



### Heidi Waem

#### Counsel

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Heidi Waem is a counsel in the Brussels office of DLA Piper, where she heads the Belgian data protection team.

Heidi's practice focuses on all aspects of technology, intellectual property, (e-)commerce and telecom law with a particular focus on privacy, data protection and data security.

She advises clients on all data protection, privacy and cybersecurity related matters. This includes advising on the establishment of a comprehensive data protection framework; drafting and reviewing relevant notices, policies and contracts; advising on data transfers; assisting in the case of data breach, on pre-litigation issues involving data subject complaints and requests, and in proceedings before the data protection authority.

Recent works include:

- counselling various multinationals on the impact of the Schrems II decision (CJEU) and the performance of data transfer assessments using DLA Piper's data transfer methodology.
- assisting various companies in data protection litigation before the Data Protection Authority and regular courts, on various topics including international data transfers, lawfulness of processing activities (e.g. lawfulness of B2C communications, disclosure of data and direct marketing), information obligation, the position of the DPO, the facilitation and exercise of data subject rights.

Heidi also has extensive experience in the field of contract law. She has reviewed, drafted and negotiated a large number of contracts including consultancy agreements, collaboration agreements, maintenance and supply agreements, software development and license agreements, agreements for funded projects (FP7, Horizon 2020, Marie Curie) and R&D agreements with universities worldwide.

In the area of market practices and consumer law, Heidi advises on a wide range of topics such as advertising, and the rules relating to discounts and consumer contracts. She is also knowledgeable about IP / IT law and follows closely issues concerning e-commerce. Heidi's clients include major companies in the FMCG, media, life sciences, and retail sectors.

## LANGUAGES SPOKEN

- Dutch
- French
- English
- Italian

Dutch French English  
Italian German Greek

- German
- Greek

## EXPERIENCE

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- Assisting companies from all major sectors with proceedings before the Data Protection Authority (inspection service, litigation chamber).
- Assisting companies from various sectors with data subject access requests.
- Assisting a company in a dispute regarding the transfer of a database before the regular courts.
- Advising an FMCG multinational on the impact of Schrems II and performing data transfer assessments.
- Advising various companies on data protection implications and restrictions with regard to COVID-19 related measure and RTO policies.
- Advising a large automotive company on cookies.
- Assisting a publisher in a libel case before the court of first instance.

## CREDENTIALS

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### Professional Qualifications

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

### Prior Experience

Before joining DLA Piper in 2020, Heidi worked at various major law firms with a special focus on privacy and data protection, IP and IT where she also acquired substantial experience with regard to consumer and general commercial law.

### Education

- Data Protection Institute, 2015
- University of Antwerp, LLM, 2009
- University of Antwerp, BA Law, 2007
- Institute for Translation and Interpreters Antwerp, MA Translation, 1999

### Memberships

- Dutch Brussels Bar, NOAB
- IAPP
- Beltug Privacy Council
- Belgian Council of Journalism

## INSIGHTS

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### Publications

**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.

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### **DLA Piper GDPR fines and data breach survey: January 2022**

18 January 2022

Data protection supervisory authorities across Europe have issued a total of nearly EUR1.1 billion (USD1.2 / GBP0.9 billion) in fines since 28 January 2021, according to international law firm DLA Piper.

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### **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.

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### **Legal aspects of connected constructions: Smart buildings – Think outside the building**

12 October 2021

Real Estate Gazette

Integrating new technologies in construction plans to create truly connected and data-driven buildings also introduces new regulatory and data protection challenges. It raises numerous questions as to the implications of these developments for the responsibility of all parties involved in the construction industry.

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### **GDPR Snapshot vlog series 2021: Belgium**

25 May 2021

GDPR Snapshot vlog series 2021

In this vlog, Brussels counsel, Heidi Waem, explores the impact and challenges of GDPR in Belgium.

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## SESG in supply chain management: Common legal tools for practice

26 April 2021

Many stakeholders are pressuring businesses to include SESG (Sustainability and Environment, Social and Governance) policies and practices into their daily operations, corporate management and particularly in their supply chain. Failure to do so can result in substantial financial, legal and reputational risks.

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## DLA Piper GDPR fines and data breach survey: January 2021

19 January 2021

EUR272.5 million of fines have been imposed for a wide range of infringements of Europe's tough data protection laws according to international law firm DLA Piper. The figure is taken from the law firm's latest annual GDPR fines and data breach survey of the 27 European Union Member States plus the UK, Norway, Iceland and Liechtenstein.

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- E. Plasschaert, E. Montens, K. Stas en H. Waem, "Chambers Global Practice Guide, Outsourcing Belgium", 2019
- H. Waem, "CJEU finds that pre-ticked checkboxes are not valid consents under GDPR", Data Law Insights, October 2019
- H. Waem, "What we can learn about joint controllership from the CJEU Fashion ID Ruling", Data Law Insights, August 2019
- H. Waem, "How New Eu Cyber Sanctions Compare To US Policy", Law360, July 2019
- H. Waem, "U.S. and Europe's contrasting stance on Oracle's licensing practices", The Patent Lawyer, May 2019

## Events

## Previous

## EU Regulatory Data Protection: A legal and policy appraisal of an emerging legislative framework

5 May 2022  
Webinar

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## DLA Piper GDPR Fines and Data Breach Survey 2022 - webinar

20 January 2022  
Webinar

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## EDPB, SCCs and Brexit: The future of global data transfers

8 July 2021  
Webinar

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## New EU Standard Contractual Clauses (SCC's)

21 June 2021  
Webinar

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## DLA Piper GDPR fines and data breach survey launch 2021

21 January 2021

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- "GDPR, CCPA, and other Hot Topics in Data Privacy", San Francisco, November 2019
- "GDPR, CCPA, and other Hot Topics in Data Privacy", Santa Monica, November 2019
- "Heard about Mars v. Oracle? Explore Oracle Audits with Experts and Attorneys", VMworld Europe, Barcelona, November 2019
- "Valuation of the data customer", IDI conference, Cernobbio, June 2019
- "Data protection hurdles when negotiating cloud and IT contracts", Beltug, Brussel, June 2019
- "The GDPR - 1 Year Later," Brussel, May 2019
- "David v. Goliath & GDPR. I Can See Clearly Now, the Rain Has Gone or Not?", IBJ Day of the Practice, Brussel, May 2019
- "IoT Open Table Discussion: Legal and IT risks and challenges", Brussel, April 2019
- "Cybersecurity Incident Management", Brussel, November 2018
- "Running Oracle on VMware? Heard About Mars vs. Oracle?", VMworld Europe, Barcelona, November 2018