



**Digital Law: Legal support for
digital operations**
Experience the future of law, today.



Helping clients navigate the law in an increasingly connected world

The Internet of Things, robotics and artificial intelligence (AI), blockchain, big data, the cloud and 3D printing. Technologies are evolving at a rapid pace and, as a result, organizations large and small, private and public, are fundamentally rethinking how they operate.

Digital disruption has already created valuable opportunities for businesses and the public sector, and the rate of change will only increase. We are seeing emerging markets, alternative business models and new channels, as well as different ways of working.

Organizations are becoming more agile and efficient. At the same time, however, doing business is becoming more globalized and complex due to collaborative ecosystems, working in the cloud on technology platforms, and enhanced regulatory activities around the globe.

For businesses, opportunities and challenges lie in growth and innovation, as well as improving operational efficiency.



The digital landscape



Growth and innovation

- **Digital business models** – vertical business-to-business-to-consumer (B2B2C) platforms, digital market penetration and data monetization
- **Omni-channel management** – seamless integration of customer channels (digital first), customer journey personalization
- **Digital product innovation** – including launch of incubators and accelerators with external partners from different industries



Operational efficiency

- **Platform integration** – harmonization/integration of IT networks, global/centralized intellectual property (IP) approaches with accompanying unprecedented cyber risks
- **Lean operations** – radical shared-service approaches across countries, less focus on non-core activities, partnership models (ecosystems)
- **Cloud computing/business process outsourcing** – outsourcing non-core activities to remain competitive, adopting cloud-based services



Technology is setting the tone: Lawyers must think and act differently

Change brings challenge. Increased globalization caused by the internet and disruptive technologies has transformed laws and contractual mechanisms and led to greater regulation. The trends of 'platformification', establishment of ecosystems and partnering are inevitable. This unprecedented transformation has resulted in a complex legal environment where "old laws" apply to new situations and the implications of "new rules" are in flux. Lawyers must become the facilitators of these exponential changes with current and future legal solutions.

"Old laws" for new situations

For example:

- How do we deal with data and record retention rules for the cloud at a global level?
- What about contracting for B2B2C e-commerce models?
- Who owns these new technologies and algorithms from an IP perspective?
- Is IP law obsolete in an open society or is it the normative structure?
- Should we explore different ways to protect trade secrets given the need to share knowledge and research for scientific advancement?

"New laws" in flux

For example:

- How do we comply with more stringent rules around privacy and data (e.g., data localization), both locally and globally?
- What about implementing EU copyright reform?
- What about the extraterritorial application of US, EU and Asia-Pacific regulations regarding digitization?
- How do we implement the OECD BEPS guidelines?

Although the concept of digital law has not been uniformly defined across the global market for legal services, at Deloitte Legal it spans:

- The use of data (e.g., privacy and data protection, data retention, data monetization)
- Cyber: internet and related technologies
- Intellectual property, including patents, copyrights, trademarks, designs, database rights, domain name rights, and trade secrets.
- IT contracting e.g., cloud computing (SaaS, PaaS, IaaS), algorithm ownership, software development and the establishment of digital platforms/ecosystem contracts
- E-commerce, e.g., online/long distance selling agreements, e-signatures, e-invoicing and consumer protection rights
- The legal implications of new technologies such as AI, 3D printing, blockchain and the Internet of Things
- Legal aspects of IP tax implications



Pioneering. Inspiring. Staying ahead of the competition

We operationalize the law by helping our clients realize their digital ambitions and overcoming digital challenges by guiding them through the old and new legal landscape.



Our approach

Our practice is growing and our digital law offering will continue to be tailored for the current and future marketplace. We combine our Legal and Regulatory capabilities with other Deloitte businesses such as Consulting, Audit, Risk Advisory, Financial Advisory, and Tax to create an integrated, holistic approach.

What we do

Our operations may be global, covering jurisdictions and regions across the world, but our focus is local. We tailor our services to every client's specific risks and challenges.

Our delivery:

Within our Digital Law approach we integrate three legal domains by setting up multi disciplinary teams.

Our team focuses on:

- **Contract laws and private laws** including cloud, outsourcing and smart contracts
- **Mandatory laws and regulations** – cyber, IT, e-commerce and related regulatory aspects around privacy and data protection, and e-commerce
- **IP laws & trade secrets** related to data, cyber, IT and e-commerce and cloud, e.g., copyright, patent and trademark laws, legal aspects of IP taxation (e.g., OECD BEPS and Digital Value Chain Alignment)

Support can range from expert advice to legal project management and automated solutions.

How Deloitte Legal can help

Example projects include:

- Designing the legal set-up of B2B2C platforms in different industries
- Advising on an omni channel management collaboration between Telco and logistics company
- Developing a privacy and data protection chatbot with a teaching hospital
- Providing legal and regulatory advice regarding several AI and blockchain projects
- Advising on, negotiation and drafting cloud contracts
- Developing global legal and regulatory frameworks with managed RegTracking services for several industries (e.g., FSI, TMT, Life Sciences and Health Care)
- Advising on strategic IP management in digital environment for Tier 1 banks deploying IP analytics tooling
- Identifying and structuring intangibles, e.g., according to OECD BEPS DEMPE functions
- Setting up Privacy & Security governance
- Advising on new data driven business models (data monetization)

“ Digitization requires a new take on law where we move from static to dynamic, and from linear to exponential in an increasingly connected world. Our 'legal technologists' enable our clients to transform and grow, and together we can help clients spot opportunities and overcome legal and regulatory challenges.

Peter Kits, Global Digital Law Leader ”

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2,500
legal professionals

operating in over
80
countries

collaborating seamlessly
across borders and with other
Deloitte business lines

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collaboration and transparency



Tailored to your business
units and geographies



Sensitized to your regulatory
requirements

Key contact

To find out more about our digital law services, contact:



Peter Kits

Deloitte Global Leader – Digital Law

Tel: +318 8288 7370

Email: pkits@deloitte.nl

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