



**WERKSMANS**  
ATTORNEYS

# Technology & Innovation

Practice area

› Keep us close





## › **Legal market leaders in providing cutting edge practical technology and innovation solutions.**

The speed of digitalisation of businesses presents a broad range of legal and regulatory challenges and uncertainties which requires the ability to successfully navigate complex, rapidly evolving legal implications. Werksmans is uniquely positioned to partner with you to navigate the unknown.

Failing to embrace digital transformation presents an existential threat to all businesses. Innovative technological solutions have become essential tools

to ensure effective and instantaneous communication, for creating efficiencies and developing viable opportunities for businesses across multiple sectors.

Werksmans' pre-eminent team of lawyers bring vast experience and insights and have successfully and efficiently advised and guided our clients in navigating the myriad of legal and regulatory roadblocks enabling them to build robust business strategies by leveraging technology and fast tracking the launching of new technologies to the market.

In a borderless digital world, we work seamlessly to assist our clients across multiple jurisdictions in Africa and across the globe.

## › **Our digital magic - end to end problem solving**

The Werksmans' team of multi-disciplinary lawyers offer a sophisticated, pragmatic end to end service in highly regulated sectors such as financial services, healthcare, media and communications.

Our enviable track record as trusted legal and strategic counsel spans across advising both technology innovators, investors and disruptors on novel tech solutions and technology users on all their legal needs. Guiding clients on innovation strategy and from project inception through the lifecycle of innovation design and implementation to innovation commercialisation, sale and dispute resolution.

Our close proximity to and vast experience of operating in this dynamic industry allows us to identify legal and compliance issues that have yet to fully surface and to leverage insights and experiences in real-time across our client base.



## ► **Our global standard advice on digital technologies includes:**

- Information technology contracting (software, outsourcing, and cloud computing)
- Digital, virtual and e-commerce legal strategy and contracting
- Data commercialisation and big data analytics
- data analytics
- Digital transformation
- Technology regulation
- Procurement of hardware, software and services
- Software licensing and maintenance
- Digital Media
- Esports and gaming (video games and online games and e-sports)
- Insuretech and regtech
- Cleantech and climatetech
- Machine learning, robotics and augmented reality (artificial intelligence and deep learning), quantum computing and wearable tech
- Blockchain, smart contracts, digital currency, payment services and mobile wallets
- Robotic process automation
- (automation of digital tasks using software), connected cars and telematics (connected fleet management solutions)
- Digital infrastructure and communications including 5G, cloud satellites and smart cities
- Fintech
- Digital health
- Data breaches and privacy issues
- Electronic commerce
- Telecommunications regulation





› **As thought leaders in the market, our team seamlessly advises clients on the entire spectrum of their legal needs including:**

Commercial  
technology contracting

Regulatory

Technology disputes

Digital Media & Electronic  
Communications

Intellectual property

Tax

Investment Funds

Data privacy,  
protection and  
cybersecurity

Fintech

Corporate Mergers  
& Acquisitions

Healthcare & Life  
Sciences

Private Equity

Competition



## » Our Experience

We have extensive experience advising our clients in relation to:

- Their transformation from on premise to cloud solutions and advising on cloud infrastructure and software as a service offering.
- The latest developments in software including software development projects and cloud computing
- (including on IaaS, SaaS and PaaS services) and on open source and open data.
- The legal implications relating to artificial intelligence and algorithms, machine learning, deep learning and the use of web scraping techniques including advice on intellectual property, data protection, confidentiality and effective contracting in this sphere.
- Blockchain software development agreements and applicable regulatory requirements.
- Data aggregation, cross border data processing and data analytics.
- Data commercialisation and data anonymisation.
- The development and implementation of super apps which are mobile or web applications that provide multiple services including payment and financial transaction processing across multiple sellers on an all-encompassing self-contained commercial and communication online platform.
- Autonomous systems including telematics and on e-mobility including e-bikes.
- The development of data centres and co-location facilities, including structuring and negotiating agreements related to the design, engineering, construction, financing, management, operation and leasing of data centres and co-location facilities.
- The formulation of complex cross-border data processing agreements to address data processing and cross-border legal compliance across Africa, the UK and the EU and further afield, including advising on the deployment of cloud services in countries across Africa, the EU, UK and the US.
- Complex disputes with international technology service providers.
- Advice on technology sourcing and digital innovation strategies, including complex technology agreements, data privacy regulatory advice and negotiating agreements with large international IT service providers as well as advising on complex commercial agreements for the development, implementation and on-going operational and technical management of innovative technology and digital product offerings.
- Transactional banking service solutions. This includes assisting and advising on various online and internet banking related matters and advising on various data protection and related regulatory issues and on various sponsoring bank and digital product offering arrangements.



- Technology and digital health innovations, including the regulatory issues and contracting issues relating to complex innovation projects, including health technology, testing and developing new medical products and technological advancements using AI, complex data processing and workflow engineering techniques, among others. Our advice includes regulatory advice on these new technologies, advice on health laws and advising on technology contracts including cloud services agreements, third party collaboration agreements, data processing arrangements and related technology and services contracts.
- Advising a multi-jurisdiction fintech business on the roll out of an online content service offering.
- Advising a multi-jurisdiction healthcare technology provider on the sale of intellectual property in a health technology

software solution including advising on the regulatory, tax and software distribution agreements, software development agreements and reseller agreements involved in the client's business operations across Southern Africa and in the EU, UK and UAE.

- Data protection compliance programmes in compliance with local data protection legislation
- in various African jurisdictions, taking into account international best practices in managing the implementation of the project.
- Formulating legal risk and multi-jurisdictional contracting strategies for multijurisdictional fintech players on their various partner arrangements including for payment services, digital content and advising on enforcement as between the various parties and on tax related matters.





## ➤ Meet the Team



Head Of Technology & Innovation

**Preeta Bhagattjee**  
Johannesburg

T +27 11 535 8323  
E [pbhagattjee@werksmans.com](mailto:pbhagattjee@werksmans.com)



Director

**Roelof Bonnet**  
Stellenbosch

T +27 21 809 6145  
E [rbonnet@werksmans.com](mailto:rbonnet@werksmans.com)



Director

**Ahmore Burger-Smidt**  
Johannesburg

T +27 11 535 8462  
E [aburgersmidt@werksmans.com](mailto:aburgersmidt@werksmans.com)



Director

**Paul Cleland**  
Johannesburg

T +27 11 535 8239  
E [pcleland@werksmans.com](mailto:pcleland@werksmans.com)



Director

**Paul Coetser**  
Johannesburg

T +27 11 535 8290  
E [pcoetser@werksmans.com](mailto:pcoetser@werksmans.com)



Director

**Robert Driman**  
Cape Town

T +27 21 405 5134  
E [rdriman@werksmans.com](mailto:rdriman@werksmans.com)



Director

**Jeremy Gobetz**  
Johannesburg

T +27 11 535 8445  
E [jgobetz@werksmans.com](mailto:jgobetz@werksmans.com)



Director

**Aphindile Govuza**  
Johannesburg

T +27 11 535 8346  
E [agovuza@werksmans.com](mailto:agovuza@werksmans.com)



Director

**Deon Griessel**  
Johannesburg

T +27 11 535 8117  
E [dgriessel@werksmans.com](mailto:dgriessel@werksmans.com)



Director

**Janine Hollesen**  
Stellenbosch

T +27 21 809 6011  
E [jhollesen@werksmans.com](mailto:jhollesen@werksmans.com)



Director

**Bernard Hotz**  
Johannesburg

T +27 11 535 8106  
E [bhotz@werksmans.com](mailto:bhotz@werksmans.com)



Director

**Tracy-Lee Janse  
van Rensburg**  
Johannesburg

T +27 11 535 8227  
E [tjvrensborg@werksmans.com](mailto:tjvrensborg@werksmans.com)



## ➤ Meet the Team



Director

**Neil Kirby**  
Johannesburg

T +27 11 535 8198  
E [nkirby@werksmans.com](mailto:nkirby@werksmans.com)



Director

**Shayne Krige**  
Cape Town

T +27 21 405 5161  
E [skrige@werksmans.com](mailto:skrige@werksmans.com)



Director

**Jarryd Mardon**  
Stellenbosch

T +27 21 809 6019  
E [jmardon@werksmans.com](mailto:jmardon@werksmans.com)



Director

**Wendy Rosenberg**  
Johannesburg

T +27 11 535 8195  
E [wrosenberg@werksmans.com](mailto:wrosenberg@werksmans.com)



Director

**Boitumelo Rammala**  
Johannesburg

T +27 11 535 8347  
E [brammala@werksmans.com](mailto:brammala@werksmans.com)



Director

**Natalie Scott**  
Johannesburg

T +27 11 535 8201  
E [nscott@werksmans.com](mailto:nscott@werksmans.com)



Director

**Tebogo Sibidla**  
Johannesburg

T +27 11 535 8278  
E [tsibidla@werksmans.com](mailto:tsibidla@werksmans.com)



Director

**Samantha Sinden**  
Johannesburg

T +27 11 535 8334  
E [ssinden@werksmans.com](mailto:ssinden@werksmans.com)



Director

**Armand Swart**  
Cape Town

T +27 21 405 5162  
E [aswart@werksmans.com](mailto:aswart@werksmans.com)



Director

**Bradley Workman-Davies**  
Cape Town

T +27 21 405 5149  
E [bworkman-davies@werksmans.com](mailto:bworkman-davies@werksmans.com)



Senior Associate

**Dale Adams**  
Johannesburg

T +27 11 535 8232  
E [dadams@werksmans.com](mailto:dadams@werksmans.com)



Senior Associate

**Cyprian Mthembu**  
Johannesburg

T +27 11 535 8421  
E [cmthembu@werksmans.com](mailto:cmthembu@werksmans.com)





## › Meet the Team



Senior Associate

**Savanna Stephens**  
Johannesburg

T +27 11 535 8322  
E [sstephens@werksmans.com](mailto:sstephens@werksmans.com)



Senior Associate

**Wesley Vos**  
Stellenbosch

T +27 21 809 6163  
E [wvos@werksmans.com](mailto:wvos@werksmans.com)



Associate

**Francisca Heese**  
Stellenbosch

T +27 21 809 6166  
E [fheese@werksmans.com](mailto:fheese@werksmans.com)



Associate

**Amogelang Magano**  
Johannesburg

T +27 11 535 8216  
E [amagano@werksmans.com](mailto:amagano@werksmans.com)

## About us

Established in the early 1900s, Werksmans Attorneys is a leading South African corporate and commercial law firm, serving multinationals, listed companies, financial institutions, entrepreneurs and government.

Operating in Gauteng and the Western Cape, the firm is connected to an extensive African legal alliance through LEX Africa. LEX Africa was established in 1993 as the first and largest African legal alliance and offers huge potential for Werksmans' clients seeking to do business on the continent by providing a gateway to Africa.

With a formidable track record in mergers and acquisitions, banking and finance, business rescue and restructuring, commercial litigation and dispute resolution, Werksmans is distinguished by the people, clients and work that it attracts and retains. Werksmans' more than 200 lawyers are a

powerful team of independent-minded individuals who share a common service ethos. The firm's success is built on a solid foundation of insightful and innovative deal structuring and legal advice, a keen ability to understand business and economic imperatives and a strong focus on achieving the best legal outcome for clients.



› Keep us close

**THE CORPORATE &  
COMMERCIAL LAW FIRM**  
A member of the LEX Africa Alliance  
[www.werksmans.com](http://www.werksmans.com)