



Information technology

Trowers & Hamlin is a long established international law firm whose principal office is in the City of London. We provide the full range of corporate, business and commercial legal services. There are currently more than 100 partners and in the region of 700 personnel in total. Our international practice undertakes work around the globe but is particularly closely associated with the Middle East, where (amongst international law firms) we have extensive geographical cover and a strong and experienced team of lawyers. We have offices in Abu Dhabi, Bahrain, Dubai, Egypt and Oman, and associated offices in Saudi Arabia and Syria. In addition to these offices, we have strong connections with prominent law firms in Jordan, Qatar and Yemen and well-established links with other local counsel throughout the Middle East region, including Kuwait and Iran. We also have many contacts throughout Europe and the USA.

As the region becomes ever more sophisticated the demand to acquire new information technology (IT) goods and services has grown. Our IT lawyers recognise the opportunities and challenges presented by the constantly growing IT market and we work hard to ensure that advice is delivered in an informed, commercial, and pragmatic way, underpinned by a thorough understanding of the complexities of any necessary regulations and the law. In particular, we understand the critical nature of some of the IT systems being purchased and can advise on the complexities of the transaction to ensure that the client is protected in the best possible way.

IT forms a significant part of our practice in the region and is an important component of our wider TMT practice within the region. We provide the full range of services, acting for a broad selection of clients in both the private and public sector. We have established a particular expertise in advising consumers of critical IT goods and services, providing pragmatic, efficient and commercial legal advice, saving our clients time and money.

Our team members have experience of more than 100 services, outsourcing and corporate transactions, with deal values from \$1 million to in

excess of \$1 billion. They have acted for a number of European, Middle Eastern and global companies and for other major users of IT and telecoms services, including banks, government departments and telecommunications companies.

Trowers & Hamlin has a wealth of experience advising both domestic and international clients on various IT transactions and projects, including licensing and distribution, telecommunications, outsourcing, joint ventures, systems procurement, preparation of standard IT contracts and reviewing standard terms & conditions.



Source: Fotolia

We have set out below a summary of some of the most recent matters on which we have been instructed:

Major government of Abu Dhabi entity

We continue to be retained IT counsel for the organisation. Counselling the IT procurement team and executives on all IT legal matters relating to the procurement of IT equipment and services. We recently advised on the procurement of a critical IT project management tool. We took the lead on negotiating the master licence agreement, the support and maintenance agreement and a parent company guarantee with the international supplier.

Event advantage solutions

Previously a UK based services company. Advising on its five year engagement with a local exhibition centre for the supply, commissioning and the installation of an IT system for registering entrants at exhibitions.

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Information Technology Authority (ITA), Oman

The ITA is a quasi governmental body set up to implement IT solutions for the whole of the Omani government. We are regularly instructed by the ITA on a number of matters, as set out below:

- Drafting standard IT procurement contracts for use by the whole of the Omani government.
- Drafting and negotiating a 3 year development and outsource agreement for the government's online platform. We have also implemented major contracts for the Omani government for IT security and the government's disaster recovery centre.
- Advising on the implementation of a contract for the procurement of IT training services to enable 90,000 Omanis to gain IC3 certification.
- We advised on the services required for an e-payment gateway agreement. The scope included reviewing and amending the contract with MasterCard and Bank Muscat for transaction processing services.

Nawras (Oman Qatari Telecommunication Company SAOC)

Nawras is the second mobile operator in Oman. We continue to be retained counsel advising on regulatory, commercial, corporate and IT matters. Recent significant matters for Nawras include:

- Advising on the Award of the second fixed licence in Oman.
- BOT agreement for the extension of its 2G network and the acquisition of a 3G network.
- Acting on the acquisition of key IT systems and liaising with regulators in Oman on co-location rights.

Abu Dhabi Islamic Bank (ADIB)

We advised ADIB on the licensing of advanced financial software for integration with its existing systems.

Gemplus Middle East FZ LLC

We acted for the Middle Eastern operating arm of Gemplus Worldwide, which is the worlds largest supplier of "smart card" solutions, in negotiating and implementing a contract with the Government of Oman

for the introduction of a nationwide "smart" identity card for all residents. The work included detailed negotiations concerning applet capacity for alternative uses and roll out planning together with detailed in country due diligence and set up planning for the operations of the company.

IT outsourcing agreement

Acting for a major Government of Abu Dhabi entity in the negotiation and conclusion of an IT outsourcing agreement. Under this agreement, the service provider will take over the operation and support of the client's entire IT infrastructure including a transfer of existing staff. It will also begin a review and consultation process to develop and implement a new system.

NT network

Drafting and negotiating a contract and advising a client in respect of the purchase of a NT network and unified messaging service systems comprising hardware and software, local and wide area network and associated services.

Disaster recovery

Advising a significant Abu Dhabi-based financial institution on the outsourcing of its disaster recovery arrangements, including reviewing the tender documents, assisting with bid clarifications, and drafting and negotiating the transaction agreements.

Software licences

Creation of software licences for a software vendor client for use at various points in a software distribution chain, and managing appropriate software rights and support obligations for that point in the software distribution chain; and analysing particularly limitation of liability issues.

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