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Welcome to the fourth edition of Latham & Watkins' *Middle East & Africa Technology, IP and Sourcing Focus* — your source for know-how, recent news and developments in technology, intellectual property and sourcing across the Middle East and Africa.

Click on the links below for a more detailed discussion of each topic.

Latham is continuing to update its recently launched *Al-Mirsal* blog, with timely insights and commentary on legal developments in the Middle East. The blog is produced in English and Arabic and provides useful analysis of legal developments for anyone with an interest in the Middle East.

If you have any feedback on this edition of *Focus*, or if you have any suggestions for particular areas you would like to see covered in a future edition, please do not hesitate to contact us.

SOURCING

July White Paper

Running an In-bound Due Diligence Process

Due diligence carried out by suppliers is a key activity in any outsourcing transaction; by facilitating due diligence, a customer is able to transfer risks associated with the customer's environment to a supplier and push-back against any request for a price adjustment following signature of the outsourcing agreement.

However, it is also important that such due diligence adheres to a structured and controlled process to enable the customer to mitigate any risks associated with the disclosure of certain information and to manage its resources in a way that minimises disruption to the customer's day-to-day business.

This edition's white paper looks at the importance of supplier due diligence in the outsourcing procurement process and suggests ways that a customer can manage due diligence to address the associated risks.

South Africa's Mobile Communications Market: 'Granny Smiths' and 'Golden Delicious'

Keeping Your Deal Competitive in a Rapidly Changing Market

In light of recent aggressive market activity in the mobile communications sector in South Africa we thought it was opportune to revisit one of the foundation issues for any outsourcing or managed services arrangement: how to ensure your deal remains competitive in a market where the services in question are very likely to become cheaper over time?

For any further information
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The South African mobile communications industry provides an excellent example of a market which is now likely to move so quickly that it amplifies the need for parties to agreements for services in this sector to focus on the rights and obligations required in their contracts to keep pace with a rapidly changing market landscape.

NEWS

Amendments approved to Saudi Arabian Telecommunications Law: *Al Watan* newspaper has reported that Saudi Arabia's Shoura Council recently approved amendments to several articles of the Kingdom's telecommunications law. The amendments will enhance the powers of the relevant bodies' role in monitoring violations. The amendments include setting a maximum financial penalty of SR 25 million Riyals for any of the violations in Article 37 including providing telecommunication services, creating a public telecommunications network or using without a licence or linking a private telecommunications network to a public one. The article reporting on these amendments (and linked) here is available in Arabic only.

GCC Unified Trade Marks System Agreed: Al Arabiya News has reported that the GCC's Specifications and Standards Authority has agreed to introduce a reciprocal trademarks and conformity certificates recognition system. Under the new system, a conformity certificate or trademark issued in any GCC state will be recognised by all other GCC countries. The move follows a meeting between the Specification and Standards Authority and Ministry of Trade officials from the GCC countries. The governor of the Saudi Specifications and Quality Standards Authority, Nabil Mula, said the strategy will last for three years after its introduction. The article reporting on this agreement, and linked here, is available in Arabic only.

UAE to look at regulating "daily-deals" websites: The National in the UAE has reported that the Department of Economic Development in Dubai is in discussions with a number of daily-deals websites in the UAE (e.g. Groupon and Cobone) relating to potential regulation of such websites. This comes not long after a statement by the Office of Fair Trading (OFT) in the United Kingdom that it has written to 35 daily-deal companies and asked them to review their practices following an OFT investigation into Groupon's practices in the United Kingdom and subsequent undertakings made by Groupon to the OFT. It is not yet clear what form the DED regulatory framework will take, but we hope to provide further detail in the next edition of *Focus*.

IP / DATA PRIVACY

IP Primer for the UAE: This primer has been created as the first in a series of IP summary documents that will be useful for organisations and industry sectors across the Middle East that deal with intellectual property rights. This first *IP Primer* provides an overview of the intellectual property rights likely to arise in a university setting within the UAE and focuses on the patenting process, offering best practice advice and guidance that will be useful for anyone working in the fields of scientific or technical research and development.

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MEA TEAM NEWS

- Larry Cohen will be speaking at the IBC Legal Intellectual Property Law conference in the UAE in September 2012
- On 4 June 2012 Brian Meenagh spoke at the IDC IT Security Roadshows in the UAE
- On 20 May 2012 Andrew Moyle and Justin Cornish delivered a presentation at the 4th annual Arab Outsourcing Conference

USEFUL LINKS

Latham's *Al-Mirsal* blog: Insights and commentary on legal developments in the Middle East in English and Arabic.

Latham's *Global Privacy & Security Compliance Law* blog

The Working World: A quarterly review of global issues presented by Latham's Benefits, Compensation and Employment Group.

Previous editions of *Focus*:

Focus, Vol. 3
Focus, Vol. 2
Focus, Vol. 1

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