronavirus Economic Response) Determination (No. 1) 2020.

This determination modifies the legislative requirements regarding meetings and execution of company documents. These changes come into force on 6 May 2020, and will expire after six months, on 5 November 2020.

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### **COVID-19: New York and Other Northeast Council states take phased approach to reopening economy**

6 May 2020

These developments raise a number of immediate questions and considerations for businesses operating in the region.

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### **CFIUS filing fees effective as of May 1, 2020: What you need to know**

5 May 2020

The filing fees go into effect and must be paid for transactions filed on or after May 1, 2020.

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## **Coronavirus: Directors' duties and making decisions in a crisis (Australia)**

4 May 2020

Directors need to carefully consider the risks of the COVID-19 outbreak within their business, given its impact on the global economy. As many now face significant, and increasing, cash flow pressure, directors should carefully consider their actions in the context of the legal framework.

In this new guide we have set out the practical steps directors should be taking to protect their company and its business going forwards.

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## **Israel Group News May 2020**

4 May 2020

### **ISRAEL GROUP NEWS**

Providing access to valuable business resources in real time.

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## **Relief for startups from COVID-19: do I qualify for funding?**

4 MAY 2020

As COVID-19 continues to impact the Canadian economy, a number of financial support initiatives have been announced by provincial and federal governments to aid small and medium sized businesses (SMEs). While business may have slowed down for many SMEs, it is likely operational costs have not and many of these aid programs have been introduced in recognition of this fact.

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## **eSignature and ePayment News and Trends**

30 April 2020

### **ESIGNATURE AND EPAYMENT NEWS AND TRENDS**

Some key considerations for lenders looking to close loans electronically, either in person or remotely, plus latest regulatory, legal and case law developments around eSignatures and ePayments.

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## **Top of Mind: COVID-19 technology sector insights**

28 April 2020

In this time of growing uncertainty, we recognize that many tech businesses are facing significant disruptions and unprecedented challenges arising from the coronavirus disease 2019 (COVID-19) pandemic.

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## **US telehealth update: New federal guidance to state Medicaid agencies suggests more coverage is coming**

27 April 2020

A powerful signal that CMS is ready to support targeted interventions in favor of telehealth.

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## What COVID-19 could mean for the future of the Big Tech investigations

24 April 2020

### [ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)

Rather than hampering the investigations over the long term, the pandemic may open new lines of inquiry for antitrust investigators.

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## The Financial Stability Board Report on Stablecoins – implications for the international regulation of cryptocurrencies and other cryptoassets

23 April 2020

The report reflects views within G20 governments regarding both national and international regulation of cryptoassets.

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## Blockchain and Digital Assets News and Trends

23 April 2020

### [BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

The FSB report on global stablecoin frameworks and related cryptoassets reflects views inside G20 governments – plus latest legal, regulatory and case law developments.

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## Puerto Rico's Emergency Paid Sick Leave Act is in force

16 April 2020

The Act will also apply in case of future epidemics in which the Puerto Rican government declares a state of emergency.

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## FCC now accepting applications for CARES Act telehealth grants

16 April 2020

To ensure as many applicants as possible receive funding, the FCC noted it does not anticipate awarding more than \$1 million to any single applicant.

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## Adapting to a new consumer market

15 April 2020

As consumer-facing businesses consider changes in their business models, avoiding legal pitfalls in some key areas is necessary for a successful transition.

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## Anticipated increase in website and mobile application litigation as a result of COVID 19-pandemic: 12 practical steps toward compliance

15 April 2020

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Companies are urged to take notice of these lawsuits, because the number of these cases is increasing and some have been very costly.

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### **Paradigm Change in Germany's Foreign Direct Investments (FDI) Law**

14 April 2020

Germany's FDI rules so far had a reputation of not being very strong. In the past few years, only three transactions have been prohibited. This is set to change under a new bill.

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### **COVID-19: New York State provides new guidance on essential businesses**

13 April 2020

The Guidelines raise a number of immediate questions and considerations for New York businesses.

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### **FINRA publishes COVID-19 information notice providing suggested measures to strengthen cybersecurity controls**

10 April 2020

FINRA provides numerous suggested measures for strengthening cybersecurity controls regarding increased risks associated with employees working remotely.

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### **Contract Law: Technology contract exits and disputes: Belgium**

10 April 2020

Global business faces huge, and in some cases potentially existential, challenges as a result of the COVID-19 pandemic sweeping across the world. Many companies are resorting to force majeure in order to potentially avoid liability under their contracts.

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### **US \$2T stimulus COVID-19 package includes significant R&D funding**

10 April 2020

A summary of R&D funding in the CARES Act broken out by federal departments and agencies.

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### **Episode 12: More obligations on Chinese mobile app operators to comply with**

9 April 2020

#### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

Following the crackdown by Chinese authorities against non-compliant mobile apps in late 2019 (please see Episode 8 in this series), the authorities have issued a series of app compliance guidelines (including the Guide to Self-Assess Illegal Collection and Use of Personal Information by Apps, Methods for Identifying Unlawful Acts of Apps to Collect and Use Personal Information, and Draft Specification for Collecting Personal Information in Mobile Applications). These guidelines imposed detailed obligations and practical actions to urge mobile app operators to conduct self-assessments and to rectify any

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non-compliant data processing practices. Organisations may have noted that some of these guidelines contain conflicting requirements.

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### **UK government to provide additional financial support measures for mid-market business impacted by COVID-19**

9 April 2020

On 3 April 2020 the Chancellor announced a new scheme for larger companies, with the creation of the new Coronavirus Large Business Interruption Loan Scheme (CLBILS) to ensure that more firms are able to benefit from government-backed support during this difficult time.

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### **Ten practical tips for dealing with anticipated financial distress of your business or your clients, customers or vendors**

8 April 2020

What businesses can consider doing to address the impact of conducting business in a financially distressed climate in light of COVID-19.

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### **Contract analysis in a crisis: flowcharts**

7 April 2020

Flowcharts providing considerations for analyzing commercial contracts in the context of the COVID-19 pandemic through a logical process flow that can serve as a practical checklist.

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### **Cost-cutting considerations in the time of COVID-19 (Part 3 – employment issues outside the US)**

7 April 2020

A deeper dive into various cost-saving measures and their viability for employers outside the US.

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### **COVID-19 and the "essential business" designation: Practical guidance for businesses that fall in the gray area between "essential" and "non-essential"**

6 April 2020

Certain frequently asked questions as well as practical guidance.

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### **Coronavirus COVID-19 - IPT Q&A: France**

6 April 2020

This Q&A relates to France IPT matters, such as termination right due to force majeure, data privacy, remote work and privacy issues, outsourcing arrangements, business continuity and disaster recovery provisions, suppliers fixed costs, supply chain relationships, impact on RFP processes, and more.

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## 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.

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## ASX and ASIC make it easier for companies to raise capital during COVID-19

3 April 2020

The economic shock caused by the COVID-19 pandemic has impacted companies across all sectors, with many needing to raise capital urgently to sustain them until the pandemic passes. The Australian Securities Exchange (ASX) and Australian Securities and Investments Commission (ASIC) have recognised this, and on 31 March 2020 announced temporary emergency capital raising relief to help facilitate capital raisings in the short term.

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## The barbarians are coming ... time for public companies to reinforce the gate

2 April 2020

While it is far too early to understand or evaluate the true impact that the COVID-19 outbreak may have on the M&A market, for so long as market prices remain depressed, public companies are encouraged to remain cognizant of the potential threat of coercive takeover attempts.

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## eSignature and ePayment News and Trends

March/April 2020

### [ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

COVID-19 special edition

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## Beyond social distancing: What employers need to know to keep their workplaces safe and manage privacy obligations in the face of COVID-19

2 April 2020

Guidance from OSHA, EEO and CDC to help employers seeking to protect the health, safety and privacy of their on-site employees.

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## Coronavirus: Directors’ duties and making decisions in a crisis

1 April 2020

Directors need to carefully consider the risks of the COVID-19 outbreak within their business, given its impact on the global economy. As many now face significant, and increasing, cash flow pressure, directors should carefully consider their actions in the context of the legal framework.

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## EU Data Protection: COVID-19

1 April 2020

The world is facing unprecedented challenges in its fight to contain Coronavirus (COVID-19). Various countries are in lockdown and emergency measures being implemented to contain the pandemic, with European countries currently at the epicentre of the outbreak.

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## UK Supreme Court upholds appeal in class action against Morrisons

1 April 2020

Today the Supreme Court allowed an appeal in *Morrisons v Various Claimants*, a significant class action decision addressing the extent of an employers' liability for data breaches maliciously committed by an employee.

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## Coronavirus: Cybersecurity considerations for your newly remote workforce (United States)

31 March 2020

Cyber risk management involves balancing the productivity of a workforce with ensuring confidentiality, integrity and availability of the company's own systems and data, as well as that of their supply chain.

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## Supreme Court Corner

30 March 2020

Notable cases involve trademark protectability and federal preclusion principles.

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## DLA Piper's seventh annual Global IP Symposium in Japan

30 March 2020

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## Intellectual Property and Technology News (North America), Issue 45, Q1 2020

30 March 2020

### [INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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

30 March 2020

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## 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.

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### Coronavirus: DHS Response to COVID-19 - What US Employers Need to Know

29 March 2020

Key questions and answers related to the new DHS guidance.

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### Episode 11: Important clarifications and changes to China’s data privacy standards

27 March 2020

#### NAVIGATING CHINA: THE DIGITAL JOURNEY

Important updates to China’s de facto data privacy regulations will come into force on 1 October 2020. The amendments to the Personal Information Security Specification (PIS Specification) comprise important clarifications rather than substantial changes to the existing regulations.

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### Teledentistry update: Navigating teledentistry during the COVID-19 pandemic (United States)

27 March 2020

As part of its efforts to mitigate the spread of the COVID-19 pandemic, on March 18, 2020, the American Dental Association provided essential guidance on emergency vs. nonemergency dental care and the use of teledentistry.

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### Coronavirus: Cyber hygiene practices

25 March 2020

While the world is responding to the coronavirus disease 2019 (COVID-19), and individuals are increasingly focused on personal hygiene and social distancing, augmenting cyber hygiene efforts at home and at work are increasing in importance too.

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### Blockchain and Digital Assets News and Trends

25 March 2020

#### BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

The age of viral outbreaks – key contract considerations in a post-COVID-19 world, plus latest legal, regulatory and case law developments around blockchain and digital transformation.

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### Coronavirus: Employee furloughs, reductions-in-force and similar temporary cost-saving measures in the US - Part 1

25 March 2020

Key employment-related issues for US-based employers in relation to cost-saving measures due to COVID-19.

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## **Coronavirus: Employee furloughs, reductions-in-force and similar temporary cost-saving measures (Part 2 – Employment issues outside the US)**

25 March 2020

A general overview of key employment issues to consider outside of the US in light of COVID-19.

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## **Coronavirus: Several state and local governments issue “shelter in place” orders (United States)**

23 March 2020

Between March 17 and 22, state and local governments have promulgated at least a dozen “Stay-at-Home” / “Shelter-at-Home”-type Orders. This alert provides details on a number of state and local government orders.

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## **90-day deferral for US federal income tax payments**

20 March 2020

Those who decide to defer their federal tax payments will be able to do so on a penalty-free and interest-free basis, with penalties and interest beginning to accrue for payments submitted after July 15, 2020.

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## **Coronavirus: business resilience and continuity planning**

19 March 2020

Prudent companies understand that their response to the COVID-19 pandemic should be consistent with their business resilience plans.

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## **COVID-19's (likely) impact on the US M&A market**

19 March 2020

Certain considerations that participants in the M&A market may wish to keep in mind as we progress through these unprecedented times.

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## **COVID-19: The benefits of US chapter 11 relief in a time of economic crisis**

19 March 2020

Highlighting some of the most significant benefits of US chapter 11 for companies facing severe challenges under the current circumstances.

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## **Coronavirus: Federal government stimulus response – Massive stimulus package may move through US Congress at “warp speed”**

19 March 2020

The economic stimulus package taking shape may be the biggest one ever.

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## Coronavirus: executive summary - key highlights from Washington (March 19, 2020) (United States)

19 March 2020

Key highlights for March 19, 2020.

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## Podcast: UK Airlines Insolvency

17 March 2020

The aviation industry is facing unprecedented challenges, not helped by the entirely unforeseeable impact of Covid-19. In a recent podcast with Reorg, Chris Parker and Tony Payne discussed the U.K. government's 2019 Airline Insolvency Review.

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## US employee benefits and the coronavirus

17 March 2020

Some of the many benefit plan issues that employers are facing.

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## Coronavirus: Congress expected to pass expanded paid leave (United States)

16 March 2020

The paid leave requirements in the current version of the Families First Coronavirus Response Act.

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## Coronavirus: federal and state tax relief (United States)

16 March 2020

Congress and state legislatures and administrative agencies are working hard to provide necessary tax relief for those affected by the coronavirus disease (COVID-19) pandemic.

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## Coronavirus (COVID-19): ten practical steps for global employers, right now (Global)

13 March 2020

These steps are not based on laws of any one jurisdiction but rather are designed to provide a global employer with themes to consider, understanding that what may be suitable for each employer may vary greatly depending on the employer's unique circumstances.

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## Episode 10: Stricter data localisation and security rules for financial and insurance data in China

06 Mar 2020

### [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

The People's Bank of China has released new guidelines on the collection and processing of personal financial information (PFI Guidelines), which provide much-needed clarity on how personal financial information in China should be processed, secured, and transferred. While the PFI Guidelines do not impose an outright ban on personal financial information leaving China, mandatory compliance steps (including consent and impact assessments) must be taken.

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## Europe initiates regulations on artificial intelligence; industry presented with opportunity to provide inputs

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5 March 2020  
**AI OUTLOOK**

The White Paper on AI initiates a process that could potentially establish the world's first far-reaching regulatory framework for AI.

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### **PropTech in the United States – where we're heading**

2 March 2020  
**PROPTech INSIGHTS**

The legal implications of operating smart buildings.

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### **Important changes proposed to Hong Kong's data protection law**

27 February 2020  
Any organisation processing Hong Kong personal data must plan ahead to anticipate significant new compliance obligations requirements. These are proposed in a recent consultation paper to amend Hong Kong's Personal Data (Privacy) Ordinance (PDPO), and would – if passed – constitute the first changes to the PDPO since 2012.

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### **What if the coronavirus leads to an interruption of your company's IT functions? (Belgium)**

25 February 2020  
The ongoing global coronavirus COVID-19 outbreak is significantly affecting international business and cross-border commercial operations. Whereas the possible impact of coronavirus COVID-19 on the IT functions of a company active in Belgium might, at first sight, seem limited, the risk of such an impact is real in particular when parts or all of a company's IT functions is outsourced to one or more IT service providers.

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### **Coronavirus COVID-19 and corporate governance (Australia)**

18 February 2020  
The coronavirus COVID-19 outbreak and ensuing government restrictions raise corporate governance concerns and create areas of risk across the ESG spectrum that should be considered by companies and their directors and officers.

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### **Opportunities arising from Asia's data protection frameworks (AsiaPac)**

14 February 2020  
The media controversy surrounding China's coronavirus COVID-19 detection app, the "close contact detector," has highlighted a common misapprehension about how data protection law is universally applied around the world.

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### **Huawei Temporary General License extended for third time**

14 February 2020  
The extension applies to Huawei and the 114 other non-US Huawei affiliates on the Entity List.

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## **Coronavirus COVID-19 and other supply chain disruptions (UK)**

14 February 2020

In a world of increasingly long, international and interdependent supply chains, the coronavirus COVID-19 outbreak is just the most recent event to highlight the ever more complex considerations arising from a disruption to supply.

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## **Coronavirus COVID-19: The legal impact on force majeure events (Australia)**

12 February 2020

Key considerations for parties that may wish to declare a force majeure event or dispute the declaration of a force majeure event by a counterparty in relation to coronavirus COVID-19.

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## **An update on the impact of the coronavirus on business in Singapore**

12 February 2020

Due to the evolving 2019- nCoV acute respiratory disease (the COVID-19) situation, the Ministry of Health (the MOH) and the Ministry of Manpower (the MOM) have, since January 2020, issued advisories which employers will need to be aware of. In particular, the MOH and MOM have, since our last update on February 12 2020, updated and issued new advisories due to the increased risk of importation of COVID-19 into Singapore.

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## **Hong Kong Government introduces mandatory quarantine measures**

11 February 2020

On 9 February 2020, the number of deaths due to the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

Numerous governments have been implementing restrictions barring entry to those with recent travel history through Mainland China, including Singapore, Japan, Australia and the United States. Following pressure from public health workers, the Hong Kong Government has now followed suit and has begun a mandatory two-week quarantine for anyone arriving from Mainland China.

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## **How to resume business amid the coronavirus outbreak (China)**

11 February 2020

As reported in our previous article, China has extended its Chinese New Year holiday and work suspension period as a result of the novel coronavirus outbreak which has now infected more than 40,000 people around the world.

This is a summary of the Back to Work Day and compensation for working before Back to Work Day in key cities and provinces across China.

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## **Italy's new Digital Services Tax is now in force**

11 February 2020

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Not all digital services will be taxed – only those entailing a high degree of users' involvement in value generation.

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## **Israel Group News February 2020**

10 February 2020

### **ISRAEL GROUP NEWS**

In this issue, our global activities, latest publications, coming events and more.

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## **Foreign ITAR cloud storage now permitted**

4 February 2020

This may provide ITAR-registered companies some flexibility with the virtual storage and transmission of their technical data, but using non-US based cloud storage is still not without risk.

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## **EU Policy & Regulatory Alert**

3 February 2020

On 29 January 2020, the new European Commission has adopted its 2020 annual Work Programme, announcing 43 new concrete policy and legislative measures to be introduced over the course of the year of 2020, and thereby translating into practice the Political Guidelines of new European Commission President Ursula von der Leyen.

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## **OECD statement of Digital Tax Initiative highlights progress, sets timeline for consensus – key points on Pillar One and Pillar Two**

3 February 2020

The development of a new taxing right is a major initiative, and the OECD continues to work at a brisk pace.

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## **APAC employment issues arising out of the Coronavirus (AsiaPac)**

31 January 2020

On 29 January 2020, the number of confirmed cases of the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

Multinationals with local operations around the APAC region have been significantly affected. As staff return to the office following the Chinese New Year holiday period, businesses are now considering what they can do to minimise any risk to health and safety and support staff through this challenging period where anxiety and uncertainty is rife, whilst at the same time complying with their employment obligations and maintaining business continuity. Putting in place detailed business and contingency plans and ensuring careful communications with staff to address key topics and concerns is key, as is keeping such plans and communications under frequent review given the fluidity of the current situation.

This alert considers some of the key issues that HR and business leaders should be considering across the APAC region.

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## **Harsher penalties on discriminatory employment practices in Singapore**

29 January 2020

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The Fair Consideration Framework was updated in January 2020 to impose harsher penalties on employers found to be engaging in discriminatory practices such as by favouring the hiring of foreigners over Singaporeans.

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### **Argentina suspends Promotional Regime of the Knowledge-based Economy**

28 January 2020

The regime aims to promote digital, information and communication technologies and the highly skilled human capital that creates and advances those technologies.

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### **China extends holidays for workers amid coronavirus outbreak (China)**

28 January 2020

Learn about how the widely publicised corona virus outbreak affects business in Greater China.

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### **DLA Piper GDPR Data Breach Survey 2020**

20 January 2020

According to DLA Piper's latest GDPR Data Breach Survey, data protection regulators have imposed EUR114 million (approximately USD126 million / GBP97 million) in fines under the GDPR regime for a wide range of GDPR infringements, not just for data breaches.

France, Germany and Austria top the rankings for the total value of GDPR fines imposed with just over EUR51 million, EUR24.5 million and EUR18 million respectively. The Netherlands, Germany and the UK topped the table for the number of data breaches notified to regulators with 40,647, 37,636 and 22,181 notifications each.

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### **Iran nuclear deal: the launch of the 'Dispute Resolution Mechanism' and the 'potential snapback' of UN and EU sanctions**

17 January 2020

This week, France, Germany and Britain have triggered the Dispute Resolution Mechanism against Iran under the Joint Comprehensive Plan of Action (JCPOA). Will this process lead to the re-imposition of UN and EU sanctions on Iran?

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### **Top of Mind: Life Sciences**

16 January 2020

Eight big topics that life sciences businesses have been thinking about and how DLA Piper has been covering those stories.

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### **New regulations reinforce CFIUS's expanded role with respect to foreign investments in the United States**

16 January 2020

The new CFIUS regulations become effective on February 13, 2020.

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### **Taxation of cryptocurrency: reporting charitable contributions in the US and new developments in the UK**

16 January 2020

Charities that accept donations of cryptocurrency face a number of administrative challenges; plus new guidance from HMRC.

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## Episode 9: 2020 - Privacy, Security and Content Regulation to Increase in China

10 January 2020

### [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

China's authorities have published a much-anticipated brand new directive on internet content regulation and governance, which will come into force on 1 March 2020. This law will require organizations which host websites in China to make fundamental changes to their website governance frameworks.

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## PRA Consultation Paper on Outsourcing and Third Party Risk Management: CP30/19

10 January 2020

Key points and differences from the EBA Guidelines on Outsourcing

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## Commerce imposes export licensing requirement on geospatial imagery software

8 January 2020

Companies that produce, design, test, manufacture, fabricate, or develop a software described in the new controls may now be operating within the category of "critical technologies" as defined in CFIUS regulations.

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## Digital assets services: New level 2 regulation by the AMF

20 December 2019

The French administrative order dated 5 December 2019 has provided amendments to the AMF General Regulation to provide specific provisions related to digital asset services providers, a new category of services providers set forth in the French PACTE Law with a national ambit.

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## Supreme Court Corner

19 December 2019

We are watching two key cases – *Romag Fasteners v. Fossil* and *Thryv, Inc. v. Click-to-Call Technologies*.

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## Intellectual Property and Technology News (North America), Issue 44, Q4 2019

19 December 2019

### [INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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## DLA Piper named a top-scoring firm for gender diversity and inclusion in IP and firm leadership by ChIPs

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19 December 2019

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### **Panels examine trademark litigation and the CCPA at our 13th annual Women in IP Law CLE Luncheon**

19 December 2019

Most of the more than 180 guests were leading IP counsel] for some of the Bay Area's largest tech companies.

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### **EU launches preparatory work for a global sanctions regime for human rights violations**

17 December 2019

On 9 December 2019, High Representative/Vice-President of the European Union Josep Borrell announced that the Foreign Affairs Council has agreed with strong consensus to start the preparatory work for a global sanctions regime to address serious human rights violations.

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### **2019 Sourcing and Commercial contracts case law round-up**

16 December 2019

A summary of key 2019 cases relevant to sourcing and commercial contracts.

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### **Triple Point Technology v PTT Public Company Ltd [2019] EWCA Civ 230**

16 December 2019

This case illustrates how carefully liquidated damages clauses need to be drafted. The Court of Appeal found that a particular liquidated damages clause for delay did not apply to an abandoned IT project (abandonment being a different scenario than late completion). It also commented that, where delay liquidated damages do apply, it is possible for them to continue to accrue after contract termination until a replacement supplier completes the work. The case is also a reminder to consider whether liquidated damages operated within, or outside of, the general liability cap.

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### **Stricter outsourcing rules for Singapore's banking sector**

13 December 2019

Banks and credit card providers in Singapore should consider updating their outsourcing arrangements in anticipation of stricter new laws. Singapore's Government has proposed new powers to regulate more closely the outsourcing arrangements of banks and credit card providers regulated by the MAS, and to impose stricter sanctions.

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### **Congressional hearing to focus on facial recognition and national security**

12 December 2019

#### **AI OUTLOOK**

Technologies controlled by foreign governments and their implications for privacy and national security are expected to be a major topic.

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## The EU Commission trailblazing towards a sustainable future

12 December 2019

The European Green Deal is a holistic approach to delivering transformational change and leading the transition towards a new paradigm.

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## Penalties for violations of Data Localization Rules dramatically increased

6 December 2019

Many companies have scrambled to comply with Russia's peculiar Data Localization Rules since their enactment in 2015. While these rules apply to a wide range of companies handling Russian personal data both in Russia and abroad, the penalties for non-compliance were traditionally limited to just blocking the data operator's websites.

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## New European Commission Assumed Office on 1 December 2019

2 December 2019

The new leadership of the European Commission has officially assumed office yesterday, Sunday, 1 December 2019, for a five-year term. The newly assembled College of Commissioners obtained a comfortable majority in an approval vote in the European Parliament plenary session on Wednesday, 27 November 2019.

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## Real Estate Gazette: Finding profit in uncertain times

22 November 2019

### [REAL ESTATE GAZETTE](#)

This issue highlights the various legal issues related to finding profit in uncertain times.

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## Israel Group News November 2019

18 November 2019

In this issue, IP considerations in augmented reality and virtual reality, plus our global activities, latest publications, coming events and more.

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## Episode 8: Crackdown on infringing China apps

13 November 2019

### [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

China's authorities have launched a crackdown against non-compliant mobile apps. The crackdown is taking place during November and December 2019, so businesses operating apps in China must take urgent action or else face sanctions.

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## Hong Kong's SFC introduces strict conditions on cloud data storage

8 November 2019

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All entities licensed by the Hong Kong SFC and storing data in the cloud must urgently review their data storage arrangements in light of a new circular from the SFC on “Use of external electronic data storage”. This circular introduces strict new conditions on both cloud users and cloud vendors.

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### **Argentina: Promotional Regime of the Knowledge-based Economy comes into force 1.1.2020 – key points**

7 November 2019

The new tax regime seeks to put Argentina at the forefront of the knowledge economy in Latin America.

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### **Episode 7: New China encryption law passed**

6 November 2019

#### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

The new PRC Encryption Law will come into force on 1 January 2020. It will bring fundamental changes to the sale, import and use of encryption technologies in China by foreign and domestic organizations.

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### **Episode 6: Further developments in PRC data privacy regulations**

1 November 2019

#### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

An updated draft of China’s Amended Personal Information Security Specification (Amended PIS Specification) and proposed new amendments to the privacy specification for mobile apps (App Privacy Specification) were published this week, alongside brand new draft regulations for the banking sector.

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### **US Supreme Court denies review of *Robles v. Domino's Pizza*, opening door to more lawsuits on website and mobile app accessibility claims**

16 October 2019

Does the ADA apply to websites and mobile apps?

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### **Hikvision and other Chinese companies added to the Entity List**

10 October 2019

The list includes Chinese companies in the video surveillance, artificial intelligence, voice recognition, deep learning and other technology fields.

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### **Digital Transformation in Energy and Natural Resources**

9 October 2019

The global demand for power rises, the requirement for increased productivity, greater efficiencies in distribution and flexibility for consumers (both corporate and residential) is also growing. As such, we have launched report on how digital technologies are impacting the Energy and Natural Resources sector.

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## **Mexico: 2020 tax reform proposal**

7 October 2019

The proposed reform aims to broaden the scope of activities subject to tax, as well as the reporting obligations of Mexican and foreign taxpayers.

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## **Beginning October 11, 2019: opportunity to obtain temporary reduction or suspension of US import duties**

7 October 2019

Miscellaneous Tariff Bill petitions can be submitted to the ITC until 5:15 pm EST on December 10, 2019.

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## **Intellectual Property and Technology News (North America), Issue 43, Q3 2019**

30 Sep 2019

### **INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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## **Treasury Department proposes regulations comprehensively implementing FIRRMA and reforming CFIUS national security review**

19 September 2019

The proposed regulations affect non-controlling investments involving critical technologies, critical infrastructure, and sensitive personal data; and transactions involving real estate near sensitive national security facilities.

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## **A guide to the General Data Protection Regulation [Updated for 2019]**

17 September 2019

On 4 May 2016, the text of the General Data Protection Regulation (GDPR) was published in the Official Journal of the European Union, concluding over four years of intensive legislative work on a new data protection legal framework for Europe.

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## **TechLaw Podcast: Future regulation for artificial intelligence**

03 SEP 2019

### **TECHLAW PODCAST**

Ed Thomas, Principal Analyst technology thematic research for GlobalData Plc., speaks to DLA Piper Consultant, Lord Tim Clement-Jones, about trending AI technologies; the types of enterprise risk arising as a result of the use of these technologies and how businesses should approach their adoption to ensure an ethical approach.

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## **No-deal Brexit: Impact on the technology sector**

1 September 2019

While a range of outcomes, including [a departure under the terms of the current Withdrawal Agreement](#), remains possible, it is important for businesses to plan for a no-deal Brexit, in which the UK leaves the EU without a withdrawal agreement or other deal. Here we look at the potential impact of a no-deal Brexit on the technology sector

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## **TechLaw Podcast: Transforming payment solutions for platform businesses with Paybase**

28 AUG 2019

### **TECHLAW PODCAST**

Regulation and scalability are just some of the challenges faced by platform businesses. Anna Tsyupko, Co-Founder of leading payments provider Paybase, joins our Partner, Chloe Forster, to discuss the complexities of online marketplace platforms and how Paybase built their product to meet and exceed industry demands.

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## **Amendment to Japanese Foreign Exchange and Foreign Trade Act expands restricted business sectors for foreign investment in Japan**

22 August 2019

The Japanese Foreign Exchange and Foreign Trade Act requires prior filings with relevant ministries via the Bank of Japan for foreign investments in certain business sectors relating to national security, public order, and public safety, etc.

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## **US Trade Representative publishes fourth list of Chinese products subject to Section 301 tariffs**

19 August 2019

Yet more Chinese products will be subject to an additional 10 percent tariff.

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## Israel Group News August 2019

7 August 2019

### [ISRAEL GROUP NEWS](#)

In this issue, our global activities, latest publications, coming events and more.

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## TechLaw Podcast: Driving diversity through technology

07 AUG 2019

### [TECHLAW PODCAST](#)

With companies starting to realise the importance of diversity and inclusion, not only for business, but for wider society, how can positive action create a competitive advantage? DLA Piper Legal Director, Katherine Gibson, speaks to Laura Da Silva Gomes, Founder and Director of WePlayFair.org, as she highlights the duty companies have in creating a level playing field in both business and sports.

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## Disrupting the real estate industry: emerging trends in proptech

6 August 2019

### [TECHNOLOGY'S LEGAL EDGE](#)

As companies strive to stay on the cutting edge, here are some of the trends we anticipate will play an significant role in the continued development of the proptech industry.

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## Artificial Intelligence: What we have seen so far in 2019 and what is to come...

5 August 2019

### [TECHNOLOGY'S LEGAL EDGE](#)

As an increasing number of industries begin opting for solutions based on machine learning, here are seven of the top AI trends that we have seen in 2019 and a prediction of what we think will come in the near future.

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## EU Impact - Issue 6

1 August 2019

While you are looking forward to departing on your well-deserved summer holidays (or are reading our newsletter while at your holiday destination already), the EU institutions have likewise reduced their activities to a minimum as from last week until the end of August.

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## Changes in electronic communications and digital marketing – revised proposal for the ePrivacy Regulation

1 August 2019

### PRIVACY MATTERS

On 26 July 2019, at the level of the Council, the Finnish government has issued a revised (Council) proposal for the e-Privacy Regulation with some amendments concerning electronic communication content, data & metadata, and further processing of metadata.

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## FTC announces Cambridge Analytica settlement

25 July 2019

A sign that the FTC may be stepping up its pursuit of individual liability in addition to corporate liability.

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## Real Estate Gazette: Technology

26 July 2019

### REAL ESTATE GAZETTE

This issue highlights the various legal issues related to technology.

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## FTC unfriends Facebook

25 July 2019

The FTC order imposes new penalties and requirements on Facebook.

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## Q2 Editor's Column

24 July 2019

As we enter the dog days of summer, we can reflect on the first half of the year and plan for success for the coming months.

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## Supreme Court Corner

24 July 2019

The Court clarifies a circuit split over copyright in *Fourth Estate* and, in *Mission Product Holdings*, says a licensee's rights survive the licensor's bankruptcy.

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## Intellectual Property and Technology News (North America), Issue 42, Q2 2019

24 July 2019

### [INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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#### Top Patent Litigation Firm

24 July 2019

*Lex Machina's 2018 Patent Litigation Year in Review* recognizes DLA Piper as one of the top ten most active national law firms representing defendants in US patent disputes.

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#### *Alice* uncertainty: curiouser and curiouser

24 July 2019

The Federal Circuit declines to follow USPTO guidance on subject matter eligibility, instead following its own precedent.

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#### The states look at autonomous vehicles

24 July 2019

Many US states are experimenting with a wide range of approaches to autonomous vehicles, some cautious and others more ambitious.

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#### The government in your cloud

24 July 2019

As companies shift more data to the cloud, the US government's ability to access that content should not be overlooked.

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#### Updated FATF standards include interpretative note on virtual assets

16 July 2019

The FATF updates its anti-money laundering and counter-terrorist financing standards.

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#### Episode 5: Apps are being shut down in China - will yours be next?

12 July 2019

### [NAVIGATING CHINA: THE DIGITAL JOURNEY](#)

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While apps are incredibly popular in China, in recent months some have been disappearing from app stores in the country because they do not comply with recent apps regulations. Indeed many companies are not even aware of the comprehensive new privacy compliance obligations for apps in China.

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### **Ethiopian Communications Service Proclamation**

3 July 2019

The Communications Service Proclamation, which was adopted by the Ethiopian Parliament recently, introduces a number of major changes into the Ethiopian telecom sector. A brief explanation of the major changes is provided below together with some commentary from DLA Piper's telecoms team.

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### **Episode 4: Getting data out of China - the challenge of operating your China business offshore**

26 June 2019

#### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

An updated and substantially more onerous draft of China's long awaited position on cross border data transfers has just been published. The Measures on Personal Information Cross Border Transfer Security Assessment (Measures) apply to all "Network Operators" and will require specific action to be taken by all businesses that send personal information out of China.

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### **Shall we play a game? Reinforcement learning and the AI training data challenge**

24 June 2019

A properly trained special-purpose AI can be a wonderful thing. AI systems have already displayed super-human performance in many fields, from diagnosing specific medical conditions, to spotting fraudulent transactions, or identifying infringing content amongst the fire-hose of social media.

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### **Who's that bot? California requires clear disclosure starting 7/1/2019**

20 June 2019

A California law attempts to tackle the problem of automated online accounts that simulate conversation – and that are used to confuse or deceive.

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### **Deadlines approaching fast for fourth set of Section 301 tariffs**

4 JUN 2019

Companies have the opportunity to present their views on specific products before the list is finalized but there is less than one month before the window closes.

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### **Episode 3: Yet more regulators join the party in enforcing cybersecurity**

4 June 2019

#### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

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Licensed telcos and internet businesses in China face a new wave of investigations by the Ministry of Industry and Information Technology (MIIT) as they announce a new enforcement campaign aimed at ensuring network security compliance.

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## **The Singapore Payment Services Act 2019 - What you need to know if dealing in crypto-currency or e-money**

4 JUN 2019

If you issue crypto-currency or electronic money (i.e. money which is stored electronically), or provide services dealing in crypto-currency or electronic money in Singapore, you will now need to apply for a licence from the Monetary Authority of Singapore (MAS).

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## **Episode 2: New stringent cyber security rules announced in China, what will your business need to do?**

29 May 2019

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

Organisations with operations in China must prepare now for new comprehensive cybersecurity rules. The Chinese authorities have announced MLPS "version 2.0", which will come into force on 1 December 2019, and have potential significant impact to businesses' infrastructure and operations in China.

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## **Singapore data security - Recent incidents and compliance steps you**

23 May 2019

Organisations handling Singapore personal data should re-evaluate their data security compliance programmes in light of recent regulatory scrutiny and enforcement action.

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## **Commerce issues Temporary General License for Huawei**

22 MAY 2019

The Temporary General License is a brief reprieve.

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## **Episode 1: Cyber enforcement starts**

21 May 2019

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

China's cybersecurity regulators are now taking their first steps to verify organisations' (including foreign businesses') compliance with China's cybersecurity laws. As anticipated, the focus is on businesses that have an online presence in China.

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## **Technology and disruption in the insurance sector: 2019 and beyond**

21 MAY 2019

### **[INSURANCE HORIZONS](#)**

The past decade has seen disruption become a key catchphrase in business, politics and public thought, as the impact of

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disruption spreads across economies. While this disruption may manifest as new business models, and the upending of old ones, it is technology that is enabling all of this change.

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### **The error of trials: Legal considerations when deploying AI in drug development**

21 May 2019

Trial and error – with the vast majority of trials ending in error – has long been the default method of drug discovery.

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### **Law à la Mode: Beauty Trends: 5 Key Beauty M&A deals; Street art and fashion; Word from the industry's mouth; The rise in innovative retail services; and more**

20 MAY 2019

#### **[LAW À LA MODE](#)**

The Moroccan editorial team is delighted to bring you the 28th edition of Law à la Mode, the legal magazine produced by DLA Piper's Consumer Goods & Retail Sector Group for clients and contacts of the firm worldwide.

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### **Trump issues Executive Order on securing information and communications technology and services – key points**

16 MAY 2019

The order is issued pursuant to the National Emergencies Act and the International Emergency Economic Powers Act, the latter creating potential civil and criminal liability for those violating EOs and regulations issued under its authority - liabilities that can expand to include those who facilitate a violation.

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### **Intellectual Property and Technology News (Asia Pacific) May 2019**

15 MAY 2019

#### **[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)**

Intellectual Property and Technology News (Asia Pacific) is our biannual publication designed to report on worldwide development in intellectual property and technology law, offering perspectives, analysis and visionary ideas.

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### **EU Impact - Issue 4/2019**

10 MAY 2019

With only two weeks left until the European elections of 23-26 May 2019, Europeans find themselves at the beginning of a months-long period of crucial transformations that are expected to significantly impact citizens and businesses in the medium- and long term.

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### **Israel Group News May 2019**

9 MAY 2019

#### **[ISRAEL GROUP NEWS](#)**

In this issue, our global activities, latest publications, coming events and more.

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## Washington state HB 1450 is signed into law, limiting enforceability of non-compete agreements – key takeaways

9 MAY 2019

The new prohibitions on non-compete agreements in Washington have the potential to greatly impact employers in the state both positively and negatively.

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## Collaboration in Financial Services - Regulation and Challenges

3 MAY 2019

One of the most noticeable recent trends in financial services is the number of collaboration which are taking place between FinTechs and banks. As banks have been transforming to increasingly drive business through digital channels, they have sought to partner with FinTechs to accelerate the pace of change.

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## TechLaw Podcast: How tech is shaping the future of retail

23 APR 2019

### [TECHLAW PODCAST](#)

Within the retail market, technology has been causing disruption for many years, impacting the way customers shop and how retailers run their businesses around the world. One of our partners, Chloe Forster discusses the innovative use of tech in retail with Economist, Liliana Danila, and Crime and Security Advisor, James Martin, both from the British Retail Consortium. Chloe Forster will also be moderating a session on the subject at our upcoming European Technology Summit in October 2019.

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## Isn't the whole point of a black box to tell you exactly what happened? AI's explainability conundrum.

19 April 2019

Sitting at 36,000 feet over the Atlantic writing this article, I'm unusually aware of the traditional use of the phrase "black box:" an aircraft's flight data recorder, there to let investigators understand what went awry should the worst happen. It seems odd that a device whose purpose is to provide an explanation should so often be called upon as a metaphor for the unexplainable.

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## TechLaw Podcast: The Future of Cryptoassets

15 APR 2019

### [TECHLAW PODCAST](#)

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Episode 19 of our TechLaw podcast series explores the future of the cryptoassets industry as we prepare for our European Technology Summit on 15th October 2019. One of our partners, Bryony Widdup, is joined by Executive Director & Board Member at Global Digital Finance, Teana Baker-Taylor, to discuss the steps being taken to build an understanding of the risks and opportunities presented by tokens and digital currencies and the progress being made towards creating a credible, regulated industry.

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### **TechLaw Podcast: The Future of FinTech**

15 APR 2019

#### **TECHLAW PODCAST**

In Episode 18 of our TechLaw podcast series, Co-Founder of Zopa, Giles Andrews, joins Martin Bartlam to share insights on trends in the peer-to-peer lending market and the challenges presented by launching a business in an initially unregulated industry. Whilst highlighting the importance of the role of collaboration in innovation and, in particular, working collaboratively with the regulator in order to develop an offering which can be trusted by the consumer.

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### **2019 IFA Annual Convention**

11 APR 2019

The International Franchise Association (IFA) held its 59th Annual Convention in Las Vegas from February 24-27, 2019.

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### **Q1 Editor's Column**

11 APR 2019

Welcome to our 41st issue, marking the 10th anniversary of *IPT News*.

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### **EU Policy & Regulatory Alert - EU Publishes Artificial Intelligence Ethics Guidelines**

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12 APR 2019

On 8 April 2019, the EU's High-Level Expert Group ("AI HLEG") on Artificial Intelligence ("AI") published the much-anticipated "Ethics Guidelines for Trustworthy AI", setting out a horizontal framework for the development and deployment of ethical and robust AI systems across the EU

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### **Recognized as one of the best firms for client service**

11 APR 2019

BTI Consulting's 2019 Client Service A-Team rankings report names DLA Piper as one of the best law firms for providing a superior level of client service.

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### **DLA Piper's sixth annual Global IP Symposium in Japan**

11 APR 2019

Our Intellectual Property and Technology group recently hosted its Sixth Annual Global IP Symposium in Japan.

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### **Intellectual Property and Technology News (North America), Issue 41, Q1 2019**

11 APR 2019

#### **INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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### **CCPA vs. GDPR: the same, only different**

11 APR 2019

Businesses that have undertaken GDPR compliance will have an advantage in addressing CCPA, but those efforts alone won't suffice.

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### **DLA Piper welcomes seasoned data privacy lawyer Tracy Shapiro**

11 APR 2019

DLA Piper recently welcomed seasoned data privacy lawyer Tracy Shapiro as a partner in Northern California.

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### **28 DLA Piper lawyers in 10 countries ranked among The World's Leading Trademark Professionals**

11 APR 2019

*The World's Leading Trademark Professionals 2019* names 28 DLA Piper lawyers from 10 countries to its list of top trademark professionals.

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## So you want to go digital...

11 APR 2019

This article assists businesses in identifying the core issues that must be addressed to ensure the legal sufficiency of transactions conducted on eSignature platforms.

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## TechLaw Podcast: The opportunities and challenges of digital transformation across the private and public sectors - Part 2

09 APR 2019

[TECHLAW PODCAST](#)

With data management and governance at the heart of digital transformation, a fundamental shift is required at the core of all businesses in order to harness the true transformative impact of tech-driven disruptions. Continuing the conversation in Part 2, Chief Analyst at Global Data Plc, Gary Barnett and our Chloe Forster explore the powerful possibilities data appreciation can have for digital transformation and the importance of collaboration in helping deliver more efficient projects in the future.

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## TechLaw Podcast: The opportunities and challenges of digital transformation across the private and public sectors - Part 1

03 APR 2019

[TECHLAW PODCAST](#)

When it comes to disruptive technology such as blockchain, artificial intelligence, process automation and the Internet of Things, the future is already here and having a profound impact across all industries, particularly in the financial services industry and public sector. In Part 1, DLA Piper's Chloe Forster is joined by Chief Analyst at Global Data Plc, Gary Barnett, to discuss the impact digital transformation is having on the customer experience, along with the challenges and opportunities companies face when embracing these advanced technologies.

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## **EU Impact - Issue 3/2019**

29 MAR 2019

Monthly update on the latest EU policy and regulatory developments relevant for your sector

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## **EU Policy & Regulatory Update - European Parliament Adopts EU Copyright Reform**

28 MAR 2019

Following two and a half years of negotiations and unprecedented public attention, the European Parliament adopted the controversial EU copyright reform in its plenary session on 26 March 2019.

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## **EU Impact - Issue 2/2019**

4 MAR 2019

Monthly update on the latest EU policy and regulatory developments relevant for your sector

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## **New Year, New Regulations: Cyberspace Administration of China launches new blockchain regulatory framework**

4 MAR 2019

You may need to comply with new regulations if you use Blockchain technology to conduct your business in mainland China. The "Regulations for Managing Blockchain Information Service" take effect on 15 February 2019. The new regulations encourage Blockchain industry organisations to enhance self-discipline and establish sound industry standards.

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## **The Final EBA Outsourcing Guidelines**

28 FEB 2019

The European Banking Authority has published its Final Report on EBA Draft Guidelines on outsourcing arrangements. The Guidelines are relevant to UK banks, building societies, designated investment firms and IFPRU investment firms.

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## **DLA Piper in Latin America: 2018 in review**

28 FEB 2019

While challenges always lie ahead, we are excited by the region's continuing growth.

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## **OECD issues far-reaching proposals for restructuring the international tax framework to address the challenges caused by the digitalization of the economy**

26 FEB 2019

Proposals being considered by the OECD's 128 Inclusive Framework members for tackling the tax challenges arising from

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digitalization of the economy.

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### **Data privacy law: the top global developments in 2018 and what 2019 may bring**

25 FEB 2019

In 2018, the world saw numerous significant privacy law developments, a trend that is continuing in 2019.

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### **Explainability: where AI and liability meet**

25 FEB 2019

Makers and users of AI face a new and interesting problem: what is the acceptable tradeoff between explanation and accuracy?

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### **Sharpen your pencils: California AG's Office announces start of its important CCPA pre-rulemaking and schedule for issuing its important CCPA rules**

13 FEB 2019

Because the CCPA is littered with drafting errors and confusing definitions, this AG rulemaking is extremely important.

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### **Israel Group News**

12 FEB 2019

#### **[ISRAEL GROUP NEWS](#)**

In this issue, the rise of the Data Protection Officer, plus news and coming events.

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### **Keeping watch on smartphone app payments in China**

7 FEB 2019

Now could be a good time to think about the level of transparency your company may have in connection with smartphone app payments by your employees.

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### **Contracting for Transformative Benefits**

06 FEB 2019

Much of the talk in the sourcing market is - and has been over the past couple of years - about transformation, especially of the digital nature. For some, any initiative under the digital transformation banner is seen as the panacea to numerous business and operational challenges.

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### **US and Australian regulators enter into FinTech cooperation agreement**

24 JAN 2019

At the heart of the agreement is a desire to enhance mutual understanding about FinTech regulatory issues, identify market developments, promote innovation and encourage use of technology in market oversight.

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## **EU Policy & Regulatory Update: First Designations under EU's Chemical Weapons Sanctions Regime**

24 JAN 2019

On 21 January 2019, the Council of the European Union (EU) adopted Decision (CFSP) 2019/86 amending Decision (CFSP) 2018/1544 concerning restrictive measures against the proliferation and use of chemical weapons, listing nine individuals and one entity under the EU's Chemical Weapons Sanctions regime.

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## **TechLaw Podcast: Cloud computing, cybersecurity & supercomputers; a changeable future**

22 JAN 2019

### **TECHLAW PODCAST**

With Brexit looming, the future of cloud computing is unclear. But with careful planning, could this have a beneficial impact on tech investments? DLA Piper's Jan Meents speaks to Dirk Scheumann, General Counsel at ATOS, about how these changes in the constantly shifting IT landscape, along with cybersecurity concerns and developments in the use of supercomputers, are leading the market outlook for the better.

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## **TechLaw Podcast: Breaking new ground: the revolution of the crypto asset lending marketplace**

15 JAN 2019

### **TECHLAW PODCAST**

With interest in cryptocurrency on the rise, a wealth of opportunities has opened up in the financial sector, particularly when it comes to the borrowing and lending of capital in the digital space. DLA Piper's Bryony Widdup chats to Linda Wang, Co-Founder of the world's first crypto asset lending platform, Lendingblock, as they talk in detail about the need for innovation in securities lending and the education and adoption challenges that come with developing a new transparent infrastructure.

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## **EU Policy & Regulatory Update - EU Adds Three Iranian Persons to EU Terrorist List**

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14 JAN 2019

On 8 January 2019, the Council of the European Union (EU) adopted Decision (CFSP) 2019/25 amending and updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP.

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### **TechLaw Podcast: Managing risks & creating opportunities: Technology's role in the human rights agenda**

08 JAN 2019

#### **TECHLAW PODCAST**

With businesses collecting more and more data, their understanding of consumers, employees and supply chains is changing, and as businesses are judged on both investment performance and social performance there is a convergence of business and human rights agendas. How does this affect tech companies, and how can tech companies manage their risks while creating opportunities? Dr Christine Chow of Hermes EOS joins DLA Piper Legal Director, Sarah Ellington, to discuss the societal issues affecting business and technology.

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### **IP Litigation Powerhouse**

21 DEC 2018

BTI's *Litigation Outlook* names DLA Piper an "IP Litigation Powerhouse," a "Standout" and "Complex Commercial Litigation Powerhouse."

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### **Q4 Editor's Column**

21 DEC 2018

This quarter's issue of *IPT News* ...

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### **The Music Modernization Act: stronger protections for artists and publishers**

21 DEC 2018

The MMA revamps the Copyright Act in three major aspects.

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### **DLA Piper Sponsors Seventh Annual ChIPs Global Summit 2018**

21 DEC 2018

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DLA Piper was a platinum sponsor of the seventh annual ChIPs Global Summit 2018.

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### **Taking part in 2018 ANA/BAA Marketing Law Conference**

21 DEC 2018

Ben Mulcahy and Gina Reif Ilardi actively participated in the 2018 Association of National Advertisers/Brand Activation Association Marketing Law Conference in Chicago.

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### **Intellectual Property and Technology News (North America), Issue 40, Q4 2018**

21 DEC 2018

#### **INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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### **12th Annual Women in IP Law Seminar on patents and big data**

21 DEC 2018

DLA Piper's Intellectual Property and Technology group hosted its twelfth annual Women in IP Law CLE Luncheon at the Four Seasons Silicon Valley in November.

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### ***Alice* in Wonderland: navigating the strange world of patenting AI**

21 DEC 2018

Like the bottle labeled DRINK ME, certain techniques can make the trip through the AI-patent rabbit hole more scalable.

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### **EU Impact: Monthly update on the latest EU policy and regulatory developments relevant for your sector**

21 DEC 2018

Edition 12 of our monthly update on the latest EU policy and regulatory developments

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### **eSignature and ePayment News and Trends**

20 DEC 2018

#### **ESIGNATURE AND EPAYMENT NEWS AND TRENDS**

In this issue, digitally transforming your business – the year's big legal and regulatory developments and breaking news.

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### **Episode 13: Not just doom & gloom - Technology's positive impact on the retail sector.**

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18 DEC 2018

## [TECHLAW PODCAST](#)

Can retail's biggest threat also be its biggest opportunity? In episode 13 of our TechLaw Podcast Chloe Forster, Ruth Hoy and Gurpreet Duhra analyse tech's role in the changing retail landscape.

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### **TechLaw Podcast: Data, capital and talent: Analysing FinTech's biggest Brexit risks - Part 2**

13 DEC 2018

## [TECHLAW PODCAST](#)

How does Brexit affect Big Data and what can businesses do to mitigate the risk of added friction and dual regulations? In part 2 of our conversation with Bankable CEO, Eric Mouilleron, Paul Hardy and Richard Bonnar explore the regulatory challenges that the tech sector could encounter as a result of the UK's withdrawal from the European Union.

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### **TechLaw Podcast: Data, capital and talent: Analysing FinTech's biggest Brexit risks - Part 1**

11 DEC 2018

## [TECHLAW PODCAST](#)

Will Brexit lead to a tech talent exodus? Will data movement grind to a halt? DLA Piper's Paul Hardy & Richard Bonnar analyse all scenarios with Bankable CEO, Eric Mouilleron, in episode 12 of our TechLaw podcast.

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### **Top of mind: Litigation**

10 DEC 2018

Our coverage of big compliance, enforcement and litigation issues that businesses are thinking about this quarter.

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### **Global Anticorruption Newsletter**

5 DEC 2018

DLA Piper's *Global Anticorruption Newsletter* offers practical guidance on complying with international bribery laws.

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### **TechLaw Podcast: The Series A Round: "The who, what, where, why and how much" the Vita Mojo Revolution Part 2**

04 DEC 2018

## [TECHLAW PODCAST](#)

In Part 2 of our interview with Vita Mojo co-founder, Stefan Catoi, Dylan and Stefan discusses his experience regarding their recently announced £10m Series A round and the rapidly evolving world of the foodtech industry.

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### **The European Data Protection Board issues long-awaited guidelines on the territorial scope of the GDPR**

30 NOV 2018

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Among other provisions, the Guidelines concern GDPR's application to entities in the EU even when they process personal data of persons outside the EU.

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## **eSignature and ePayment News and Trends**

30 NOV 2018

### **[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)**

In this issue, a fintech Q&A with the team, plus the latest developments from the legislatures, the regulators and the courts

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## **TechLaw Podcast: Ultra-personalisation and the Vita Mojo Revolution Part 1**

28 NOV 2018

### **[TECHLAW PODCAST](#)**

DLA Piper associate, Dylan Kennett, is joined by Vita Mojo co-founder and Deloitte Fast 50 Rising Star award winner, Stefan Catoi to discuss personalisation and automation in the food industry.

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## **Law à la Mode: Word of the industry's mouth; Enforcement of IP rights through Ukrainian customs register; E-commerce in Poland; The development of artificial intelligence in the fashion industry; and more**

26 NOV 2018

### **[LAW À LA MODE](#)**

The US editorial team is delighted to bring you the 27th edition of *Law à la Mode*, the legal magazine produced by DLA Piper's Retail Sector Group for clients and contacts of the firm worldwide.

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## **EU Policy & Regulatory Alert: New Regulation on Foreign Direct Investment Screening in the EU**

22 NOV 2018

The European Union is moving fast towards establishing a joint regulatory and policy framework for Europeans to seize the opportunities provided by Artificial Intelligence (AI) and to reinforce Europe's competitiveness in this field.

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## **Embrace the future: How technology is transforming legal practice**

20 NOV 2018

In this podcast, Stéphane discusses how technology is transforming the legal landscape. He shares his experiences of the way the legal and IP ecosystems interact with technology and why practitioners must embrace technology sooner rather than later "to remain relevant and efficient".

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## **ICO publishes draft Regulatory Action Policy**

8 NOV 2018

Following the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA18) coming into force on 25 May 2018, the Information Commissioner's Office (ICO) (the UK's data regulator) has refreshed its Regulatory Action Policy.

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## Supply chain human rights risk management: Blockchain and emerging technology

8 NOV 2018

Global businesses, financiers and investors are faced with an increasingly complex and interconnected legal, financial and reputation risk agenda related to human rights and other responsible business conduct issues.

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## Spanish government to introduce new digital services tax

1 NOV 2018

The proposed DST will apply only when the user's digital devices are located in Spain.

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## How technical touchpoints can ensnare foreign cryptocurrency companies

29 OCT 2018

Useful guideposts for overseas companies assessing whether they are exposed to US securities laws.

---

## eSignature and ePayment News and Trends

26 OCT 2018

### [ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

In this issue, obtaining remote epayment authorizations from customers – are you in compliance? Plus the latest legislative and regulatory news.

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## Israel Group News

24 OCT 2018

### [ISRAEL GROUP NEWS](#)

In this issue, legal developments worldwide that affect this dynamic ecosystem.

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## European parliament adopts resolution on distributed ledger technologies and blockchains

22 OCT 2018

On 3 October 2018, the European Parliament adopted a non-legislative resolution on distributed ledger technology (DLT) and blockchain. The resolution discusses potential benefits from the application of DLT in various sectors of the economy, including financial services, and sets out the suggested regulatory approach.

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## CFIUS pilot program mandates declarations for certain non-controlling investments in critical technologies

17 OCT 2018

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The pilot program covers critical technologies in 27 industries.

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### 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.

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### Digital Transformation in Financial Services white paper

10 OCT 2018

How do industry insiders see financial services evolving: which will be the real game-changers, and are institutions and regulators keeping pace?

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### Section 301 additional tariffs on imports of Chinese products: options for high tech and manufacturing companies

3 OCT 2018

Additional tariffs of 10 percent or 25 percent have been imposed on three different lists of thousands of imports from China. Companies can request exclusion from these tariffs.

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### Q3 Editor's Column

27 SEP 2018

This quarter's issue of *IPT News* discusses some emerging technologies and their intersection with intellectual property law.

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### DLA Piper hosts clients at INTA Annual Meeting in Seattle

27 SEP 2018

More than 10,000 trademark professionals and brand owners from around the world took part in the 140th International Trademark Association Annual Meeting.

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### Intellectual Property and Technology News (Asia Pacific) September 2018

27 SEP 2018

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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Intellectual Property and Technology News (Asia Pacific) is our annual publication designed to report on worldwide developments in intellectual property and technology law, offering perspectives, analysis and visionary ideas.

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## **Intellectual Property and Technology News (North America), Issue 39, Q3 2018**

27 SEP 2018

### **INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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## **How blockchain, Internet of Things and smart contracts improve the supply chain**

27 SEP 2018

Incorporating three key technologies into the supply chain can significantly improve profitability while reducing risk.

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## **Copyright in esports: a top-heavy power structure, but is it legally sound?**

27 SEP 2018

Central to the esports industry are novel intellectual property issues arising from the structure of the esports ecosystem.

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## **Embedding content: uncertainty about the Copyright Statute undermines digital media**

27 SEP 2018

Companies creating digital content have to more carefully weigh the potential risks of embedding copyrighted content into their sites.

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## **Ben Mulcahy and Gina Reif Ilardi recognized in *Variety's 2018 Legal Impact Report***

27 SEP 2018

Benjamin Mulcahy and Gina Reif Ilardi have been recognized in the *2018 Variety Legal Impact Report*.

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## **32 DLA Piper lawyers in 8 countries ranked among world's top patent professionals**

27 SEP 2018

*IAM Patent 1000: The World's Leading Patent Professionals 2018* has named 32 DLA Piper lawyers to its seventh list.

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## **Blockchain: background, challenges and legal issues**

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2 FEB 2018

Blockchain and distributed ledger technology offers significant and scalable processing power, high accuracy rates, and apparently unbreakable security at a significantly reduced cost compared to the traditional systems the technology could replace, such as settlement, trading or accounting systems. Like all new technology however, it poses challenges for suppliers and customers. So what are the key issues in relation to blockchain and distributed ledger technology?

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### **Text, blood and rock 'n' roll**

27 DEC 2017

You are not a "free bird" – the duty to preserve text messages may extend to third parties.

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### **Intellectual Property and Technology News (North America), Issue 30, Q2 2016**

28 JUN 2016

#### **[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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### **Intellectual Property and Technology News (North America), Issue 29, Q1 2016**

29 MAR 2016

#### **[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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### **Intellectual Property and Technology News (North America), Issue 28, Q4 2015**

2 DEC 2015

#### **[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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### **US companies: EU data regulation means new oversight**

2 DEC 2015

Many US companies are about to experience new regulatory oversight.

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### **Intellectual Property and Technology News (North America), Issue 27, Q3 2015**

25 AUG 2015

#### **[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)**

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Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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#### **Intellectual Property and Technology News (North America), Issue 26, Q2 2015**

9 JUN 2015

#### **[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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#### **Intellectual Property and Technology News (United States), Issue 25, Q1 2015**

24 MAR 2015

#### **[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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#### **Intellectual Property and Technology News (United States), Issue 24, Q4 2014**

18 DEC 2014

#### **[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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#### **Intellectual Property and Technology News (United States), Issue 23, Q3 2014**

10 SEP 2014

#### **[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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#### **Intellectual Property and Technology News (United States) Issue 22, Q2 2014**

26 JUN 2014

#### **[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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#### **Patent litigation heats up in the Southern District of Florida: practical implications for brand owners**

26 MAR 2014

Patent litigation is on the rise nationally, with a record number of cases being filed every year. In 2013, over 6,800 cases were

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filed in the United States, the highest number ever and about a 10 percent increase from 2012.

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## **Intellectual Property and Technology News (United States) Issue 21, Q1 2014**

26 MAR 2014

### **INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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## **Tax incentives in Puerto Rico: a quick introduction**

13 JUN 2017

Puerto Rico offers a spectrum of economic incentives aiming to promote many key industries. This handbook offers a quick look at ten of the most significant of these incentives.

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## **Japan exempts virtual currencies from consumption tax**

31 MAR 2017

Comparable treatment can be found in Europe, where EU member states exempt virtual currencies from taxation as a result of a CJEU ruling.

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## **Artificial intelligence: patentability of an interface between the human brain and a computer**

30 MAR 2017

Drafted appropriately, inventions that allow interaction between the human brain and a computer can indeed be patent-eligible.

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## **Blockchain - a revolution for the insurance sector with some risks**

9 MAR 2017

Blockchain is “the most important invention since the Internet itself” according to Marc Andreessen. And there is no doubt that there are huge potentials for the insurance sector to exploit such technology, but as any new technology, it will also lead to new legal risks.

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## **Brexit and MiFID II implementation in the UK – impacts on foreign markets**

14 SEP 2016

Brexit prompts legal uncertainty regarding the implementation of pending EU financial regulations.

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## **European Commission tackles financing risks linked to virtual currencies**

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13 SEP 2016

The proposal seeks to bring greater transparency to the virtual currency market in the European Union by imposing customer due diligence requirements on certain market participants, now considered “obligated entities.”

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### **Can blockchain live up to the hype?**

28 JUL 2016

Is blockchain the revolutionary technology that will rewrite the rules for the finance industry, identifying authenticity and verifying payment flows that arise at a business-to-business level or between business and consumers and peer-to-peer? The consequences of the blockchain evolution would significantly open the field for technology platforms and reduce operational costs.

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### **Global Financial Markets Insight - Issue 10, 2016**

28 JUL 2016

#### **FINANCE AND MARKETS GLOBAL INSIGHT**

On 23 June 2016, the UK electorate voted to leave the European Union in a so-called Brexit referendum. The exit result was a surprise for many working in the finance sector. The change will impact the position of the UK under critical legislation such as the Capital Requirements Regulation, European Market Infrastructure Regulation, Market Abuse Regulation and many other Regulations and Treaties applicable in the UK. We will also see a change as to the role of the UK in significant market initiatives such as the Capital Markets Union. It is likely that these changes will present both threats and opportunities. Until policy is clearer, we will comment on some of the existing challenges caused by EMIR and similar EU Regulations.

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### **EU: new obligations for digital services providers and operators of essential services**

28 JUN 2016

In line with the EU’s broader Cyber Security Strategy, the NIS Directive is a significant step towards a more secure cross-border cyberspace with a high shared level of network and information system security.

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### **US and EU reach an important agreement on CCP global equivalence: how will it affect you?**

10 MAY 2016

This historic agreement allows market participants to use clearing infrastructures in both the US and Europe and assures a level playing field for US and EU CCPs.

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### **Insurance Review May 2016**

5 MAY 2016

Welcome to *Insurance Review May 2016*. DLA Piper's annual publication dedicated to the insurance industry. In this issue we look at the following topics:

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### **The blockchain revolution, smart contracts and financial transactions**

26 APR 2016

Blockchain-based smart contracts have enormous potential to streamline financial transactions and reduce counterparty risks.

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### **GST to be removed from Bitcoin transactions – how best to fix the "double taxing" of digital currency?**

1 APR 2016

The Treasurer, Scott Morrison, recently announced that the Government is committed to working with the FinTech industry on legislative solutions for the GST "double tax" issues that can arise on domestic transactions involving digital currencies such as Bitcoin.

In this update we outline the issues that the Government and industry will need to consider as a part of any reform process. Given the "Netflix Tax" is intended to apply from 1 July 2017, and would apply to relevant inbound supplies of digital currency, any reforms should ideally commence prior to that date.

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### ***The Cybersecurity Framework: Administration, Congress move to incentivize private-sector cooperation, strengthen federal acquisition process***

12 SEP 2013

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### **The future of DNA patents**

4 SEP 2013

The US Supreme Court rules on the patentability of a test for breast cancer related genes - a decision that, we find, is a partial victory for all involved.

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### **The right of publicity in college sports**

4 SEP 2013

College athletes' right-of- publicity claims have the potential to dramatically alter current business models.

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### **Trade Dress Watch - the value of trade dress litigation is on the rise**

4 SEP 2013

Do you need an enforcement strategy to protect your trade dress?

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### **Congress, Administration move forward to secure critical US infrastructure**

11 JUL 2013

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## **Cybersecurity and US federal public procurements: what contractors need to know**

11 MAR 2013

Practical considerations for US federal contractors

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## **Corporate governance also means protecting your technology and information**

7 MAR 2013

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## **EU releases cybersecurity strategy**

15 FEB 2013

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## **What companies need to know about the Obama Administration's Cybersecurity Order**

14 FEB 2013

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## **Auditing Colombia's agriculture IP**

10 Dec 2012

A DLA Piper team audits Colombia's agriculture-related IP and sought to identify Colombian agricultural innovations which are not protected by patents and may have export value.

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## **Colombia: gateway to South America's Patent Prosecution Highway**

10 Dec 2012

Understanding the need for more robust patent laws, the Colombian government is aggressively reshaping its IP system.

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## **Federal agencies, Congress accelerate defense against cyber attacks – every private company will be affected**

21 Mar 2012

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## **UK: The real risk of cyber attack**

1 AUG 2011

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## **Spiders, bots and other creepy crawlers: protecting your company website**

10 Mar 2010

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## EVENTS

### Upcoming

#### **A practical guide to privilege in cyber investigations**

15 October 2020

Webinar

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### Previous

#### **Health tech market midst and post COVID-19**

14 September 2020

Webinar

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#### **DLA Piper European Technology Index 2020**

31 July 2020

Webinar

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#### **The Global Pandemic – Implications for the Tech Sector**

12 May 2020

Webinar

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#### **Data Ethics 101**

1 May 2020

Webinar

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#### **The Open COVID Pledge and other IP reactions to the COVID-19 pandemic**

14 April 2020 | 12:00 p.m. – 1:00 p.m. PST

Webinar

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#### **The Open COVID Pledge and other IP reactions to the COVID-19 pandemic**

9 April 2020 | 9:00 a.m. – 10:00 a.m. CDT

Webinar

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## Webinar: Skyscrapers for the masses: Real Estate Tokenisation and the future of STOs

25 March 2020  
Webinar

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## OurCrowd Global Investor Summit

13 February 2020

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## Axis Tel Aviv

12 February 2020  
Tel Aviv-Yafo

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## The European Technology Summit

15 October 2019

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## TopCo liability panel

25 JUN 2019  
London

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## NEWS

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### Commentary on the Schrems II ruling: “Serious implications”

29 July 2020

The Court of Justice of the EU (CJEU) today handed down its judgment in the long-awaited case of *Data Protection Commissioner v Facebook Ireland Limited, Maximillian Schrems* (Case C-311/18, commonly referred to as *Schrems II*).

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### 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.

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## **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.

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## **Investors expect boom in European data centres in the next two years**

3 December 2019

The vast majority (92%) of debt and equity investors surveyed expect the overall value of investment into Europe's data centre infrastructure to increase over the next 24 months, according to research commissioned by DLA Piper and published today.

Data centres are used by organisations for the remote storage, processing and distribution of large amounts of data and are currently estimated to use 3-4% of world's power<sup>1</sup>. According to DLA Piper's report *European Data Centre Investment Outlook: Opportunities and Risks in the Months Ahead*, investors anticipate an investment increase in data centres of between 10% and 29% over the next two years.

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## **DLA Piper advises MiddleGame Ventures on the set up and launch of new fintech fund**

25 November 2019

DLA Piper has advised fintech venture capital firm MiddleGame Ventures (MGV) on the structuring, setting up and launching of the MGV Fund I. The new fund will invest in early stage fintech startups developing new business models powered by advanced technologies.

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## **DLA Piper advises Jaja Finance on its £530m acquisition of Bank of Ireland's UK credit card business**

12 July 2019

DLA Piper has advised digital finance company Jaja Finance Limited (Jaja) on the acquisition of Bank of Ireland's (The Bank) UK credit card portfolio.

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## **DLA Piper to advise ITW Global Leaders' Forum on blockchain-based telecoms platform**

2 July 2019

DLA Piper has been appointed to advise the ITW (International Telecoms Week) Global Leaders' Forum (GLF) on the launch of a special purpose vehicle that will develop a live, blockchain-based platform.

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## **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

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risks arising from the creation and deployment of AI systems.

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### **DLA Piper strengthens Intellectual Property and Technology offering in Russia**

18 APR 2019

DLA Piper today announces that Julianna Tabastajewa will be joining the firm as a counsel in its Intellectual Property and Technology practice based in Moscow. Her practice focuses on IP protection and litigation in the area of pharmaceutical, competition and, media law, as well as franchising.

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### **DLA Piper teams up with Tokeny to bridge the gap between blockchain and finance to provide companies with a new approach to global securities offerings**

2 APR 2019

DLA Piper has teamed up with the compliant tokenization platform, Tokeny, to provide an approach to capital raising which enables companies to raise funding in a regulatory compliant manner from their own website. The initiative, called 'The Digital Securities Alliance', is a sophisticated off-the-shelf tool which links corporate issuers with investors through blockchain technology.

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### **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.

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### **DLA Piper advises on AFS Technologies merger with Exceedra**

14 MAR 2019

DLA Piper has advised Symphony Technology Group (STG), the parent company of AFS Technologies (AFS) - a provider of software solutions purpose-built for consumer goods manufacturers and food distribution companies - on its merger with Exceedra.

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### **DLA Piper advises 10x Future Technologies on £32m Series B fundraising**

12 MAR 2019

DLA Piper has advised fintech banking start-up 10x Future Technologies (10x) on its £32 million Series B funding round. A number of investors participated in the Series B funding including Nationwide, the world's largest building society, China's Ping An and global managing consulting firm Oliver Wyman.

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### **Galyna Zagorodniuk Re-Elected to the Public Council with the Antimonopoly Committee of Ukraine**

28 FEB 2019

Galyna Zagorodniuk, Head of Competition at DLA Piper in Ukraine and member of the Ukrainian Professional Association of

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Corporate Governance, has been re-elected to the Public Council of the Antimonopoly Committee of Ukraine for 2019-2020.

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### **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.

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### **DLA Piper enhances cross-border tax capability with new partner hire in Dublin**

26 FEB 2019

DLA Piper today announces the appointment of Maura Dineen as a Tax partner in the firm's newly opened Dublin office. This is the fifth partner hire for DLA Piper in Dublin in a month, following the announcements in January of Conor Houlihan (Finance & Projects), Éanna Mellett (Corporate), Mark Rasdale (Intellectual Property & Technology) and Ciara McLoughlin (Employment).

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### **DLA Piper joins Governing Council for Hedera Hashgraph**

20 FEB 2019

DLA Piper has joined the initial group of Governing Council members for Hedera Hashgraph, a next-generation public ledger designed to have highly diversified governance and the most distributed consensus at scale. The announcement was made at Hedera Hashgraph's first annual summit in Seoul, Korea.

As part of the council, DLA Piper will help oversee changes to the software run by millions of Hedera distributed nodes over time. The governing council has been established to ensure stability and guaranteed continued decentralization to the Hedera Hashgraph distributed public ledger.

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### **DLA Piper recognized as a leading private equity, venture capital and M&A firm in *PitchBook's* league tables**

19 FEB 2019

For the second consecutive year, DLA Piper was the only firm to rank as one of the top five most active law firms for private equity, venture capital and M&A deal volume in *PitchBook's* 2018 global league tables report.

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### **Over 59,000 personal data breaches reported across Europe since introduction of GDPR, according to DLA Piper survey**

6 FEB 2019

Over 59,000 data breach notifications have been reported across the European Economic Area by public and private organizations since the GDPR came into force on 25th May 2018, according to DLA Piper's GDPR Data Breach survey.

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### **Technology sector poised for big data wave in finance and sales departments – DLA Piper European Tech Index**

12 DEC 2018

Harnessing big data is becoming standard practice for IT and marketing teams in technology, but DLA Piper's 2018 Tech Index reveals that a revolution may now be underway in finance and sales departments as well. Responses from 350 tech sector senior executives in Europe indicate that compared to 2016, organizations are increasingly identifying new opportunities in these additional departments, indicating a move towards widespread adoption of big data in the tech sector.

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### **DLA Piper completes global compliance survey of initial coin offerings and securities token offerings**

6 NOV 2018

DLA Piper has completed a global compliance survey of initial coin offerings (ICOs) and securities token offerings (STOs), identifying how governments and agencies in more than 70 jurisdictions define, regulate and tax tokens and associated transactions.

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### **DLA Piper advises STG Partners on the acquisition of Extenda and Visma Retail**

4 OCT 2018

DLA Piper has advised STG Partners, a California-based private equity firm focused on investing in innovative software, data, and analytics companies, on its acquisition of Visma Retail and Extenda, two of the most prominent technology providers in the tier 1 & 2 retail industry. STG Partners will merge both companies to form Extenda Retail.

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## **Sustainability and ESG**

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The global technology sector is naturally positioned to lead the transition to a sustainable future. From energy efficiency innovations to healthtech start-ups, the sector has been a key driver of sustainable change. Technology companies are accustomed to thinking ahead of the curve and innovating on sustainability and ESG (SESG) in order to gain a market advantage.

Yet, the sector continues to face challenges across the spectrum of SESG issues. Some market observers argue that trust in technology companies, especially BigTech firms, has declined as a result of stakeholder concerns on SESG issues ranging from transparency, data privacy and information security to competition and anti-trust, responsible tax practices, supply chain oversight and e-waste.

Pursuing sustainability is a relentless and complex process, in which the yardsticks for success are constantly evolving. For smaller companies, even aligning their business purpose with their sustainability vision has not been enough to ease SESG pressures on all fronts. For example, a company which develops renewable energy technologies may have a strong environmental sustainability agenda but still have gaps in its handling of wider social issues such as labour practices and community engagement.

We help companies wherever they are in their sustainability journey. Our experience spans technology companies of all sizes, from fledgling start-ups to global giants, and across all sector areas, from FinTech to CleanTech. We work with companies throughout their life cycle – to integrate their sustainability objectives in their corporate strategy, operationalise their priorities, and anticipate and respond to SESG issues.

### **DIGITAL TRANSFORMATION**

The process of digital transformation is unstoppable. Technology-driven processes are becoming increasingly integrated in all areas of business, as they offer businesses more agile, intelligent and flexible ways of operating and delivering value. As the

technology sector drives this change, it must also answer to the concerns of regulators, investors, consumers and employees regarding sustainability impacts.

With the rapid pace of change, the digital transformation has introduced new ESG challenges; for example, the Internet of Things has raised privacy and security concerns, blockchain technology and trade in bitcoin requires significant energy consumption, and increasing digitalisation has generally increased energy demand and e-waste output. While these challenges need to be addressed, digital technologies and innovations (as discussed below) could also serve a critical role in facilitating the transition to sustainability and creating a more circular economy.

## ETHICS AND INNOVATION

Innovations in technology will be key to a successful transition. For example, blockchain technology can be used to mitigate human rights, environmental and governance risks by improving traceability and transparency across supply chains.

At the same time, several of the key challenges facing emerging technologies, such as AI and robotics, blockchain and unmanned aircraft, have an ESG angle. The key challenges for such technologies are addressing business ethics, data management and privacy concerns, consumer litigation risks and regulatory compliance. High-profile data breaches in the industry have heightened concerns as to both the security of data and the uses which are being made of it. Technology companies need to build the trust of stakeholders, for example, by improving data governance through audit processes to assure the integrity of data, and by increasing accountability and transparency in use of consumer data. Other ethical issues concern fairness and influence; for example, while AI and robotics can be used help to eliminate bias in hiring processes, AI learning has also been shown to harbour implicit gender and racial bias, at a time when the focus on ensuring diversity has never been greater.

## TECHNOLOGY START-UPS

As the global health crisis, social movements relating to racial and other inequalities (e.g. recent Black Lives Matter-related global protests) and climate action continue to dominate the news, technology start-ups keep emerging to seize the opportunities that these ESG issues present. Start-ups are motivated to integrate ESG policies and practices into their business, given the potential for attracting investment, talent and brand recognition, as well as laying the foundations for long-term value and growth. In this context, CleanTech has become established as a sub-sector, and start-ups in other areas such as the Internet of Things have been driving improvements to ESG performance, for example, in supply chain management.

## ENVIRONMENTAL SUSTAINABILITY

Technology is essential for the transition to a net-zero, low-carbon future. The technology sector can play a leading role in reducing greenhouse gas emissions, improving on energy efficiency, accelerating demand for renewable energy, and finding solutions for the transformation of our energy systems. Digitalisation and cloud storage services, for example, are transforming business operations by reducing paper waste. The latest iteration of our bi-annual tech research survey, the European Technology Index 2020, reported that energy efficient technologies are a key area of interest and growth in the sector.

However, while digital technologies are improving, they continue to face environmental issues, such as energy consumption, mining of rare minerals and other materials sourcing issues, and disposal of unrecyclable e-waste. The pressure to resolve these issues has been growing exponentially, as technology becomes rapidly more integrated in our lives. Pressure from consumers in particular have motivated some companies to mitigate environmental risks through improved product design, supply chain oversight and lifecycle management.

## DIVERSITY IN TECH

Recent years have seen a marked trend in company responses to improving diversity and inclusion in the technology sector. As discussed in our recent TechLaw Podcasts, data-based findings on stark gaps in representation in major technology companies have driven policy shifts, public disclosures and changes in investment strategy in the sector. In particular, there has been a push to address the lack of gender representation both at the board level and in the workforce.

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To discuss these issues in more detail please get in touch with our sustainability leaders.