

Zaid Hamzah

Biodata
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Sms before calling preferred

Key Competencies

An intellectual property and technology law strategist specializing in ICT-based commercial transactions, E-security & Biotechnology, 47 year old Zaid Hamzah is currently a Consultant to Microsoft's Legal & Corporate Affairs Department for the Asia Pacific region (based in Singapore). Author of the Law & Strategy trilogy (*Intellectual Property Law & Strategy; Biotechnology Law & Strategy; E-Security Law & Strategy*) and a legal practitioner's book entitled "Information Technology Contracts: Forms and Precedents", Zaid has over 20 years of professional work experience spanning technopreneurship, technology transactions, strategic technology & IP licensing, strategic policy engagements, academia and international consulting. An industry practitioner and adjunct teaching staff in several tertiary institutions in Singapore and Malaysia, Zaid specializes in technology and intellectual property strategies in Asia with a focus on strategic legal risk management, intellectual property competitive strategies & innovation management in the ICT and biotechnology sectors. Zaid graduated with a Bachelor of Law degree from the National University of Singapore and was a Fulbright scholar when he completed his Masters at the Fletcher School of Law & Diplomacy, Tufts University, USA.

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Education & Professional Qualifications

- 1984 Bachelor of Laws, National University of Singapore
- 1985 Admitted as Advocate & Solicitor, Supreme Court of Singapore
- 1992 MA in International Relations, Fletcher School of Law & Diplomacy, Tufts University, USA (awarded the Fulbright Scholarship)
- 2000 Admitted as Solicitor, England & Wales

IP Course attended

- 2006 Intellectual Property Engineer Course, IP Academy, Singapore www.ipacademy.com.sg (courses taken include Structure & Analysis of Patent Claims; Patent Due Diligence Using Software Tools; IP in Biotechnology; IP in Information Technology)

Current Position

Consultant to Microsoft, Legal & Corporate Affairs Department, Asia Pacific region

Key Publications

Author of the **Law & Strategy** series comprising three books (E-Security Law & Strategy Lexis Nexis, 2005, Biotechnology Law & Strategy, Lexis Nexis, 2005, IP Law & Strategy, Sweet & Maxwell Asia, 2006) & **IT Contracts Forms & Precedents** (Singapore and Malaysia), Lexis Nexis, 2005)

Academic Positions & Fellowship

- Associate Fellow, Centre for Asia-Pacific Technology Law & Policy @ Nanyang Business School, Singapore
- Adjunct Staff, School of Communication & Information, Nanyang Technological University, Singapore teaching "Managing IP & Innovation" (Aug-December 2006)
- Visiting Associate Professor, Centre for Advanced Software Engineering, Universiti Teknologi Malaysia teaching "E-Security Law" and "Law Investigation & Ethics" domain for the CISSP examinations (2004 to date)

Academic Experience (adjunct/part-time position)

- July 2006 Tutor, Oxford Internet Institute, Oxford University, United Kingdom during the Summer Doctoral Program, 2006
- 2004 to date Visiting Associate Professor, Centre for Advanced Software Engineering, Universiti Teknologi Malaysia teaching "E-Security Law" and "Law Investigation & Ethics" domain for the CISSP examinations
- 2003-2004 Visiting Associate Professor, Faculty of Law, Universiti Kebangsaan Malaysia (National University of Malaysia) teaching "Information Technology Law"
- 2002-2003 Visiting Associate Professor, Faculty of Law, University of Malaya teaching "E-Business Law"

Professional Career

- 2004-2006 (Aug) Director, Microsoft Legal & Corporate Affairs, Asia Pacific
- 2000-2003 Managing Director, i-Knowledge Technologies Private Limited (legal technopreneurship – elaw solution provider), Singapore
- 1996-2000 SLG Consultants (regional legal consultancy in Southeast Asia focusing on cross-border corporate/commercial transactions including joint ventures and ICT transactions) Singapore/Southeast Asia
- 1994-1996 Lawyer, Khattar Wong & Partners, a major law firm in Singapore, with all round corporate/commercial exposure with a focus on cross-border investments
- 1985-1994 Singapore Ministry of Foreign Affairs (last position, Senior Assistant Director for International Organizations)

Key Consultancy Work

Consultant to the Malaysian Government (Ministry of Domestic Trade & Consumer Affairs, Malaysian IP Corporation) on the development of the Malaysian National Intellectual Property Policy (2003)

COURSES TAUGHT

Strategic Management & Technology

- Strategic Lawyering in the Technology Economy (Strategic Management of Legal Risks in Technology Transactions)
- Biotechnology: Managing Legal Risks and Value Creation (or Biotechnology Law & Strategy)

Intellectual Property

- Managing Intellectual Property & Innovation
- Intellectual Property & Competitive Strategies
- Managing Intellectual Property & Technology Strategies
- Intellectual Property Due Diligence in Merger & Acquisition Deals
- Strategic Licensing in Technology Deals

Information Technology

- E-Security Law & Strategy (including Law, Investigation & Ethics domain for the CISSP¹)
- Information Technology & Internet Law (including Outsourcing Law)
- E-Business Law
- Internet Banking Law

DETAILED PUBLICATION LIST

PUBLISHED BOOK

Intellectual Property Law & Strategy (June 2006)

E-Security Law & Strategy, Lexis Nexis, April 2005

Biotechnology Law & Strategy (Lexis Nexis, 2005)

IT Contracts in Singapore Precedents and Forms, Lexis Nexis 2005 (co-author with David Len)

UPCOMING BOOKS

Electronic Evidence & Due Diligence (upcoming 2006)

Contributing Author To Books

Contributed 4 Chapters to Sweet & Maxwell's book "Due Diligence Law & Practice" by Christopher Davis:

- **Electronic Due Diligence**
- **Biotechnology Due Diligence: Managing Legal and Business Risks**
- **Due Diligence in the New Economy : Changing Paradigm**
- **Technology Due Diligence**

ARTICLES, CONTRIBUTIONS TO JOURNALS & PAPERS PRESENTED

Publications & Papers

Themes:

- Legal Risk Management and IT Business Legal Strategies
- IT Security and Computer Forensics
- Biotechnology
- Intellectual Property & Intellectual Asset Management
- Legal Practice Management and Computing
- Technology Due Diligence
- Internet Banking

¹ Certified Information Systems Security Professional, which is a vendor-neutral certification governed by the International Information Systems Security Certification Consortium (ISC2)

Standards and Interoperability

Interoperability: Definition, How to Achieve, Choice as Best Policy, Microsoft's Commitment, China Standardization, July 2006

Intellectual Property & Intellectual Asset Management

The Innovative Workplace: Reaping the returns of innovation through sound intellectual property policies and management practices

Published in "Make Your Move: Getting Ahead with Intellectual Property" an intellectual property management handbook issued by the Intellectual Property Office of Singapore, November 2002

Technology Due Diligence: Managing Legal Risk Exposures In The Intellectual Property Aspects

Published in the Spring 2002 Edition of the Due Diligence and Risk Management Journal, United Kingdom

Paper entitled "**Managing Intellectual Property Rights as Corporate, Community and National Asset: A legal, business and social perspective of Intellectual Asset Management**" presented at a seminar in Kuala Lumpur, Malaysia on Intellectual Property Rights and Globalization, 13 May 2003

Intellectual Asset Management: Managing the Legal Risks

First published in the March 2002 issue of Intelligent Enterprise Asia

Businesses Must Learn to Protect Knowledge Assets

Feature article in Singapore *Business Times*, a business daily, published on 2 July 1999

Biotechnology

Biotechnology Ventures: Managing Legal Risks

Published in Advising Business: Law & Practice Vol 2, Issue 4: Due Diligence & Risk Management Special, United Kingdom, July 2003 (Editor Dr Linda Spedding)

Managing Biotechnology Patents as Intellectual Assets

Paper presented at a Lexis Nexis Professional Education Seminar, Kuala Lumpur June 2003

E-Business, IT Business & Legal Risk Management

Companies Must Protect Digital Assets

Published in Business Computing, New Straits Times, Malaysia (3 Sept 2003)

Digital Asset Protection: Strategic Management of Legal Risk Exposures

Published in the Winter 2002 edition of the Due Diligence and Risk Management Journal, United Kingdom

New Ways for Managing Legal Risks

Article published in Advising Business: Law & Practice Volume 1 Issue 1, 2002, United Kingdom

Risk-e business : Effective e-Legal Strategies and Risk Management Frameworks

Article published in the November 2001 issue of *Managing Partner*, United Kingdom
www.mpmagazine.com

E-Business : Managing Legal Risks

Article published in the November 2001 issue of *Risk Management Bulletin*, United Kingdom
www.rmbulletin.com

Information Technology Business: Strategies to Manage Legal Risks & Designing Effective Risk Management Framework

Article published by the Society for Computers & Law, United Kingdom in December 2001
<http://www.scl.org>

Managing Legal Risks

Article published in the 1 November 2001 issue of Intelligent Enterprise Asia
www.intelligentasia.com

Due Diligence

Technology Due Diligence: An Emerging New Pillar

Published in the Autumn 2002 issue of the Due Diligence and Risk Management Journal, United Kingdom

Internet Banking

Technology Risk Management in Internet Banking: Developing a structured and proactive legal protection regime

Published in Advising Business: Law & Practice 2.1 Due Diligence and Risk Management Special 1, United Kingdom, 2003

Mobile Banking: Identifying and Managing Legal Risks

Published in Computimes, New Straits Times, Malaysia in a special telecommunication edition on 19 May 2003

Computer Forensic Law

General Principles of Computer Forensic Law Paper presented at the first Asia-Pacific Conference on Computer Forensic 21-22 May 2003

Legal Practice Management and Computing

Grasping the New Legal Value Chain

Published in Business Computing, New Straits Times, Malaysia (4 June 2003)

Rethinking Business Models for Law Firms in the Internet Economy: Designing Effective E-Strategies for Law Firms

Article published in the January 2002 issue of *Singapore Law Gazette*

The Internet Revolution: Developing a web strategy to sell services online

Joint article published in the September 2001 issue of *Managing Partner*, United Kingdom
www.mpmagazine.com

Designing an Effective Internet Strategy for Law Firms

Article published in the July 2001 issue of the *Singapore Law Gazette*
www.lawgazette.com.sg

Law Online : Electronic Legal Services Provided by Virtual Law Offices

Article published in the *Singapore Law Gazette*, July 1999
www.lawgazette.com.sg

Law and the Knowledge-based Economy

Feature article published in the *Singapore Law Gazette*, July 1999

Legal Services in an Electronic Environment

Interview published in the February 2000 issue of the *Singapore Law Gazette*
www.lawgazette.com.sg

Highlights of Other Academic & Professional Training Programs Conducted by Zaid Hamzah

Intellectual Property Training Program conducted by Zaid

Lead trainer for Microsoft on "Strategic Management of Intellectual Property (IP) Assets" "Strategic IP Commercialization at:

- Workshop for Microsoft independent software vendors, Bangkok Thailand (1-2 Aug 2006)
- Strategic IP Forum for the Thailand's Department of IP and training of Thai government officials on Strategic IP Management
- Workshop for the Philippine Department of Science & Technology organized by Microsoft Philippines (3-4 May 2006)
- Seminar for Philippine IP Coalition (4 May 2006)
- Workshop for Philippine companies during the Cebu Business Month (21-23 June 2006)
- Workshop for Microsoft independent software vendors, Kuala Lumpur, Malaysia (26 April 2006)
- Workshop for Philippine Animation & Wireless Council, Manila, 28 March 2006
- Workshop for Thailand's software industry participant at the Thailand Software Park, 22 March 2006
- Workshop for the Malaysian Ministry of Health, 2-3 March 2006
- APEC IP Experts' Group Seminar on Cybercrime and Intellectual Property, 4-5 Aug 2005, Manila, Philippines

Training Programs on Information Technology & E-Security conducted by Zaid

"Strategies to Manage Legal Risks in Information Security", ICT Forum at ICT Expo, Bangkok Thailand, 3 Aug 2006 at the invitation of the Thai Ministry of ICT

"E-Security: Policies & Legal Framework" at the ASEAN Government CIO Workshop on Network Security, Hanoi, 15-17 March 2006 organized by Microsoft

"E-Security Law & Strategy: Managing Legal Risks in IT Security" Information Security 2006, Bangkok, Thailand, 19-20 Jan 2006

"E-Security Law" for Malaysian Government CIOs, Kuala Lumpur, Malaysia, 15 Feb 2006

Highlights of Skill Sets & Professional Experience

ICT, E-business & E-Security

- With over 10 years of ICT exposure combining software development, internet-based commercial transactions and strategic risk management, Zaid has the skills to strategize, drive and structure technology-driven transactions aimed at having a technology and business fit with a company's overall strategic technology direction. With a focus on strategic legal and policy risk management, Zaid has experience in developing structured, risk-management framework for organizations including e-security legal risk management issues.
- From his ICT start-up experience, Zaid has the experience in developing investment strategies, structures, vehicles and venture capital type financing and has participated in negotiations and drafting contracts, handling stock/share acquisitions, bridge financing and joint ventures, as well as post-investment matters such as drafting agreements and/or technology licensing components between investee companies and the investors in the ICT sector.
- As an author of a legal practitioner's guide on *IT Contracts* (Lexis Nexis 2005) and a professional trainer, Zaid has the experience and technical abilities to draft ICT-related documentations including software development agreement, maintenance agreement, technology and IP licensing agreements, IT outsourcing agreements, web-hosting agreements and services agreement.

Intellectual Property Strategy & Transactions

- With a core competency in intellectual property strategy formulation, Zaid has the experience in structuring IP-driven business transactions, conducting IP and technology due diligence, reviewing software-related patents including evaluating patent acquisition opportunities, developing IP protection and IP value creation strategies through strategic technology and IP licensing, trade mark & brand management, managing assignment/divestment issues in investment and IP-related structures with an emphasis on ensuring ROI for stakeholders.
- Through a program Zaid developed for Microsoft called "IP Labs" he has transactional experience in:
 - Working with companies at different levels of development (start-up & emerging) focusing on IP-driven transactions including strategic licensing within the context of commercial realities and constraints in the marketplace
 - Structuring IP-based transactions and is able to lead commercially-led discussions
- Zaid acted as a Consultant to the Malaysian Government (Ministry of Domestic Trade & Consumer Affairs) to develop Malaysia's National IP Policy (2003)

Strategic Policy Engagement & Government Affairs

- As part of the Microsoft Legal & Corporate Affairs team, Zaid has developed strategic policy engagement programs across SE Asia focusing on commercial software, IP, ICT security and the local software eco-system and has worked collaboratively with trade bodies and associations to further the interest of the IT industry.
- Has developed strategies for IP policy engagement for Microsoft Asia Pacific designed to support Microsoft's policy positions and outreach on intellectual property issues to support Microsoft's business and public sector teams including ICT for economic development, IP as value driver in economic competitiveness, strategic role of IP in commercial software model and competitive issues such as neutral procurement preferences.
- Conceptualized, developed and drove the Strategic IP Initiative which was piloted in Malaysia and subsequently rolled out in the Philippines, Thailand and Singapore.

General Corporate/Commercial Experience

- With his exposure in the start up ICT business in Singapore and Malaysia, Zaid has experience in investment-related corporate and commercial transactional matters including structuring commercial deals, reviewing of related agreements such as Investment Agreement, Joint Venture and Shareholders Agreement, Software Development Agreement, Technology Licensing Agreement, Non-disclosure Agreement, Letters of Undertaking

- While at Singapore law firm Khattar Wong & Partners and running his own regional legal consultancy, Zaid has experience in general banking and finance transactions, cross border investment transactions and due diligence.

Biotechnology

- Through his personal research and published book on biotechnology law, Zaid has a deep interest in biotechnology and bioinformatics and have delivered papers and presentations related to biotechnology and bioinformatics at academic and business gatherings

Management of External Counsels

- While at Microsoft, Zaid has experience in managing external counsels and other consultants in Malaysia, Thailand, Philippines & Singapore to develop and execute programs relating to the Strategic IP Initiative

DETAILED TRANSACTIONAL AND POLICY STRATEGY EXPERIENCE

Recent Examples of IT/IP Transactional Work as part of *Microsoft IP Lab Program*²:

Thailand (2006)

- Deal and documentation structure including reviewing of software development collaboration agreement between a Thai IT company specializing in hospital management system *Kluaynamthai Health Software Co., Ltd.* and a Malaysian IT company focusing on problems relating to source code sharing and delivery
- Patent development strategy (including business method patents) for *Suvitech*, an IT service company incorporated in Thailand with operations in the Asia Pacific region whose core business is the provision of business solutions, systems integration and consulting services in the telecommunications and finance communities.
- IP strategy for *ThaiQuest Limited*, a Bangkok-based IT search engine company focusing on regionalization strategies, strategic IP management, trademark-driven brand strategy
- IP strategy for *Yipintsoi Consulting*, a Bangkok-based IT company which is developing its own suite of application relating to human resources application
- IP protection strategy and IP commercialization strategy for *Computer Telephony Asia Limited*, an IT company specializing in computer telephony call center technologies including its copyright, trademark and patent development strategies
- IP strategy and deal structure for a Bangkok-based biometrics IT company *IT Works Limited* including the use of IP as part of its future listing and its merger and acquisition strategies
- IP strategy (especially licensing structures) for a Bangkok-based company, *Golden International Information Co Limited* focusing on a client-server hospital management system including stock control application for the hospital sector
- IP strategy to *Vision Net Co, Ltd*, a Thai IT company specializing in software for the education industry including ERP software
- IP strategy for a Thai IT company, *Remomax Co Limited*, company specializing its ERP solutions focusing on business methods, copyright protection & brand strategy

Malaysia (2006)

- Advised on deal and licensing structure as part of an overall IP strategy for a Malaysian company, *Trax Associates* which has a patent pending on its software-related invention – Trax is an independent software vendor that specializes on Enterprise Market Planning System (EMP) on a collaborative software and messaging platform.
- Advised a Malaysian ICT company *Brilliance Info Berhad* on its IP strategy (value creation, copyright protection) in relation to its primary health care solutions including deal and documentation structure in its major contract with the Malaysian Government and addressing software export issues and related documentations
- Advised on IP strategy (including business method patent development and licensing structures) for a Malaysian company, *MyBiz Solutions Sdn Bhd* which specializes in business relationship network solutions – advice included developing standard operating procedures for

² This program developed by Zaid Hamzah focuses on providing strategic as well as transactional IP advice to companies participating in Microsoft's Strategic IP Initiative which was conceptualized, developed and rolled out by Zaid Hamzah. This program does not provide legal advice but functions like an advisory service for companies and organizations who are either partners of Microsoft or Microsoft's clients.

IP management designed to protect and enhance the company's IP assets and determining patentability of business methods and other processes in the company

- Advised representatives of the Malaysian agency in charge of ICT infrastructure for the public sector (MAMPU) on IP-related transactional issues including ownership of source code and its management
- Advised on IP strategy to *Intelliset Sdn Bhd*, a provider of after-sales solutions including addressing issues on copyright protection, licensing and deal structures

Policy Strategy Work @ Microsoft (2004 to date)

- Advised Microsoft Malaysian subsidiary on public policy issues and trends that are likely to impact the Company and industry; work with trade associations and other groups to identify and positively shape positions on these issues; and provide information to policy makers on these issues including working on issues such as the software ecosystem, privacy, security, intellectual property protection, citizenship activities and antitrust laws.
- Developed strategies and tactics to enhance and expand Microsoft's key relationships with government officials and other influential audiences as part of the Microsoft's country advocacy programs and outreach in Malaysia.
- Supported Microsoft's participation in industry trade associations such as American Chamber of Commerce, US-ASEAN Business Council and similar professional groups in Malaysia.
- Developed and implemented in partnership with key stakeholder groups in Microsoft, strategic outreach strategies designed to positively shape the debate and public policy outcomes on issues important to Microsoft and the ICT industry in SE Asia including the software ecosystem growth and development, privacy, ICT security, intellectual property rights protection, competition law, trade and market access, and other issues
- Develop strategies for third party advocacy programs on IP, citizenship and compete issues and working closely with trade associations such as CompTIA, US-ASEAN Business Council, American Chambers of Commerce, international organizations such as ASEAN, UN-related forum such as WSIS (World Summit on Information Society), academics, NGOs and industry partners.
- Developed and drove campaigns on key policy initiatives to engage key stakeholders (internally and externally) and generate industry and academic support for Microsoft public policy priorities including citizenship programs such as the Local Software Economy program, Microsoft Innovation Centers and ICT for development issues including the role of IP.

License Compliance Work Experience

- As an author and IT expert in the area of digital evidence and the electronic environment, Zaid has the skills to develop strategic and operational programs to detect IP violations online as well as physical copying including managing legal risk issues on a structured and proactive basis.
- Has over 10 years experience in commercial transactions in the IT industry and has a deep understanding of channel sales and marketing issues including legal risk issues in advertising & promotional campaigns for software and other IT products.
- Has deep skills in licensing transactions and a keen understanding of commercial realities and constraints in the marketplace including management of customer escalations
- Has worked closely with Microsoft License Compliance Attorney to develop compliance programs in Malaysia
- Familiar with channel enforcement programs both at a strategic as well as operational level including determination of recovery targets and developing execution plans to achieve recovery targets as part of an overall business plan.
- Has worked in the Singapore government on the US desk where one of the key focus was on anti-piracy issues.

PERSONAL PARTICULARS

Date of birth 6 August 1959

Citizenship Singapore citizen

Languages English (Written & Spoken); Malay (Written & Spoken) Bahasa Indonesia (Written & Spoken) & learning basic conversational Mandarin

Marital Status Married with 2 children (born in 1994 and 1997)

Currently residing in Singapore.

REFEREES

Professional Work Referees

Rich Sauer

Associate General Counsel,
Microsoft Legal & Corporate Affairs,
South Asia Pacific (based in Singapore)

Jeff Bullwinkel

Director, Corporate Affairs,
Microsoft Legal & Corporate Affairs,
Asia Pacific
(based in Singapore)

David Len

Senior Associate (wef Nov 2006)
Communications, Multimedia & Technology Group
Bird & Bird, Hong Kong

Academic Referee

Ang Peng Hwa

Associate Professor
Chair, School of Communication & Information
Nanyang Technological University
31 Nanyang Link
Singapore 637718