



GRATA
INTERNATIONAL

Local Knowledge
for Global Business

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Technology, Media & Telecommunications

In the constantly and rapidly developing Technology, Media and Telecommunications market businesses must adapt quickly to stay competitive. Digital and disruptive technologies change the way we work; we monitor trends and how they impact businesses from a legal perspective. Our lawyers have over 25 years of experience in the TMT industry. Combining the strength of all our Industry Sectors we have created what we believe a leading practice of assistance in establishing a strong legal presence and further support in your business. Our global reach enables us to employ a collaborative approach to work on cross-border projects. We are a Highly Recommended Law Firm by AsiaLaw Profiles in 2014 – 2016 in IT, Telecommunications & Media.

Our services include:

- ▶ Licensing and permits.
- ▶ Competition and regulatory requirements.
- ▶ Property acquisition and registration.
- ▶ Finance and leasing.
- ▶ Taxation, customs and transfer pricing.
- ▶ Corporate structuring.
- ▶ Registration of legal entities.
- ▶ Drafting and negotiating commercial agreements.
- ▶ Labour.
- ▶ Advising on environmental law issues.
- ▶ Dispute resolution and mediation.
- ▶ Insolvency and restructuring.
- ▶ Legal structuring of complex projects

and much more.

Practice areas

[CORPORATE](#), [DISPUTE RESOLUTION](#), [EMPLOYMENT](#), [ENVIRONMENT](#), [FINANCE AND SECURITIES](#),
[LICENCES AND PERMITS](#), [RESTRUCTURING & INSOLVENCY](#), [TAX](#)

Industry Awards & Rankings

Kazakhstan



Legal 500, Tier 2, 2017-2019

The team at GRATA International advises clients on copyright and trade mark infringements and patent registrations.

Experience

Azerbaijan

Telecommunications

- ▶ Due diligence of a major mobile phone operator of Azerbaijan prior to the acquisition of a facility.
- ▶ Providing legal advice on IP Telephony regulations to a Chinese investment holding company.
- ▶ Advising an international Chinese company, a manufacturer of telecommunications equipment and systems, (branch office in Baku) on employment contracts.
- ▶ Advising a Swedish telecommunications equipment company on the import of IT equipment.
- ▶ Advising the main American cable and satellite TV channel on licencing matters.
- ▶ Providing legal services on various matters to a German multinational software corporation.
- ▶ Advising Caspian SAT Company on matters of obtaining a licence.
- ▶ Advising SAP company (through SAP AZ LLC) on various legal matters, including contracts, tax and customs law.
- ▶ Providing legal support to a leading world company that developed the electronic platform for drivers and passengers in corporate, tax, and financial legal matters.
- ▶ Advised a German Telecommunication Company on a number of matters and conducting pre-merger Due Diligence in Azerbaijan.
- ▶ Advised a Swedish Telecommunication Company on a number of matters and conducting Due Diligence of the target

company (M&A project) in Azerbaijan.

- ▶ Advised a European telecommunication Company on various commercial, corporate and regulatory matters, and immigration law in Azerbaijan.
- ▶ Advised a French Telecommunication Company on various commercial, corporate and regulatory matters (including reorganization through merger) and immigration law in Azerbaijan.
- ▶ Represented the client before the Supreme Court of Azerbaijan in recognition and enforcement of Foreign Arbitral Award in favor of Toshiba Company against local company in Azerbaijan. The award was recognized and directed to the Bailiff's department for enforcement (USD 4.4 million).
- ▶ Represented POSCO DAEWOO company in recognition and enforcement of an arbitral award issued by Korean Commercial Arbitration Board in favour of Korean against a company (debtor) in Azerbaijan. Represented the client in the Constitutional Court and achieved a decision overriding the Supreme Court judgment on refusal to recognise the arbitral award.

IT and Media

- ▶ Providing legal advice on license issue to an American cable and satellite television channel.
- ▶ Providing legal advice to a Chinese investment holding company on IP Telephony regulations of the Republic of Azerbaijan.
- ▶ Advising Swedish telecommunications equipment company on importing IT equipment.
- ▶ Providing legal services on various matters related to corporate, IT and contracts law to a German multinational software corporation.

Belarus

- ▶ Advising a resident company of the High-Tech Park, a major developer of applications for mobile platforms (iOS | Android), server-side web applications and systems based on JAVA | NET | PHP on legal DD of NDAs, master service agreements, and license agreements. Advising the company on attracting investments.
- ▶ Due diligence of partnership agreements of one of the leading suppliers of European energy engineering equipment in Belarus on the matters of intellectual property protection.
- ▶ Legal support of an Austrian data processing company in the course of its participation in the tender, discussing of contractual terms and due diligence of certain aspects of implementation of the contract.
- ▶ Advising a major developer of web-based software with client-server architecture and cross-platform mobile applications for Android and iOS on various matters on residency in the High-Tech Park. Drafting of certain corporate documents, draft business plan in accordance with different business conditions. Providing legal advice on concluding software development agreements with foreign partners.
- ▶ Advising the Belarusian branch of a Chinese telecommunications company on the issues of illegal supply of counterfeit goods to Belarus using the company's trademark.
- ▶ Advising a Belarusian IT company on matters of entering the Israeli market.

- ▶ Providing legal support to a Belarusian IT-company of Israeli origin in the course of implementation a project for arranging a communication system with a single access point in Belarus.
- ▶ Advising the Belarusian branch of an American IT company on the issues of registration of the subsidiary, development of commercial secrets protection framework, drafting of software development agreements, advising on matters of assigning rights to software.
- ▶ Advising one of the leading global manufacturers of networking and telecommunications equipment. Drafting of the legal opinion on implementation of the contract for providing engineering services, drafting of the guarantee agreement, performance of due diligence of labor relations and development of the plan for minimizing risks of violation of the law in this sphere;
- ▶ Advising the Minsk office of a German company on the issues of cooperation with the Belarusian office for development of software products and issues of transfer of its rights to the developed software.
- ▶ Providing legal support to a Belarusian IT startup, which specializes in solutions for contact centers, HR departments and industrial safety departments, on the issues of attracting investments. Advising on drafting of the cooperation agreement and the shareholders agreement. Legal support of the company on the issues of preliminary due diligence in the field of intellectual property, drafting the agreement on transfer of ownership rights.

Georgia

Telecommunications

- ▶ Providing services to Mediapro Georgia Ltd on implementation of the Mobile Number Portability Project in Georgia.
- ▶ Representing one of the local telecommunications companies in a tax dispute.

Kazakhstan

Telecommunications

- ▶ Advising the world's largest telecommunications company headquartered in China on establishing their legal presence in Kazakhstan, including licencing, corporate structuring and asset acquisition.
- ▶ Advising a group of Middle Eastern investors on acquisition of shares in a Kazakhstani telecommunications company, including due diligence, corporate structuring, regulatory and licencing advice.
- ▶ Advising one of the leading producers of mobile phones on antitrust and customer protection issues in Kazakhstan, Kyrgyzstan and Azerbaijan.
- ▶ Advising the largest telecommunications company in Kazakhstan on public listing of shares, including legal due diligence.
- ▶ Due diligence of a Kazakhstani mobile phone operator as a part of an M&A transaction with a focus on the permits of state agencies of Kazakhstan.

- ▶ Advising a leading world provider of new generation telecommunications networks on corporate restructuring.
- ▶ Advising a leading global provider of telecommunications equipment on tax issues in a proposed consortium with another company.
- ▶ Advising a leading global provider of telecommunications equipment on enforcement of arbitration awards in the territory of Kazakhstan.
- ▶ Advising a major supplier of telecommunications equipment on risks, related to contracts with offshore companies.
- ▶ Advising an international supplier of telecommunications equipment and mobile phones on enforcement procedures, related to resolving international trade disputes in Kazakhstan.
- ▶ Advising a telecommunications company, implementing a project in the territory of Kazakhstan on matters related to the legal status of optical cables in accordance with Kazakhstan law.
- ▶ Advising a major international telecommunications company on customs law and legal support for customs audit.

IT and Media

- ▶ Advising Uber in connection with launch of service in Kazakhstan, Azerbaijan and Belarus, including licensing, tax and other issues, drafting commercial agreements, participation in negotiations with state authorities.
- ▶ Advising one of the leading Kazakhstani e-commerce companies in connection with corporate structuring of their business and prospective acquisition of shares in a company by local and foreign investors.
- ▶ Advising a world leading producer of software products in connection with protection of intellectual property rights, and successfully representing the client in local courts.
- ▶ Advising international TV-channel network in connection with structuring their business in Kazakhstan and Russia, protection of intellectual property rights, labor and taxation issues.
- ▶ Advising several TV-channel networks in connection with regulatory requirements in Kazakhstan and performing related mandatory filings.
- ▶ Registration of representative office of top-tier Russian TV-channel in Kazakhstan, providing corporate structuring and advisory services.
- ▶ Advising one of the leading producers of software products in connection with antitrust and customer protection issues in Kazakhstan, Kyrgyzstan and Azerbaijan.
- ▶ Advising a major Russian company providing technology and media services in various industry sectors in connection with launch of their services in Kazakhstan, including regulatory issues, legal structuring, tax and permits.
- ▶ Providing legal support in acquisition of Foodpanda online service by Chocofamily internet-holding, including drafting transaction documents, verification of corporate authority, and other corporate and finance law advice.

Kyrgyzstan

- ▶ Advising major German railway operator on acquisition of 100% shares of the local logistics company. Representing interests of one of the leading mobile operators in court on dispute re. sale of 100% of shares of local mobile operator (in the course of the special administration procedure).

- ▶ Advising Dutch company, a multinational developer & creator of navigation technology and consumer electronics, on licensing regulation and cartography.
- ▶ Advising a US multinational financial services corporation on the issues of business conduct and legal assessment of possible impacts of introduction of amendments to Payment Systems Law in the Kyrgyz Republic.
- ▶ Advising one of the leaders in global payments and a technology company on introducing new money transfer services on the territory of the Kyrgyz Republic including use of electronic money.
- ▶ Advising an American licensed international money remittance operator on the issues of business conduct, registration of a payment system and reporting requirements of the National Bank of the Kyrgyz Republic.
- ▶ Successful registration of an operator of money-transfer system in the registrar of the National Bank of the Kyrgyz Republic.
- ▶ Advising China Telecom on construction of a nation-wide fiber network in Kyrgyzstan.
- ▶ Advising and represented Huawei Technologies Co., Ltd. as a creditor in bankruptcy procedure of the mobile operator Fonex (AkTel LLC), participated in court proceedings, creditors' meetings, and advised the client on restructuring AkTel LLC, observed tenders and supported the client during the procedure of a special administration.
- ▶ Advising and represented Huawei Technologies Co., Ltd. as a creditor in bankruptcy procedure of the mobile operator Fonex (AkTel LLC), participated in court proceedings, creditors' meetings, and advised the client on restructuring AkTel LLC, observed tenders and supported the client during the procedure of a special administration.

Moldova

Telecommunications

- ▶ Representing an electronic telecommunications, retail and insurance company in implementation of GDPR principles in a new personal data protection law.
- ▶ Assisting a British telecommunications company with SPA transaction for transfer of the shares from a large and famous TV from Moldova.

Poland

Telecommunications

- ▶ Drafting commercial documents, including confidentiality and privacy policy for the e-platform of an innovative multi-brand loyalty programme in Poland.
- ▶ Advising a major mobile phone service provider in the process of negotiating contracts with 3 out of 4 major Polish telecom operators (Orange, Play, Polkomtel - Plus).
- ▶ Advising a multinational insurance company and its Swedish branch on entering onto the Polish market and establishing cooperation with one of the major telecommunications companies on the Polish market.

- ▶ Advising a major local mobile phone operator on tariff for incoming international transit traffic.
- ▶ Due diligence of a major local mobile phone operator.
- ▶ Advising the largest Dutch telecommunications company on matters, related to roaming and data protection.

Russia

Telecommunications

- ▶ Successful representing the interests of a Russian subsidiary of one of the major global entertainment channels in a series of disputes on enforcement and recovery of debt under the licence agreements with cable operators for the amount of over RUB 60 million.
- ▶ Protecting the interests of Housing Cooperative "Kropotkina 108" in a dispute against the competition authority and the largest Russian telecom operator - MTS. The Russian Supreme Court cancelled the judicial acts of three arbitration instances. This Supreme Court precedent stopped the practice of prosecution of housing cooperatives throughout Russia.
- ▶ Successfully protecting the interests of Tayga info, one of the leading information and analytical Internet resources of the Siberian region in the dispute initiated by Zhilfond, the largest regional real estate agency for protection of business reputation in connection with an article placed on the website.
- ▶ Advising a well-known investor and public figure in a dispute against NGS-News online news-channel related to the protection of honour, dignity and business reputation, retraction of the information disseminated in the article on the NGS website, and for collection of compensation for moral harm. The judgment was passed in favour of the client.
- ▶ Providing comprehensive advice to SEO Agency of Internet Marketing - YAL Studio on business issues, analysis and drafting of contracts, representation in litigation related to the activities of the agency.

Uzbekistan

Telecommunications

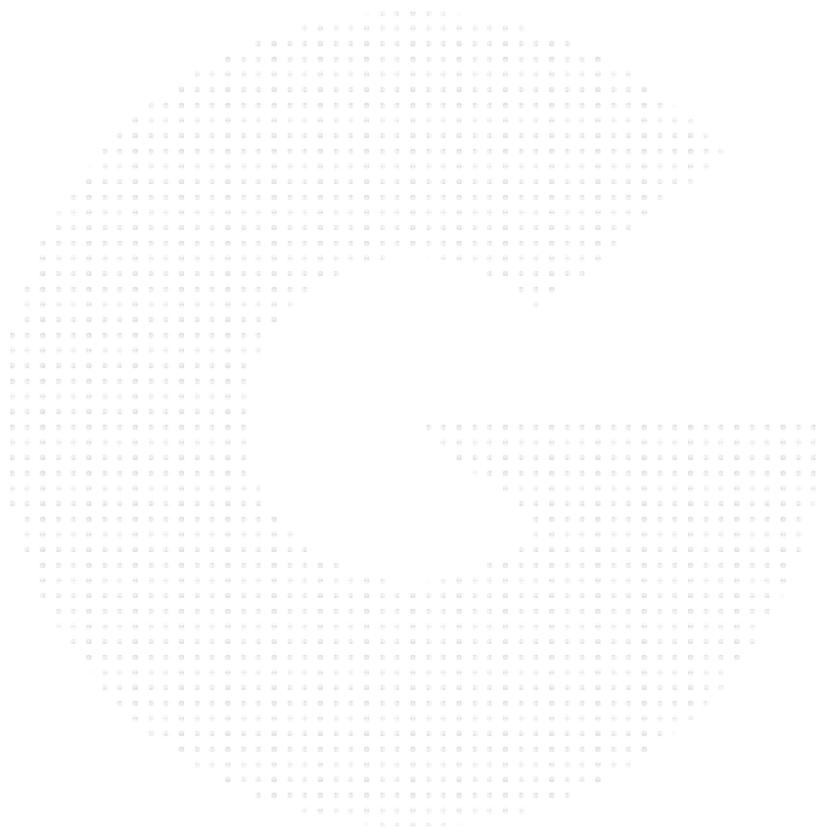
- ▶ Carrying out full legal due diligence of the largest telecom operator in Uzbekistan in connection with upcoming corporate acquisition of the operator.
- ▶ Carrying out full scale legal due diligence of the leading Uzbekistani online advertisement source with view of corporate acquisition.
- ▶ Successful representing of Israeli telecommunications equipment manufacturer and service provider in pre-judicial negotiations with the local tax authority insisting on payment of additional taxes by a non-resident operating in Uzbekistan through a permanent establishment. Amount of dispute: US\$3,500,000.
- ▶ Advising a group of companies based in Israel, the USA and the UK on tax obligations and emergence of permanent establishment in Uzbekistan in relation to a long term EPC contract in the telecommunications industry (US\$ 40 mln).

Project).

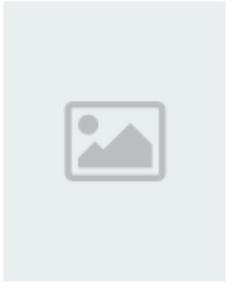
- ▶ Due diligence of a building offered for sale to Transatlantic – an Indian owned transportation company, to locate pharmaceutical products warehouse in Tashkent, Uzbekistan.
- ▶ Advising Daewoo International Corporation – a Korean multifunctional corporation, in a dispute against the largest telecommunication operator in respect of an illegal attempt to premature termination of lease of office premises agreement. Successful negotiation leading to extension of lease for one calendar year.
- ▶ Assisting Cisco – a European telecom equipment and services operator, in amending lease terms before its expiry. Successful amendment of lease terms.
- ▶ Advising a Sweden-based mobile communications operator on issues related to licensing 3G networks in Uzbekistan and transfer, storage, processing and disclosure of professional and private information about its local subsidiary employees.
- ▶ Advising a Chinese telecommunications equipment manufacturer on matters of mandatory installation and maintenance of SOIM (system for operative and investigative activities) at mobile communications networks of local operators.
- ▶ Advising and ensuring compliance with local antimonopoly legislation, including obtaining the authorisation of the state anti-monopoly committee, on sale by a Japanese telecommunications company of its 24% interest in the company, holding 26% of the market (wired Internet) and its 49% interest in a Company holding 70% of the market (wireless Internet).
- ▶ Advising a European telecommunications company on matters of telecommunications licencing, specifically, designing, building and operating data transmission networks.
- ▶ Advising a Chinese telecommunications corporation on matters related to obtaining a permit to use certain radio frequencies for the company's internal purposes.
- ▶ Advising a leading Chinese telecommunications company on matters related to obtaining the permits for the import, sale and operation of certain types of telecommunications equipment by mobile operators, including providing practical assistance in obtaining permits from the Centre for Electromagnetic Compatibility of Devices to import certain types of devices into Uzbekistan.
- ▶ Consulting with the consortium of Japanese and Korean companies on issues related to provision of telecommunications services on wireless data transfer networks.
- ▶ Advising a European telecommunications company on matters related to operation of data transmission networks and on cooperation between data transmission networks operators.
- ▶ Advising a leading Chinese telecommunications company on the use of devices for cryptographic protection of information by operators of data transmission networks.
- ▶ Advising Uzbekenergo CJSC on designing telecommunications networks (data transmission, radio and telephone communications) in the construction of the steam and gas unit at Syrdarya thermal power plant.
- ▶ Advising an Israeli company on matters related to construction, installation and use of data transmission antennas for mobile network phone operators.

Ukraine

- ▶ Legal accompaniment of an entry into the market of the relevant branches of large IT-platforms (Liki 24, Accemedin).



Key contacts



Liya Akzhanova

Deputy Head of GRATA in Nur-Sultan, Counsel, Director of regional development

📍 Nur-Sultan, Kazakhstan

☎ +7 701 523 84 68

✉ lakzhanova@gratanet.com



Ainura Takeyeva

Counsel

📍 Kokshetau, Kazakhstan

📍 Nur-Sultan, Kazakhstan

📍 Petropavlovsk, Kazakhstan

📍 Temirtau, Kazakhstan

📍 Uralsk, Kazakhstan

☎ +7 701 555 8761

✉ atakeyeva@gratanet.com



Yerzhan Yessimkhanov

Partner

📍 Almaty, Kazakhstan

☎ +7 727 2445 777

✉ yyessimkhanov@gratanet.com



Dmitry Viltovsky

Managing Partner

📍 Minsk, Belarus

☎ +375 29 331 1411

✉ dviltovsky@gratanet.com

International team



Liya Akzhanova

Deputy Head of GRATA in Nur-Sultan, Counsel, Director of regional development

📍 Nur-Sultan, Kazakhstan

☎ +7 701 523 84 68

✉ lakzhanova@gratanet.com



Darya Zhanysbayeva

Senior lawyer

📍 Almaty, Kazakhstan

☎ +7 701 794 94 99

✉ dzhanysbayeva@gratanet.com



Yerzhan Yessimkhanov

Partner

📍 Almaty, Kazakhstan

☎ +7 727 2445 777

✉ yyessimkhanov@gratanet.com



Dmitry Viltovsky

Managing Partner

📍 Minsk, Belarus

☎ +375 29 331 1411

✉ dviltovsky@gratanet.com



Kanat Seidaliev

Managing partner

-  Bishkek, Kyrgyzstan
-  Dushanbe, Tajikistan
-  +996 775 97 3583
-  kseidaliev@gratanet.com



Mirzaaziz Ruziev

Senior lawyer

-  Tashkent, Uzbekistan
-  +9 9897 707 3110
-  mruziev@gratanet.com



Igor Popa

Senior Partner

-  Chisinau, Moldova
-  +373 22 22 4011
-  ipopa@gratanet.com



Ummi Jalilova

Partner, Director of Baku office

-  Baku, Azerbaijan
-  +994 51 855 5145
-  ujalilova@gratanet.com



Samat Daumov

Partner

-  Dubai, UAE
-  Nur-Sultan, Kazakhstan
-  +7 7172 689 929
-  +7 7172 689 928
-  +971 52 352 82 07
-  sdaumov@gratanet.com

