

**DATA PROTECTION,
INFORMATION TECHNOLOGY
AND INTELLECTUAL PROPERTY**



TOTALSERVE

**PROTECT YOUR TECHNOLOGIES,
BRAND, PRODUCTS, DATA
AND SERVICES.**



INTRODUCTION

Totalserve is an award-winning global service provider established in 1972, mainly specialising in the fields of international tax planning, corporate, trusts and fiduciary services. Other services pertaining to legal, immigration, global citizenship, accounting and audit are offered through closely associated firms.

As a result of technological and legal advancements, Totalserve Group has broadened its services further with the establishment of a specialized and well-developed Data Protection and Privacy Department.

Matters of Data Protection, Technology and Intellectual Property are at the core of any major business transaction or strategic dispute and they have become some of the most critical commercial legal areas as organisations continue to expand and protect their technologies, brands, products, data and services around the globe.

The EU General Data Protection Regulation (GDPR) is the most significant change in Data Protection legislation and it will affect many organisations as compliance is mandatory.

Our highly qualified team of lawyers are able to assist and advise multinational organisations in ever-changing commercial areas. They are dedicated to providing strategic commercial advice to a wide range of client industry groups, including financial institutions, insurance, consumer, healthcare and education on matters of Data Protection and Privacy, Technology, Consumer Protection, eCommerce, Intellectual Property and compliance with the GDPR.

**OUR DATA PROTECTION TEAM IS
DEDICATED TO PROVIDING
STRATEGIC COMMERCIAL ADVICE.**



Xenia Kasapi

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Xenia is the Head of the Data Protection & Privacy Department of Totalserve Management Limited. She has a broad commercial practice with particular focus on technology, corporate, data protection, intellectual property and e-commerce as well as drafting and reviewing transaction documents of a commercial nature.

Xenia holds a Bachelor of Laws from The University of Sheffield and a Master of Commercial Law from University of Bristol and has successfully completed a professional course in Arbitration Law at the Chartered Institute of Arbitrators (Cyprus Branch). She is a member of the Cyprus Bar Association and a member of Arbitrators in the Chartered Institute of Arbitrators.



Eleana Economides

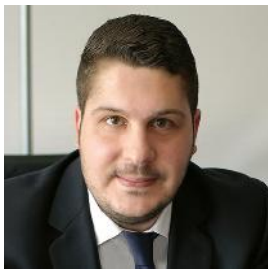
LL.B., MSc., TEP

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Eleana is the Chairwoman of Totalserve Management Limited. Eleana obtained her Bachelor of Laws from King's College in London. She then continued her post-graduate studies at City University of London, where she obtained her MSc in Shipping, Trade and Finance.

She handles all matters relating to the management and development of Totalserve and at the same time deals with private client and corporate affairs.

Eleana is a member of the Cyprus Bar Association and a member of the Society of Trust and Estate Practitioners (STEP).



George Economides

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George is the Vice-Chairman of Totalserve Management Limited. George obtained his Bachelor of Laws from the University of Westminster. Following his undergraduate he gained extensive experience in bookkeeping and audit with a Cyprus audit firm.

His area of focus is tax, immigration and real-estate and he is also extensively involved in the group's business development and marketing activities.

George is a member of the Cyprus Bar Association, a member of the Individual Tax and Private Client Committee of the International Bar Association, a member of the International Tax Planning Association (ITPA) and a member of the Society of Trust and Estate Practitioners (STEP).

The primary focus of the GDPR (General Data Protection Regulation) is to strengthen and unify data protection for all individuals within the European Union (EU). It also regulates the exchange of personal data outside of the EU.

The new GDPR affects EU and non-EU organisations with online presence and whose websites and applications are being accessed by users in the European Economic Area (EEA). It therefore applies to companies who either control or process data regarding an EU citizen.

The Totalserve Data Protection Department specialises in assistance with the regulation and development of effective organisational controls and governance structures for compliance with the GDPR.

WHAT IS THE GDPR? HOW DO WE HELP YOU TO COMPLY?

KEY STEPS TO COMPLIANCE

1	Evaluation as to whether or not there is a need for compliance with the Regulation and to what degree. This can be done through a Gap Analysis.	2	Enhancing the awareness of the organisation's management on GDPR issues and the impact of non-compliance.	3	Identification and documentation of the legal basis and substance of the data that is being carried out.	4	Data Inventory (this includes details on what personal data are held, from where they were obtained and with whom they have been shared). Organisation and execution of an information audit across the business or within a particular business area, to ensure compliance with the GDPR's accountability principle. Understanding where the data resides physically (i.e. Cloud). Formation of an effective audit trail process for seeking, obtaining and recording consent as this must be verifiable.
5	Identification as to whether or not the organisation is processing genetic or biometric information or information on criminal offences.	6	Establishment of Data Breach process and response. Setting up a central breach management process to collate, review and notify breaches, where appropriate.	7	Creation and implementation of a DPIA (Data Protection Impact Assessment) process in relation to information that has already been collected.		
8	Appointment of a Data Protection Officer (DPO).	9	Design of a structured transfer process for the management of data transfers.	10	Review and update of security measures in light of increased security obligations included within the Regulation.		
11	Creation of a policy and process of entities dealing with requests for personal data from non-EU law enforcement authorities/entities.	12	Update of data processor contract templates to include the new processor language. A written contract will be put in place containing specified provisions and obtaining guarantees from the data processors.				

OUR GDPR SERVICES



Gap Analysis

Evaluation of whether or not there is a need to be compliant with the Regulation and to what degree.



Revision

Drafting or reviewing privacy policies, data processing, disclosure, employment and confidentiality agreements.



International Data Transfers

Assisting and liaising with the Data Protection Commissioner and other authorities/regulators on behalf of the client for transfers of data outside the European Economic Area (EEA). Providing the client with legal opinions relating to data protection matters, such as data transfers to non-EU countries.



Corporate Rules & Model Clauses

Drafting of binding corporate rules and model clauses in accordance with the needs and requirements of the client.



Sensitive Data

Providing legal advice regarding the processing of personal data in the context of employment and other circumstances where sensitive data may be processed.



Policies & DPO

Assisting organisations with establishing and maintaining data privacy and data security compliance. We are able to provide legal advice for Data Breach Policies, consent matters, appointment of a DPO (if necessary) and assistance with the preparation of a Data Inventory. We also offer advice on content issues and terms and conditions for websites and provide the relevant mechanisms to comply with GDPR.



High Risk Data Operations

Conducting privacy impact assessments, in order to evaluate the nature and sensitivity of data processing operations and whether they are likely to pose a high risk to data subjects.

DATA PROTECTION & PRIVACY SERVICES

Employment

Advising a wide range of organisations (both international and local) which operate in both public and private sectors, as well as individuals. Our services include but are not limited to:

Marketing

Providing legal support to advertising and marketing organisations operating in a wide range of sectors including those focused on digital and marketing platforms as well as technology providers to that industry. We

advise on the rules relating to telephone, email and SMS marketing as well as data profiling activities, the use of social media in business and any other data security considerations relating to personal mobile devices. We also provide legal advice for clients in the following areas:

WE ALSO COVER, EXTENSIVELY, THE FULL RANGE OF DATA PROTECTION AND PRIVACY ISSUES.

- Assistance with the full range of data protection issues which employers may face, including monitoring at work, processing of special (sensitive) personal data, installations of CCTV, HR and personal data.
- Reviewing and drafting individual employment contracts.
- Advising on discrimination issues.

Freedom of information

Advising both public and private sector bodies on disclosure requirements and risks under freedom of information.

Interception of communications

Advising businesses on compliant monitoring and recording of communication means to, from and within their business.

Transactions

Dealing with data protection issues associated with corporate transactions (in relation to due diligence disclosure or transfer of data as an asset) and outsourcing transactions.

- Drafting of commercial agreements relating to marketing and advertising, including sponsorship agreements, competition terms & conditions and content licensing agreements.
- Advertising and marketing disputes.
- Legal compliance concerning marketing and advertising communications, including advice on how to comply with data protection legislation.
- Trademark protection.
- Use of third party intellectual property rights in advertising and marketing communications.

Cloud Services

Advising organisations providing core services via Cloud platforms as well as large-scale users of Cloud infrastructures. We regularly advise large-scale data centres on customer agreements and issues regarding the use and provision of Cloud services, service terms, data protection, loss of/portability of data, entering data/IP in the Cloud and compliance with regulations.

Intellectual Property

Businesses and innovators need efficient, cost-effective ways to protect their inventions, brands and designs in multiple countries. Intellectual Property rights are crucial in any cross-border eCommerce initiative:

- Our Intellectual Property practice covers a multitude of areas and identifies the legal requirements which should be considered in order to obtain legal protection, maintain the acquired rights in full force and to dispose of the respective rights.
- Registration of trademarks and patents at national, EU or international level.
- Filing oppositions against IP registrations to the relevant authorities.
- Drafting agreements such as license agreements and agreements on transfer of intellectual property rights, sponsorship and other commercial agreements.
- Advising on trademark applications and documentary searches in the official database of trademarks and interpretation of the search results.

eCommerce

Assisting all types of e-commerce organisations such as taxi apps, online internet retailers, complex web tools providing software based services, media download sites and other.

Moreover, while consumer protection legislation has been largely harmonized in the European Union, differences remain in the member states.

Our legal team can advise on:

- Consumer law, payment services regulations, terms and conditions of sale, privacy policies and distribution contracts.
- Provision of legal advice on e-commerce issues.
- Drafting terms and conditions for the online purchase of goods, services and digital content.
- Drafting terms and conditions for the online purchase of goods, services and digital content.

- Ensuring that marketing and other data collection and use complies with data protection obligations.

Information Technology

The advancement of Information Technology has brought remarkable changes in the usage of computers, the internet, smart phones, tablets and other electronic devices.

Our legal team can provide legal advice on concepts such as:

- Cyber space
- E-mails
- E-contracts
- E-payments
- Social networking
- Digital Signatures. Traditional signatures are prone to forgery and tempering, hence insufficient for online transaction and contracts. Online transactions require unique and strong protection, which is fulfilled by the legal provisions related to digital signature.

EU classified information

Security Clearance

Individuals having access to classified information must hold a personal security clearance. This clearance is not just applicable to physical persons and is not necessarily related to accessing classified information. Legal persons who, for example, wish to bid for government contracts in sensitive sectors may also be screened and cleared.

Facility Clearance

An organisation can only apply for a facility security clearance when it is necessary for it to access such classified information in order to respond to a request or perform on a contract.



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