

Maw Jiun Foo

Partner



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Overview

Foo Maw Jiun is a partner in Dentons Rodyk's Intellectual Property & Technology practice group and Co-Head of the Patents practice. He is also Co-Head of the Data Privacy & Protection and Cybersecurity practices.

Maw Jiun's areas of practice encompass worldwide registration of intellectual property, infringement and counterfeiting actions, commercial litigation involving intellectual property, commercialization of intellectual property rights (such as licensing and assignment agreements) and compliance with data protection and cybersecurity laws.

Maw Jiun has extensive experience negotiating and drafting commercial agreements, RFPs and tenders in relation to IT. Maw Jiun has acted for and advised both customers (seeking to procure IT resources) and IT service providers, for IT infrastructure projects, data centers, hardware, software licensing, software development, software escrow, managed services and maintenance. Maw Jiun's clients include public and private healthcare institutions, statutory bodies, fashion retailers, financial institutions and IT service providers.

Maw Jiun's IP litigation experience includes copyright suits, trademark infringements and revocation, patent infringements and breach of confidentiality cases. Maw Jiun has represented a variety of clients (including global pharmaceuticals, a Japanese semi-conductor packaging company, tobacco manufacturers and local enterprises) at various levels including the Singapore Trade Mark Registry, the Singapore High Court and the Singapore Court of Appeal.

Maw Jiun is also experienced in advising on data protection and cybersecurity issues and has assisted clients in various industries, including finance, healthcare, media, automotive, aerospace, property development, logistics, postal, hospitality, education and retail, on data breaches, data protection impact assessments, and developing data protection policies and compliance programmes.

Experience

IP Litigation

- **TOWA Corporation:** Acting for a leading global semi-conductor packaging company, TOWA Corporation in the Singapore High Court, and Singapore Court of Appeal, in relation to a dispute involving patent

infringement and patent validity. Reported at *TOWA Corp v ASM Technology Singapore Pte Ltd* and another [2016] SGHC 280, *ASM Technology Singapore Pte Ltd v TOWA Corporation* [2018] SGCA 1.

- **MUJI:** Acting for MUJI in the Singapore High Court against an online retailer, in relation to a dispute involving trademark infringement and passing-off.
- **Global Pharmaceuticals:** Acted for various global pharmaceutical companies (including Merck, Eli Lilly, Lundbeck) in the Singapore High Court, in relation to disputes involving patent infringement and patent validity.
- Acted for **Ku De Ta Singapore** in the Singapore High Court and Court of Appeal, in relation to a dispute involving trade mark infringement and passing-off. Reported at *Guy Neale and others v Ku de Ta SG Pte Ltd* [2013] SGHC 250, *Guy Neale and others v Ku de Ta SG Pte* [2015] SGCA 28.
- **Nexplanar Corporation:** Acting for and representing Nexplanar in the Singapore High Court defending an assessment of damages proceedings as against Rohm and Hass. This arose from a patent infringement suit reported at *Rohm and Haas v NexPlanar Corp and another* [2018] 5 SLR 180.
- **Tobacco Manufacturers:** Acted for various tobacco manufacturers including British American Tobacco in relation to trade mark opposition and invalidation at various levels, including the Trade Mark Registry, Singapore High Court and Court of Appeal. Reported at *British American Tobacco (Brands) Inc v Philip Morris Products S A* [2012] SGIPOS 7, *Jamal Abdunaser Mahmoud Al Mahamid v Global Tobacco Manufacturers (International) Sdn Bhd* [2015] SGHC 42, *Global Tobacco Manufacturers (International) Sdn Bhd v. Jamal Abdunaser Mahmoud Al Mahamid* [2015] SGCA 51.
- Successfully acted against Victoria's Secrets in the Singapore Trade Mark Registry, in relation to a trade mark opposition. Reported at *Trade Mark Opposition by Victoria's Secret Store Brand Management Inc* [2012] SGIPOS 3.

Data Protection

- **Integrated Health Information Systems:** Advising the public healthcare IT service provider on the cyber attack on the SingHealth database, one of Singapore's worst cyber attacks, including at the Committee of Inquiry and proceedings before the Personal Data Protection Commission.
- **Secur Solutions Group:** Acting for the IT service provider on the data breach involving the HSA bloodbank, including proceedings before the Personal Data Protection Commission.
- Conducting data protection compliance exercises and audits (including providing data protection training and review of operational processes) for companies operating in various industries (including healthcare, postal, logistics, information technology, property development, property management, palm oil, aircraft engineering) on compliance with the Singapore Personal Data Protection Act 2012.

Technology and Transactional

- **Healthcare Institutions and Providers:** Acted in the preparation and negotiations for RFPs and tenders by various healthcare providers in Singapore (both in the public and private sectors) in relation to their acquisitions of (a) Patient Management Systems, (b) Clinical Systems, (c) Hardware Acquisition, (d) Electronic Medical Records Systems, (e) HR Information Systems; and (f) IT consultancy services. In each of these transactions, intense negotiations with vendors were necessary.
- **Global technology company:** Advising a global technology company on data protection and technology laws arising out of its introduction of a new-to-market device.
- **Global automotive company:** Advising a global automotive company on data protection, technology and telecommunications laws arising out of its in-car device.
- **CrimsonLogic Pte Ltd.:** Advising on a multi-million, multi-year IT tender called by the Singapore Government for the development of an IT system and infrastructure for e-Government services.

- **CrimsonLogic Pte Ltd.:** Advising on development of a Single Electronic Window system with Suriname Government.
- **Global technology service provider:** Advising a global IT service provider on a multi-million, multi-year IT procurement by a global logistic provider for data centre and cloud hosting services.
- **Dimension Data:** Advising on a multi-jurisdiction IT services contract with a multinational banking and financial services company.
- **Confidential clients:** Advising several local statutory boards and public agencies on Smart Nation projects and IT system tender documentation.
- **Confidential clients:** Advising fintech companies on terms for cryptocurrency platform services, exchange services, and payment remittance services.
- **Global luxury fashion retailer:** Advising the retailer in the preparation and negotiation of its contracts for the acquisition of (1) enterprise support IT systems; (2) eCommerce platforms.
- Acted in the preparation and negotiation for an RFP by a major Information technology service provider in Singapore in its acquisition of a data center and associated infrastructure.

Recognition

- *The Legal 500 Asia Pacific:* Recommended lawyer for Intellectual Property, 2018

Insights

- "Personal Data Protection Act - Need to document Personal Data Policies and Practices," *IP Edge*, May 2018
- "Liability of an internet subscriber for acts of copyright infringement over the internet," *IP Edge*, November 2016
- "Protection Of Unregistered Marks For Foreign Brand-Owners," *IP Edge*, October 2015
- "Legislation Update - Personal Data Protection Act 2012*," *Rodyk Reporter - IP Edge*, June 2014
- "Singapore Court Upholds Registration Of 'Ku De Ta' Trade Marks," *Rodyk Reporter - Litigation Brief*, March 2014
- "The Importance Of Evidence In Trade Mark Infringement And Passing-off: SUBWAY Versus Subway Niche," *Rodyk Reporter - IP Edge*, June 2012
- "Serving Court Documents Through Facebook And Twitter: The Singapore Position?," *Rodyk Reporter - Litigation Brief*, December 2009

Activities and Affiliations

Memberships

- Member, Law Society of Singapore
- Member, Singapore Academy of Law
- Member, Asian Patent Attorney Association
- Member, ASEAN Intellectual Property Association

Prior and Present Employment

- Partner, Dentons Rodyk & Davidson LLP (formerly Rodyk & Davidson LLP), 2009 – present

Areas of focus

Practices

- Intellectual Property and Technology
- Communications
- Commercial Agreements
- Privacy and Cybersecurity

Education

- National University of Singapore, 2008, LLB (Hons)

Admissions and qualifications

- Advocate and Solicitor, Singapore, 2009