

ALLEN & OVERY

Our Luxembourg IP, Data & Tech practice



About us

Our Luxembourg IP, Data & Tech practice advises clients on litigious and non-litigious issues in relation to intellectual property, information technology, telecom, media, Internet and data protection law. Our expertise also includes life sciences, distribution, advertising and unfair competition matters. We deal with all types of questions relating to trademarks, copyrights, know-how and trade secrets, domain names and database rights. On the IP side, in addition to handling IP litigation, our team has extensive experience in transactional and commercial IP aspects. We also advise on a wide range of IT and data protection-related questions, which range from ensuring regulatory compliance and interactions with the competent authorities, to providing advice in respect of data protection investigations and IT outsourcing, among other.

From a sector perspective, we advise some of the biggest names in e-commerce on IP, IT, data protection, contractual and regulatory issues. Our financial, insurance and tech sector clients also regularly turn to us in relation to their IP, privacy and IT-related queries. Through close collaboration with our banking and regulatory practices, our team has also become a trusted counsel to many players in the Fintech market, helping entities – from start-ups to established institutions – navigate the complex legal and regulatory challenges within this space. Life sciences is also an important sector and we are privileged to advise several clients within the sector on contentious and non-contentious IP, regulatory, contractual and data protection issues.

What's more, our Luxembourg IP, Data & Tech practice is backed by a fully integrated global network comprising full-service, cross-border IP, Data & Tech capabilities. Many of our members come from science, technology and engineering backgrounds and have a deep understanding of the sectors our clients operate in; particularly the media, technology, life sciences and consumer sectors. This puts A&O in the strongest position to manage clients' most complex IP, data and tech issues and to handle strategic litigation and commercial deals around the world – a position we believe few other law firms can match.

“This magic circle firm’s team handles the full spectrum of IP and IT mandates, and has an international outlook and multidisciplinary approach. Its diverse, high-end clientele includes e-commerce and pharmaceutical players, as well as some of the largest new media and technology businesses on the market.”

Chambers & Partners

Our expertise

Intellectual Property

In Luxembourg we have significant expertise across the full range of IP rights advice, covering, for instance, copyrights, trademarks, domain names, trade secrets, databases and know-how.

We provide assistance in regards to IP protection rights, the scope and limits of such protection, as well as the use and enforcement of these rights.

Thanks to our teams based in our Belfast office, we also cover the entire range of trademark registrations, oppositions, and other similar services. Please refer to our global IP capabilities brochure (QR code at the end of this document) for further information.

Range of our IP advice

Enforcement

- Strategy advice and representation from warning notices over settlement negotiations to litigation before Luxembourg or European courts (including preliminary injunctions and infringement seizure orders)
- Advice and assistance with respect to procedures in front of local and European IP registers (including drafting of co-existence agreements)
- Advice on legal issues arising from the virtual world (including open source, illegal downloads, ad words, cybersquatting, social media, etc.)
- Anti-counterfeiting and customs surveillance

Protection

- Advice on whether and how to protect IP rights
- Structuring your IP portfolio to take advantage of the Luxembourg tax regime or incentives schemes for IP rights or R&D activities
- IP audits and detailed due diligence reviews and verification exercises

Licensing

- Advice on structuring, drafting and negotiation of licence agreements, technology transfer agreements, R&D collaboration agreements, franchising and distribution agreements
- Advice on the use of IP rights to support financing and provide security



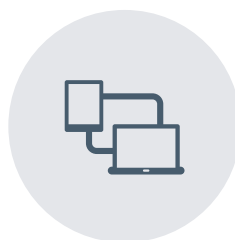
Information Technology

Our experience in the IT sector includes:



IT security

(eg advising clients in relation to security breaches and cyber incidents)



IT outsourcing

(full range of assistance, either to service providers or private clients: contract drafting, negotiations, liaising with financial sector and insurance regulators)



IT infrastructure requirements

(eg in the financial and insurance sectors)



eArchiving

(eg assistance to operators and clients)



Cloud computing

(eg assistance to major local cloud operators on contractual issues)



Telecom

(eg advice on innovative products to assess whether they fall under the telecoms regulation (eg over the top services for interpersonal communications services))

Data Protection

We provide our clients with the full spectrum of data protection advice on all aspects of compliance with data protection and privacy law. This ranges from data protection audits (on-site or remote) to the performance of the necessary compliance steps to comply with data protection legislation, such as the drafting of internal policies, drafting of information notices to data subjects, contracts with processors, etc. Clients also benefit from our experience in handling data protection investigations and litigation. Our hands-on advice is customised to specific industries, be it the financial, e-commerce, health or any other relevant sector.



Media

(eg assistance regarding broadcasting questions, licence applications, collective rights schemes)



Digital transformation

(eg drafting/reviewing contracts with service providers and advice on sector specific IT rules)



Software

(eg protection, drafting and negotiation of licence and distribution agreements)

We provide guidance across all relevant processing types, such as geo-location services, genetic data processing, telephone recordings, whistleblowing, CCTV, the processing of employee data, subject access requests, developing consents and notices which balance business needs, and regulatory requirements. Additionally, our team has significant experience when it comes to working hand-in-hand with members of clients' legal and compliance department in the context of data breaches.

With us you will find an innovative team whose members are at the origins of ground-breaking decisions from the Luxembourg data protection authority, including our involvement in the first set of Binding Corporate Rules (for cross-border personal data transfer) approved in Luxembourg and some of the biggest data protection cases in Europe.

Adept in commercial law

Implementing IP, data or tech-related projects often involves commercial law aspects. Our practice is adept in both litigious and non-litigious matters in this field of law, including as it relates to consumer protection law, among other.



Our team



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Band 1 for IP and IT in Luxembourg

Legal 500

“Allen & Overy is a highly reputable firm advising top-flight clients on both contentious and non-contentious matters. The law firm represents clients in cases before the Luxembourg and EU courts.”

“Catherine Di Lorenzo maintains a broad caseload, encompassing GDPR compliance and IT outsourcing, as well as IP litigation and drafting licensing agreements. “Catherine Di Lorenzo has deep and sophisticated knowledge, and her advice is always pragmatic and business-oriented.”

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Global presence

Allen & Overy is an international legal practice with approximately 5,800 people, including some 590 partners, working in more than 40 offices worldwide. A current list of Allen & Overy offices is available at www.allenoverly.com/global_coverage.

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