

# APPLEBY

INFORMATION TECHNOLOGY,  
OUTSOURCING,  
PRIVACY & DATA PROTECTION

BERMUDA





## INFORMATION TECHNOLOGY, OUTSOURCING, PRIVACY & DATA PROTECTION

All aspects of Bermuda's economy rely on information technology and data processing - an essential infrastructure and related services which must be procured, implemented, operated and securely managed.

Both the private and public sector require highly-specialised legal assistance to ensure project/ transaction success, whether in the commercial market or among affiliated entities. Prudent and diligent corporate governance and compliance with Bermuda laws and regulations is required, including cybersecurity, as well as privacy to minimise (if not avoid) operational risks, and to protect commercial and intellectual property rights.

### WHY CHOOSE APPLEBY?

We are a full service law firm providing comprehensive, expert advice and services, working with our clients to achieve practical solutions whether from a single location or across multiple jurisdictions. Our specialised team of commercial lawyers have deep legal expertise and devoted experience to assist in the following areas:

- All Outsourcing Transactions
- All IT Contracts
- Protection of Tech IP
- Cybersecurity – Cyber Regulation
- Outsourcing & Managed Services
- SaaS, DaaS, IaaS
- Public Sector Procurement
- ERP Sector Procurement
- Consulting Service Contracts
- Intelligent Systems / AI
- IT Corporate Governance (Directors' IT Duties)
- Technology Communications
- Collaborations and Joint Ventures
- IT Procurement/RFPs
- Privacy Law & Compliance
- FinTech/InsurTech Projects
- Data Protection
- Operating Service Agreements
- Distribution Channels
- Cloud Computing Services
- Shared Services Among Affiliates
- Telecommunications Services and Contracts
- Business Process Re-Engineering
- Inter-Company (Affiliate) IT Service Agreements
- Blockchain Strategies and Licensing
- Technology Development
- Commercial Terms & Conditions
- E-Commerce Solutions



**“Appleby is a premier offshore law firm. It provides an ideal multidisciplinary platform, coordinated legal advice and strong transactional capability to clients.”**

**- Chambers 2022**

## THE BERMUDA TEAM

Appleby Bermuda has a specialised team of lawyers to assist both users and vendors of information technology with their IT procurement, outsourcing services and all related contracts, implementation and transformation projects, compliance with data protection and privacy laws, and with policies and practices to promote compliance with all other regulatory obligations, including cybersecurity.

Jerome Wilson is a partner in the Corporate department of Appleby's Bermuda office and leads the Technology and Innovation practice in Bermuda. He is one of the island's leading digital assets, blockchain and FinTech lawyers, and is recognised by legal research directories Chambers Global, Legal 500 Caribbean and IFLR1000. Jerome is also the author of numerous articles and publications, including 'Bermuda: set to be a digital Fort Knox' (The Royal Gazette, 2022), and is host of the 'Tech Talks' series of The Appleby 'Bermuda Shorts' podcast.

Duncan Card is a partner who practices commercial law in the Corporate department of Appleby's Bermuda office. He specialises in IT contracting, all forms of outsourcing agreements, privacy law, data protection, cybersecurity compliance and infrastructure transactions. Prior to joining the firm in 2022, he was widely ranked as one of Canada's leading and most recommended Information Technology, Cybersecurity and CIO Advisory lawyers. Duncan is a frequent speaker and writer on topics related to IT transactions and outsourcing, including the author of one of the leading books on information technology, commercial and legal best practices published in 2021 by Thomson Reuters International.

## HOW CAN WE HELP YOUR BUSINESS?

Appleby Bermuda's IT outsourcing and data protection lawyers provide exceptional commercial, risk management, and contract drafting and negotiation services. We provide proactive contracting strategies that promote IT project outsourcing and contract success.

We take a highly experienced industry approach to the legal and business issues governing the development, procurement, commercialisation, and regulatory compliant use of technology, and the secure protection of data that is processed both domestically and internationally.

We advise on all forms of technology-related corporate transactions, including debt and equity financing, M&A due diligence, all related privacy and data protection regulatory compliance, IT service contracts, inter-company shared services, intellectual property and IT governance matters.

We are frequently retained to help structure, negotiate and document innovative commercial structures, business models, relationships and transactions that business leaders may require assistance with.

Some of our commercial technology lawyers have served as directors of technology and media enterprises, in-house corporate counsel, and provided technology-related commercial and business advice as members of advisory boards.

We also have particular expertise in Government IT projects, including information technology procurement, operational transformation and data management across all aspects of public sector tendering, such as: sole (single) source procurement allowance; RFI/RFQ/RFP formulation; fairness monitoring; contracting best practices; risk management; negotiation of commercial terms; anti-corruption methodologies; competitive dialogue; multi-track vendor negotiations; and fairness opinions.



**“A solid capable team. They are knowledgeable, competent and have experience, and are great people to deal with.”**

**- Legal 500 2022**

## KEY CONTACTS



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## ABOUT APPLEBY

Appleby is one of the world's leading international law firms. We have offices in ten highly regarded, well-regulated global locations, operating in nine and practicing the laws of eight jurisdictions. These include Bermuda, the British Virgin Islands, the Cayman Islands, Guernsey, Isle of Man, Jersey, Mauritius, and the Seychelles, as well as the international financial centres of Hong Kong and Shanghai.

Through our affiliate fiduciary arm, Appleby Global Services, we also provide highly qualified and experienced individuals to provide a range of administration, reporting and fiduciary services focused on corporate structures.

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