



INFORMATIVE NOTE



OUTLOOK 2015



MAIN TRENDS EXPECTED IN THE TMT SECTOR

Some forecasts on the topics that will dominate 2015:

1. New data protection regulation

The approval of the new EU regulation that was expected in 2014 should finally take place in 2015 and it will imply substantial changes to the way companies process personal data. One important example among the many planned changes is the requirement to appoint a person to perform the duties of "data protection officer", with primary responsibility in the company for compliance with the law.

2. Cookies

In September 2014, the Article 29 Working Party, with help from the national data protection agencies, carried out an audit of the largest sites on the Internet aimed at European consumers, to check whether they complied with the law, including the rules on cookies. The result of the audit will be released in 2015. In Portugal, the use of cookies without the prior consent of users is an offence subject to a fine of up to EUR 5 million.

3. In the Clouds...

The provision of services using the storage and computing capacity of servers interlinked by the Internet (cloud computing) is one of the most talked-about topics of recent years. Nevertheless, its effect in terms of real impact on the market is still small. Will 2015 finally be the year when the cloud really takes to the skies?

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4. The Right to be Forgotten

In 2014, the Court of Justice of the European Union passed judgment in case no. C-131/12 (*Costeja*), which created a lot of controversy about limits on the principles of freedom of information and expression and the right to be forgotten. This led to the leading search engines introducing mechanisms to remove results at the request of interested parties. There is no doubt it will continue to be a hot topic.

5. Update of the Private Copying Law

The legislation that redraws the rules on private copying will be published in 2015. It will address the compensation due to authors and artists for the reproduction or recording of their works. This fair compensation will come from a levy on the retail selling price of equipment and blank media devices that can be used to record or save works. Until now, this levy was principally over analogic equipment but the new law updates the fair compensation table. The updated table will include different digital media such as smartphones, tablets, and memory sticks and cards, among others.

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 Portuguese Law Firm of the Year
Chambers European Excellence Awards, 2009, 2012, 2014

 Iberian Law Firm of the Year
The Lawyer European Awards, 2012

 Top 50 - Most Innovative Law Firms in Continental Europe
Financial Times - Innovative Lawyers Awards, 2011-2014