



Gary Cywie

Gary joined Noble & Scheidecker after co-heading the IP/ICT department of another top ranked Luxembourg law firm.

Gary is involved with all Technology and IP matters and more generally, all types of contracts pertaining to his various fields of expertise. Gary has been focusing on the drafting and negotiation of IT outsourcing agreements in the financial sector, software license agreements and on commercial contracts.

He is the author and co-author of several publications on new information and communication technologies subjects, and speaks at conferences and seminars about the legal aspects of information technology matters.

Recent transactions

Gary has led our Technologies & IP team in numerous recent transactions, including:

- Assisting a leader in delivering broadband and other communication innovations in the Luxembourg part of an IT outsourcing transaction with a worldwide banking institution. Such assistance also included advice on the regulatory and compliance requirements with which an IT service provider must comply when providing services to an institution of the Luxembourg financial sector (either with or without having obtained the Professional of the Financial Sector accreditation for IT professional from the CSSF);

- Assisting a European leading financial service provider during several months for negotiating and drafting a 20 million IT outsourcing agreement covering the rationalization of the European computer production of the financial service group by way of a consolidation and outsourcing to a Support PSF in Luxembourg. This included assistance (giving an outlook of the legal aspects governing the project) for the official presentation of the project to the regulator of the financial sector in Luxembourg;

- Assisting an international group, specialised in the provision of outsourcing services, that wished to extend its activity in Luxembourg by providing services to professionals of the financial sector and to insurance undertakings. This included obtaining the OSIS status from the CSSF which was required for their Luxembourg subsidiary to engage in the envisaged activity.

We were notably in charge of the coordination of the application file and liaising with the regulator. We were also involved in the amendment of the articles of association of our client's subsidiary in order to ensure their compliance with the requirements of the law related to the financial sector.

In addition, we partially reviewed their service agreement in order to ensure its compliance with banking secrecy obligations;

- Assisting a leading global financial institution in its wish of implementation in Luxembourg notably through the study of acquisition of a retail banking business in Luxembourg. This has required the interaction between numerous fields of expertise from our law firm. Making sure the IT systems were legally up and running (i.e. all needed licenses were duly granted and the systems were compliant with the financial sector regulator) was one of our client's priority;

- Working with a global leader in e-commerce since 2003 on a day-to-day basis in several legal matters, ranging from Technologies and Intellectual Property to Corporate and Employment law aspects. As one of the first law firms in Luxembourg to have a dedicated team of lawyers specialised in the Technologies and IP sector, we were able to assist our

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Expertise

Technologies & IP:

- Outsourcing
 - Information Technology
 - Communications & Media
 - Internet & e-commerce
 - Intellectual Property
 - Biotechnology & Healthcare
 - Data Protection & privacy
- IP/IT Litigation
Commercial contracts

Recommendations

The Legal 500

PLC Which Lawyer?

Chambers & Partners

Languages

French

English

Membership

AMCHAM's ComIT

ITechLaw

ISOC Luxembourg

client from the very beginning in any technologies and IP issues they encountered. Our cutting edge understanding of technical aspects allows us to give informed and expert custom-made legal advice and is our most important strength.

The client's legal team is a really challenging one to work with as its members have specific knowledge of the business and have an outstanding knowledge of the applicable rules. Therefore, the questions they ask us always require the sharpest answers and lot of pragmatism as we want our role to be the one of a business enabler.

Our Technologies & IP department notably reviewed online distribution contracts (e-commerce), B-to-B service agreements and general terms and conditions. In this context, we have undertaken a significant contractual, regulatory and legal due diligence review with respect to the client's commercial agreements as well as subsequent advice for the required transfer of such agreements under Luxembourg law.

Bar Admission

Member of the Luxembourg Bar, 2006 and of the Brussels Bar (Belgium), 2001

Education

Postgraduate certificate in Internet Strategic Management, Laboratory for New Information and Communication Technologies Studies, in collaboration with the University of Liège (Belgium), 2000

Law degree (cum laude), University of Liège (Belgium), 1999

Recommendations

About the IP & IT practice of the firm, **The Legal 500** states that "*the firm has an excellent standing for IT outsourcing and data protection, with Gary Cywie playing a prominent role*".

Gary is recommended by **Chambers & Partners** which states that "*this young and dynamic firm's IP and TMT practice is growing in both size and reputation. Gary Cywie heads the practice, and has a particularly strong IT background. Sources enjoy working with him and admire his businesslike approach, flexibility and grasp of the IT sector and what these clients really need*".

Gary is also recommended by **PLC Which Lawyer?** in the fields of Outsourcing and Media & Communication.

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