

Luther.



IP/IT

Intellectual Property/Information Technology

IP/IT Expertise

Our lawyers of the practice group “Intellectual Property/Information Technology (IP/IT)” provide comprehensive advice in all relevant areas pertaining to the protection of intellectual property (IP) legal matters concerning information technology (IT) and also in data protection law.

Our team is comprised of experts with extensive experience in IP/IT. This experience includes advising on intellectual property rights, such as trademarks, utility models, patents, and plant variety rights, and also advising with regard to competition law and advertising, copyright, press, and media law. We provide goal-oriented advice both in connection with concrete infringements and when it comes to creating and implementing IP concepts to protect and optimise your IP portfolio, whether in an individual company or in an international group of companies, where necessary also in consultation with tax and transfer pricing experts. We further specialise in handling IT-related legal issues. Our lawyers with according industry knowledge advise IT providers and customers both nationally and internationally in designing projects, drafting contracts and in dealing with all general issues relating to the use of information technology as well as all matters pertaining to online law – be it a company’s internet presence or an e-commerce concept, etc. – taking into account our clients’ particular interests and requirements. Another focus of our advisory services is on data protection. We advise companies with regard to the duties concerning the handling of the data of their employees, customers, and business partners and also on how to organize their business relationships, of whatever kind, in a manner that is compliant with the applicable data protection requirements. Our highly experienced professionals are additionally experts in analysing and reviewing, designing, and negotiating research and development projects, including agreements concerning the protection of know-how and non-disclosure agreements



IP Law

- Carrying out a legal analysis of IP portfolios
- Providing strategic advice on the creation and development, optimisation, defence, management and exploitation of IP portfolios
- Assisting with application and registration procedures concerning intellectual property rights, such as trademarks, registered designs, utility models and patents, both domestically and abroad
- Advising on plant variety rights
- Enforcing IP rights in court
- Providing advice with regard to the use of IP rights (e.g., as security for loans) including assisting in the according negotiations
- Drafting and negotiating licence agreements
- Advising on non-disclosure agreements
- Providing competition and advertising law advice
- Advising on all matters pertaining to copyright law, in particular user and licence agreements
- Providing press, publishing and media law advice
- Drafting and negotiating research and development agreements as well as agreements concerning the protection of know-how

IT Law

- Drafting and negotiating software and hardware licence agreements
- Maintenance and support agreements, service level agreements (SLAs)
- Project and service agreements concerning the development, implementation and customisation of software
- Escrow and deposit agreements
- Operation of data processing centres and shared service centres
- Distribution of hardware and software (e.g., OEM agreements, end-user licence agreements, reseller agreements)
- Application/use of open-source software and “used” software
- Legal requirements regarding IT security and IT compliance
- IT and business process outsourcing as well as project agreements in connection with complex IT systems
- IT security and IT risk management
- E-commerce and distance selling

- Application service providing
- Cloud computing
- Online law
- Legally compliant design of electronic archiving and document management systems

Data Protection Law

- Legal advice regarding the existing requirements for the handling of personal data under the Federal Data Protection Act (Bundesdatenschutzgesetz - BDSG) and other special laws
- Providing legal advice on using new technologies in a manner compliant with data protection requirements
- Drafting privacy statements as well as declarations of consent and acknowledgements of information
- Drafting of data processor agreements concerning contracting out data processing services to a third party
- Drafting works agreements and company policies regarding the use of email systems and the internet within the scope of the employment relationship
- Devising internal reporting processes that in compliance with data protection law (so-called whistle blowing programmes)
- Advising on cross-border data processing (in particular, transfer of personal data from EU/EEA to third countries)
- Appointing and supporting an in-house data protection officer or providing support as an external data protection officer
- Advising and representing clients when dealing with data protection supervisory authorities
- Performing data protection audits

Luther Rechtsanwaltsgesellschaft mbH advises in all areas of business law. Our clients include medium-sized companies and large corporations, as well as the public sector.

Berlin, Brussels, Cologne, Dusseldorf, Essen, Frankfurt a. M., Hamburg, Hanover, Leipzig,
London, Luxembourg, Munich, Shanghai, Singapore, Stuttgart, Yangon

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Hits the mark. Luther.

