



Kristof De Vulder

Partner

COUNTRY MANAGING PARTNER, BELGIUM

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Kristof De Vulder has over 20 years of experience in the areas of technology contracts, cyber incidents, outsourcing, cloud contracting and complex technology transactions.

Kristof typically advises both users and suppliers of technology and outsourcing services in relation to all aspects of the procurement process, the legal issues arising with the implementation of new technologies and response to cyber incidents. He further assists clients during all stages of litigation, including pre-litigation strategies, mediation, arbitration and government courts.

His work ordinarily involves him on business critical and strategic projects or incidents all over the world. Kristof has received international recognition with respect to his technology sector work.

Kristof heads the Belgian technology team and is also the Country Managing Partner of the Belgian offices.

LANGUAGES SPOKEN

- Dutch
- French
- English

- Intellectual Property and Technology

- Technology

Dutch French English

During his career, Kristof has advised global technology suppliers, major IT-buyers, software companies and public sector bodies with almost any type of technology and sourcing transaction that exists, ranging from global application management outsourcing, multi-jurisdictional business process outsourcing to the creation of standard suites of agreements and cloud computing advice. Kristof has also assisted clients with major IT-litigation cases.

Examples of typical projects include:

- Advising a global technology company in the framework of a major ERP implementation project by a European Institution

- Advising a government company in the framework of the procurement of data centre outsourcing services
- Advising a global life sciences company in connection with five major multi-jurisdictional outsourcing agreements, including an application support outsourcing and an HR business process outsourcing
- Advising clients regarding their cloud strategy, including the review of cloud contracts, the negotiation of such contracts and the drafting of cloud 'overlay' contracts
- Advising on a multi-jurisdictional F&A business process outsourcing between a leading technology company and an international bank
- Drafting and negotiating an offshore application development and maintenance agreement between a payroll service provider and one of the largest offshore service providers in India
- Assisted a world leader in the packaging industry in the preparation and negotiation of a global telecom deal following which all of its sites transferred all of their telecom service requirements (data, fixed and mobile) to a single supplier
- Provided assistance to a Belgian public company on a dispute following termination for cause of a public procurement contract for the major development of customised software. This case is unique both in terms of technical complexity (eg thousands of pages of meeting reports, test reports, etc) and in terms of complexity of the underlying legal issues (eg government contracting terms), particularly regarding the unprecedented termination of a public procurement contract of such value, duration and importance

CREDENTIALS

Professional Qualifications

- Advocaat registered with the Nederlandse Orde van Advocaten bij de Balie te Brussel

Prior Experience

- 2005 to date, Partner, DLA Piper
- 2003 to 2005, Lawyer, DLA Piper
- 1998 to 2003, Lawyer, Belgian law firm which became DLA Piper, Brussels
- 1997 to 1998, Scientific collaborator, Ghent University

Education

- Université Libre de Bruxelles, Telecommunications law, 1999
- Université Libre de Bruxelles, Corporate Law, LL.M., 1998
- Université Libre de Bruxelles, Master in Law, 1996

Memberships

- Member of the Brussels Bar
- Active member of the editorial board of several legal journals including Nieuw Juridisch Weekblad

INSIGHTS

Publications

Brussels IP & Tech Update - Summer 2022

31 August 2022

Brussels IP & Tech Update

Now the summer holiday period is nearing its end, this summer edition brings you an overview of recent updates in the fields of data protection, technology law and intellectual property law. Now the summer holiday period is nearing its end, this summer edition brings

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Brussels IP & Tech Update - May 2022

1 June 2022

Brussels IP & Tech Update

In this edition of our IP and Tech Update, we bring you news on the Belgian implementation of the EU Omnibus Directive, the publication of our Influencer Marketing Guide and the new remuneration rights stemming from the EU DSM Directive for authors and performers in the EU.

Brussels IP and Tech Update – April 2022

4 April 2022

Brussels IP & Tech Update

In this edition of our IP and Tech Update, we bring you news on the most relevant ongoing regulatory initiatives: the Data Act, the Digital Markets Act, the Digital Services Act, the regulation on machinery products and the potential regulation for the compulsory licensing of patents.

Brussels IP & Tech Update - EU Regulatory Data Protection framework, Digital Services Act, New Content Creator Protocol, Data breach survey 2022

26 January 2022

Brussels IP & Tech Update

In this first edition of 2022, we bring you an overview of EU Regulatory Data Protection developments, an update on the DSA legislative process and DLA Piper's data breach survey and report 2022.

Brussels IP & Tech Update - Smart buildings, AI guides, global telehealth and new rules against late payments

9 December 2021

Brussels IP & Tech Update

In our last edition of 2021, we share with you our latest white paper on Smart buildings. We also highlight the Belgian government's new policy on public procurement contracts and provide a brief update on the amended rules against late payments in commercial transactions.

Stronger ESG focus in Belgian federal public procurement contracts

8 December 2021

Recently, the Belgian federal government has approved a new policy for the public procurement of goods and services for 2021-2023, which focuses strongly on sustainability.

Tips and tricks: Ensuring business continuity - source code or cloud escrow?

21 May 2021

Many companies are dependent on on-premise software or cloud solutions built and maintained by (external) suppliers. It is therefore not surprising that many want to ensure continuity of their activities and protect themselves against certain situations.

Tips and tricks: Dealing with third-party vendors in IT agreements

26 April 2021

Many companies engage suppliers to deliver IT services. Whereas many years ago, most suppliers provided services on the basis of their own capabilities, systems and solutions, the situation today is significantly different.

Tips and tricks: Successfully negotiating ERP software contracts

12 March 2021

Companies that use ERP systems, at some point, will need to replace or upgrade their ERP systems or switch to the cloud, and engage in commercial and contractual discussions with (large) ERP software vendors. Here are tips and tricks for customers and ERP software vendors that can help to successfully negotiate ERP software contracts.

Outsourcing: A Practical Guide, Second Edition

16 February 2021

We are proud to launch our latest publication, *Outsourcing: A Practical Guide, Second Edition*. This book is a fully updated edition of the key text on outsourcing, written by our market-leading Global Technology and Sourcing team.

New B2B act – unlawful clauses in agreements between (B2B) companies

11 December 2020

The new legal regime of unlawful clauses in agreements between companies (the new B2B rules) entered into force on 1 December 2020. This means that all contracts which are concluded, renewed or amended as from 1 December, will need to comply with these new rules in order to avoid the possibility of certain clauses being unenforceable.

- "Outsourcing: A Practical Guide," *Globe Law and Business*, September 2015
- Co-authored the only book on strategic outsourcing in the Belgian legal market. He also co-authored an article on indirect damages under Belgian law
- Regularly publishes books and articles on ICT-law topics in legal journals and IT-journals. Recent publications include:
 - B. De Groote, K. De Vulder, A European framework for unfair commercial practices, *Journal of Business Law*, Sweet & Maxwell, London, 2007, Issue 1;
 - K. De Vulder, *E-city*, UGA, 2006
 - K. De Vulder, M. Truyens, IT-contracts: always the same discussions?; *Datanews IT Services Guide 2006*

Events

- Regular speaker at conferences, seminars, and colloquia, covering mostly IT-law, in general, and outsourcing and SLAs, in particular. Typical examples include:
 - "ICT-contracts & SLAs", IT-works, Brussels, 7 June 2007
 - "10 golden rules for ICT-contracts", ADM-Beltug, Brussels, 30 November 2006
 - "Strategic sourcing", CIO-event, SA,I, 14 March 2006

NEWS

DLA Piper appoints senior Competition partner to its Brussels office

23 August 2022

DLA Piper has appointed Laurent Geelhand, an experienced Competition partner, to its Brussels office, who starts on 3 October.

DLA Piper appoints Competition partner to its Brussels office

17 August 2022

DLA Piper has appointed Joost Haans as Competition partner to its Brussels office. He is currently at Baker McKenzie where he has been a partner since 2018.

DLA Piper continues to grow its European Tax practice with new partner hire in Belgium

22 December 2021

DLA Piper today announces the appointment of Nicolas Engelmann as a new partner in its Tax practice in Belgium.

DLA Piper Belgium appoints new counsel to Financial Services and Insurance Sector Practice

28 May 2021

DLA Piper has appointed Diederik Bruloot as counsel, strengthening its financial services and insurance sector practice in Belgium.

DLA Piper's Brussels office moves to Tweed building

16 February 2021

DLA Piper's Brussels office has been relocated to the state-of-the-art Tweed building, effective today. Our new premises are located here, next to the Palace of Justice.

DLA Piper Belgium appoints new counsel to Public Law Practice

2 December 2020

DLA Piper has appointment Bérénice Wathelet as a counsel to its Public Law practice in Belgium. She joins from EBP where she held the position of executive director and managed a range of public procurement consultancy activities as well as overseeing the growth of its training, seminars and events in Belgium and the Netherlands.
