



TECHNOLOGY, TELECOMMUNICATIONS, DATA PROTECTION, AND INNOVATION

With the fast technological advances and the constant evolution of regulations, it is essential that companies can have support on adequate legal expertise, through a highly specialized team.

In the area of technology, the firm can offer legal support to technology-based companies, startups, and investors, assisting in the structuring and negotiation of contracts, licensing, intellectual property protection, and dispute resolution. In the field of innovation, the firm can assist in drafting research and development contracts, collaboration with universities and research centers, as well as providing legal advice on patent protection, copyright, and trademarks.

In the area of telecommunications, the firm can assist in obtaining licenses, authorizations, and concessions from regulatory agencies, in addition to acting in administrative and judicial litigation. The firm also has a relevant experience involving the tax aspects of the telecommunications sector, having sponsored paradigmatic cases such as those related to goodwill generated in corporate operations that occurred in the late 1990s and 2000s for the entry of foreign investors in the country and controversies involving specific tax benefits of the sector, as well as in relation to several ICMS issues that impact the provision of telecom services.

We advise on contractual issues, privacy policies, data protection and compliance, ensuring compliance with industry laws and regulations.

In this context, the General Data Protection Law (LGPD), in force since September 2020, imposes itself on any personal data processing operation carried out by a natural or legal person, under public or

private law, regardless of the medium (physical or digital), the country of its headquarters or the country where the personal data are located, provided that: the processing operation is carried out in Brazil; the processing of personal data is intended to offer goods or services to individuals in Brazil; the operation is intended to process data of individuals located in Brazil; or, the personal data have been collected in Brazil. Thus, even if the company is based abroad, it may be subject to the LGPD, except in the case of processing of personal data for exclusively artistic and journalistic or academic purposes, exclusive purposes of public security, national defense, state security or investigation and prosecution of criminal offenses.

According to data protection norms, as well as constant technological advances, a real change in culture, controls and processes should be adopted within companies, as they must engage all employees, collaborators and third parties who have a direct relationship with the business carried out. Our work includes, among others, identifying the existence of processing of personal data collected in social networks and on the company's website, analysis of communication gaps, preparation of process impact reports and crisis management, as well as the establishment of effective control policies and control mechanisms for compliance with data protection standards.

With a multidisciplinary team specialized in these areas, Schmidt Valois Advogados can provide personalized and strategic services, adapting to the specific needs of each client, offering efficient and secure legal solutions for the challenges present in the telecommunications, technology, data protection, and innovation.



Jaques Horn

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Jaques Horn acts in the areas of Technology, Telecommunications and Corporate Operations.

With over 30 years of experience, he has developed extensive expertise in corporate law, working in multinational companies, particularly in regulated markets, complex operations, infrastructure projects, mergers and acquisitions, joint ventures, corporate matters, national and international contracts, litigation, intellectual property, and competition issues. He worked as the Legal Vice President of TIM S.A., from 2010 to 2022. Also, as the Legal Director responsible for South America, Central America, and the Caribbean, at Tetra Pak, from 2007 to 2010. He was the Corporate Legal Manager and Legal Director of subsidiary companies at Shell, from 1994 to 2007. Prior to that, he worked as Legal Counsel at Atlantic Company of Oil (ARCO Petroleum Co.), from 1992 to 1994. Member of the Advisory Board of Ibrademp (Brazilian Institute of Corporate Law and of the 30% Club (Chapter Brazil). Certified Board Member by IBGC (Brazilian Institute of Corporate Governance), since 2015. Recognized as one of the Most Admired Legal Directors in Brazil by Análise Advocacia, in 2016, 2017, 2018, 2019, and 2022. Also, as the Legal Innovations in Operations Award by CLOC (The Corporate Legal Operations Consortium, USA). Executive LL.M in Corporate Law from CEU Law School, affiliated with ISE Business School in Barcelona, Spain. Negotiation and Competitive Decision Making by Harvard Law School, USA. Program of Instruction for Lawyers by Harvard Law School, USA. Academy of American and International Law by The Center for American and International Law, USA. Postgraduate degree in Tax Law by Universidade Cândido Mendes. Bachelor's degree in Law by Universidade Cândido Mendes.

Languages: Portuguese, English and Spanish.

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