

# Gilbert Leong

## Senior Partner



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Singapore

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## Overview

Gilbert Leong is Head of Dentons Rodyk's Intellectual Property and Technology department (which encompasses the Technology, Media and Telecommunications practice group).

Gilbert has extensive experience in negotiating and drafting commercial agreements in relation to distribution of goods/services, procurement and tenders, manufacturing arrangements, acquisition of hardware, software development, licensing, maintenance, acquisition of intellectual property such as trademark and patents, computer turnkey projects, consultancy services, IP structuring, Internet related transactions cloud computing and E-commerce. Gilbert also provides advice on aspects of joint ventures, alliances and mergers & acquisitions.

He has also been counsel to parties involved in the telecommunication industry. In particular, he has advised on disputes arising as between telecommunication licensees, application for licences, market access and infrastructural issues. Gilbert has also been very active in the field of data privacy/protection matters, having acted for large financial institutions, healthcare providers, and industrial companies. He has also written and spoken widely on the area. As a member of the Legal Sub-Committee of the National Internet Advisory Committee, Gilbert participated in the drafting to the "Model Data Protection Code for the Private Sector".

Gilbert is recognised as a leading lawyer for his expertise in many notable publications, including Chambers Asia-Pacific, The Legal 500 Asia Pacific and Who's Who Legal.

Gilbert's IP litigation experience includes copyright (software) suits, patent infringements as well as obtaining and executing search & seizure warrants. Additionally, he has prosecuted parties under a fiat from the Attorney General for offences under both the Trade Marks Act and Copyright Act. Gilbert also attends to hearings before the Trade Mark registry.

In addition to his legal qualifications, Gilbert also holds a Certificate in Computer Programming and Information Processing from the City & Guilds of London Institute. Gilbert has authored numerous articles and given speeches on a variety of intellectual property rights, technology issues and electronic commerce.

Gilbert was also a member of several technology-focused think tanks in Singapore.

# Experience

- **Info-communications Media Development Authority of Singapore (IMDA):** Acting as one of IMDA's outside counsels, advising on various matters pertaining to IMDA's function as the telecommunications Regulator in Singapore.
- **MOH Holdings:** Counseling for the tender and award of the first phase of the National Electronic Health Records system.
- **Confidential client:** Acting in the preparation of documentation associated with a multi-year outsourcing of IT functions and negotiating with the vendor on behalf of a large chain of hospitals.
- **Confidential client:** Acting in the preparation and negotiation for various tenders for group of healthcare institutions in Singapore in relation to its cluster-wide (a) Hospital Information System, (b) Laboratory Information System, (c) Hardware Acquisition, (d) Electronic Medical Records System, and (e) HR Information System. In each of these transactions, intense negotiations with vendors were necessary.
- **Confidential client:** Assisting in the preparation of a tender for a payment system. Scope of work includes the advising on the preliminary responses provided by the prequalified vendors and reviewing of tender documents.
- **Confidential client:** Advising a Singapore mainboard listed company, on the development, implementation and maintenance of a company wide (spanning a number of countries) ERP and back-end system including the setting up of data centres, disaster recovery, software licensing, hardware procurement and telecommunication contracts. The company's IT infrastructure was outsourced to the vendor. Also advised and prepared agreements for the use of its interactive website for B2B transactions.
- **Confidential client:** Acting in the negotiation and preparation of joint venture documents with party in Shenyang, PRC to set up a joint venture company in the PRC.
- **Confidential client:** Advising on the acquisition, by shares, of a software company in India.
- **Confidential client:** Advising on the acquisition of distribution company (services) in Japan including aspects surrounding the transfer of personnel.
- **Confidential clients:** Acting for government agencies in advising them on various policy and regulatory issues ranging from rendering opinions on statutory provisions, commenting on draft statutory provisions and enforcement of statutory provisions.
- **Confidential client:** Acting for a computer reservation systems provider in the drafting and negotiations of its frequent flyer programme software development agreement, subscription agreements for online facilities and tele-housing agreements. Also acted for them in relation to the review and contract negotiation for a multi-million dollar joint development project for a computerised travel reservations system with an airline partner and a US vendor. Rodyk [now Dentons Rodyk] also negotiated on their behalf the purchase of bandwidth and telecommunications facilities for their worldwide communications backbone.

# Recognition

- *Best Lawyers in Singapore:* Recognized in the area of Information Technology Law, 2021 – 2022
- *Best Lawyers in Singapore:* Recognized in the area of Media Law, 2022
- *Chambers Asia Pacific:* Leading Individual for Technology, Media, Telecommunications, 2011 - 2021
- “Despite [Gilbert’s] ‘very detailed’ approach, ‘business folk like to use him because he speaks in layman’s language and gives operationally sensible advice with a business sense to it’.” – *Chambers Asia Pacific*, 2020
- “[Gilbert Leong] attracts praise for being ‘well versed and knowledgeable of the public healthcare market and

IT legal matters.” – *Chambers Asia Pacific*, 2018

- *IFLR1000*: Recognized as a Notable Practitioner for M&A, 2019 - 2021
- *IFLR1000*: Recognized as a Notable Practitioner for Financial and Corporate Law, 2018
- *Who's Who Legal*: Recognized as a Leading Lawyer for Data - Information Technology - Global Leader, 2020
- *Who's Who Legal*: Recognized as a Leading Lawyer for Telecommunications Media & Technology - Information Technology, 2014 - 2017
- *Asia IP Experts*: Recognized as a Leading Lawyer for IT & Telecoms in Singapore, 2016
- *The Legal 500 Asia Pacific*: Leading Individual for Intellectual Property, 2012 - 2015
- *Asialaw Profiles 2014*: Recognized in the areas of IT, Telecommunications & Media
- *Asialaw Leading Lawyer*: Recognized in the areas of IT, Telecommunications & Media, 2008 - 2014
- *Asialaw*: Recognized lawyer in IP, IT, and Telecommunication areas, 2011 - 2012
- *The Legal 500 Asia Pacific*: Recognized lawyer with expertise in Biotechnology, Media and Telecommunications, 2009 - 2011

## In the Media

- "Timely action on privacy act," *The Straits Times*, February 6, 2018
- "New way to settle telco disputes: Safeguards needed to prevent abuse," *The Straits Times*, January 22, 2018
- "Copyright owners take legal set-top box sellers to court in unprecedented case," *TODAY*, January 13, 2018
- "The Wild Wild dark Web," *The Straits Times*, December 28, 2017
- "Watchdog seeks stricter protection of NRIC data," *The Straits Times*, November 8, 2017
- "More clarity sought over data privacy concession," *The Straits Times*, July 28, 2017
- "True cost of cyber security," *The Straits Times*, July 14, 2017
- "Proposed Cyber Security Bill: Experts hail proposals but some concerned about cost," *The Straits Times*, July 11, 2017
- "Proposed bill for cybersecurity to take precedence over bank, privacy rules," *The Straits Times*, July 11, 2017
- "Singtel vendor fined \$10k for data breach," *The Straits Times*, April 18, 2017
- "Legal challenges loom as online sales boom," *The Straits Times*, April 12, 2017
- "S'pore seeks clarity on tech impact before it legislates," *The Straits Times*, April 12, 2017
- "New guide to clear doubts on sharing customer data," *The Straits Times*, April 10, 2017

## Insights

- Co-author, "4 things you need to know about the amended Electronic Transactions Act," *Dentons Rodyk Reporter Issue 02 (2021)*, March 2021
- "5 Further Things You Need to Know About the Personal Data Protection (Amendment) Bill," *Dentons Rodyk Reporter Issue 01 (2021)*, January 2021

- Co-author, "Client Note," *Dentons Rodyk Reporter Issue 01 (2020)*, January 2020
- Co-author, "Dentons Rodyk Dialogue 2019," *Dentons Rodyk Reporter Issue 02 (2019)*, May 2019
- Co-author, "The "new" 2014 Geographical Indications Act ," *Dentons Rodyk Reporter Issue 02 (2019)*, March 2019
- Co-author, "Geographical Indications Bill Passed," *Dentons Rodyk Reporter - IP Edge*, June 2014
- Co-author, "Protecting Your Trade Mark In Myanmar," *Dentons Rodyk Reporter - IP Edge*, December 2013
- Author, "Draft Singapore Patents Rules For A Positive Grant Examination System," *IP Edge*, December 2013
- Co-author, "Singapore Parliament Passes Bill To Protect Personal Data," *Dentons Rodyk Reporter - IP Edge*, October 2012
- Co-author, "Internet Service Providers - Are They Liable For Your Traffic?" *Dentons Rodyk Reporter - IP Edge*, September 2009
- Author, "Of Pictures, Text And Reports," *Dentons Rodyk Reporter - IP Edge*, December 2008
- Author, "Case Law Updates & Legal Developments: December 2008," *IP Edge*, December 2008
- Author, "Unlocking Your Electronic Gadget - Releasing The Genie In More Ways Than One," *Dentons Rodyk Reporter - IP Edge*, March 2008
- Author, "Virtual Conflicts, Real Problems," *Dentons Rodyk Reporter - IP Edge*, December 2006
- Author, Singapore Chapter, *The Preston Gates Guide to Telecommunications in Asia*, 2006 ed., (Asia Law & Practice, 2006)

## Activities and Affiliations

### Presentations

- European Union Human Rights Seminar 2021: Human Rights in Cyberspace: Emerging Issues, January 20, 2021
- Global Technology Law Conference 2015 : The Future of Money and Data, June 29, 2015
- Personal Data Protection Act - Compliance, December 5, 2013
- Personal Data Protection Act Seminar, August 29, 2013
- Development Of Copyright Law In Singapore, April 26, 2013
- Social Media and IP, January 19, 2011
- Panel Discussion On "Empowering Business & Employees With Life-Long Learning & Certification", November 18, 2009
- Securing IP In And Around Software Applications With Open Sources, July 30, 2009
- Understanding IP In Software, July 10, 2009
- Negotiating, Drafting And Managing IT Contracts, June 23, 2009
- IP In Information Technology, March 18, 2009
- IP In Information Technology, November 12, 2008
- Google Issues - Is Content Liability Sexy Again?, October 15, 2007

- Understanding The Limits To Data Collection And Reassessing Electronic Marketing And Its Relationship With Consumers, June 19, 2007
- Copyright Issues, January 10, 2007
- Negotiation Of Difficult Issues In Software Contracts, November 3, 2006
- SMBNet Executive Roundtable Discussion 2006, September 26, 2006
- Privacy & Data Protection, May 16, 2006
- Identifying And Managing Unstructured Information, April 27, 2006
- Employee Privacy & Surveillance, April 5, 2006
- Electronic Agreements, March 15, 2006

## Prior and Present Employment

- Senior Partner - Dentons Rodyk & Davidson LLP (formerly Rodyk & Davidson LLP) (2002 - present)
- GE Medical Systems (1999 - 2002)
- Baan Company (1997 - 1999)
- Rodyk & Davidson (1990 - 1997)

## Areas of focus

### Practices

- Commercial Agreements
- Intellectual Property and Technology
- Intellectual Property Litigation
- IP Contracts, Assignment and Licensing
- Strategic IP Planning
- Life Sciences
- Privacy and Cybersecurity
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### Industry sectors

- Communications
- Media, Entertainment and Sports
- Technology
- Life Sciences

### Issues and opportunities

- Global Smart Cities & Connected Communities Initiative and Think Tank

# Education

- University College London, 1991, LL.M., (Merit)
- National University of Singapore, 1989, LLB (Hons)

# Admissions and qualifications

- Advocate & Solicitor, Singapore, 1990