

IT PROCUREMENT - OUTSOURCING - CONTRACT MANAGEMENT

Clear answers to all of your questions

IT contracts are becoming more and more important as a result of digitization. Cloud computing, outsourcing and IT tenders are important topics and hit the headlines nearly every day.

Do you really need to accept the general sales conditions of IT suppliers?

How do you prevent an IT project to fail?

If an IT project fails, are your interests secured?

How do you ensure that an IT tender complies with the law?

What do you need to arrange before moving into the cloud?

The IT department is being outsourced. What are the legal consequences?

Do you have the answers to such questions?

As lawyers specializing in IT contracts and IT projects we can help you on the intersection of IT and law. We can help you because as specialists we also understand the technical and commercial aspects. We will offer an integrated solution for your concerns.

Together with you we define your strategy and analyse your position

- *Strategic legal advice* - your company intends to outsource its IT systems. We can advise you about the legal feasibility and the necessary contracts.
- *White papers, due diligence and legal opinions* - we can advise you how to deal with an IT project that does not make enough or even any progress. Furthermore we can deliver you an overview of your legal options in a clear and open presentation.
- *Project governance* - we can structure an IT project and advise you during the project to make sure you have the instruments to keep the IT project on track or to get the IT project on track again. Without making the relations between the parties unnecessarily legally complicated.

We translate strategic choices into operational instruments and contracts

- *Outsourcing contracts* - we draft contracts for the lawful transfer of assets and the provision of IT services.
- *Implementation contracts* - we draft contracts that give you the instruments to secure that

essential IT systems will be delivered within scope, time and budget.

- *Cloud contracts* - we help you to enter into the agreements with your cloud partner that secure your business continuity and access to your business data.
- *Project structuring* - we provide you with formats for reporting during the steering committee meetings with practical checklists to make sure you have an up to date overview of the agreements and deadlines at any moment.
- *IT tenders* - we draft the contract documents that are needed for an IT tender and we advise you during the IT tender process.

We offer support in contract management and provide support in case of incidents

- *Due Diligence* - we give you an overview of the existing contracts and advise you about the content and the transferability of those contracts.
- *Sparring partner* - we advise you during the execution of an IT project, IT tender or an IT outsourcing.
- *Disputes* - we advise you about your position when an IT conflict may occur to help you to

make a well-considered decision and assist you in case of disputes when your interests have to be defended or secured.

We can help you because as specialists we also understand the technical and organisational aspects

Some examples to illustrate this.

Strategic advice

- National Government: advice on its position in a dispute about a failing IT project, with an accessible management summary that was used as a guidebook during the negotiations.
- Cooperation from local governments: assisted in a dispute about a claim for compensation for additional work and putting a failing IT project back on track.
- Hospitals: successful negotiation about and entering into many different agreements for the implementation of an Electronic Patient File and a Hospital Information System.
- Financial services supplier: drafting a diverse set of agreements, including a framework agreement, general conditions and a SaaS-continuity arrangement for the launch of an online platform.

Who are we?

Louwers IP|Technology Advocaten is a modern and innovative niche firm in the fields of IT, privacy and intellectual property and especially at the intersection of law and technology. From 2006 we are based in the design and technology region Brainport Eindhoven and since 1 August 2014 also in The Hague.

We assist market parties in recognizing and interpreting developments in the fields of IT, the Internet, innovation and technology in good time and in making proper arrangements to protect their position and interests.

Our expertise enables us to give fast, to-the-point, adequate and expert advice and conduct litigation. In this context we clearly express our opinion about your chances and risks. We always try to reach the best possible solution for you.

- Assurance company: assisted in a failed IT project and arranged the proper securities for continuity during the exit process.

Operational instruments and contracts

- Supplier of consumer electronics: assisted in a complex outsourcing project.
- Supplier of facility services: achieved that existing licenses were extended for the course of the project without any extra costs.
- Supplier of audiovisual products: designed an international license and distribution model.

Maintenance and incidents

- Engineering company: represented a global engineering company in a migration dispute with an IT supplier to secure the migration of the IT infrastructure to the successor without interruptions.
- Online department store: assisted in a legal procedure about a failed IT project.