



Cheam Tat Sean Senior Associate

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Sean is a senior associate in Skrine's TMT and Intellectual Property practice, with a focus on TMT and data protection.

Sean graduated from the University of Reading with LL.B (Hons) in 2018. He then completed the Bar Professional Training Course in the United Kingdom and was called to the Bar of England and Wales at Middle Temple in 2019. Sean was admitted as an advocate and solicitor of the High Court of Malaya in 2021 and is also an ADR ODR International Accredited Civil-Commercial Mediator.

Key Practice Areas

Technology, Media and Telecommunications
Privacy and Data Protection
Entertainment, Gaming and Media
Intellectual Property

Selected Experience

Technology, Media and Telecommunications

Regularly assists domestic and international companies on various telecommunications and technology matters, such as satellite communications, data centre and cloud services, fibre connectivity, connected cars and telematics, OTT services, and provision of content and media. Notable examples include:

- ❖ Part of the team advising a multinational technology corporation on its intended entry into Malaysia for the provision of its network services, including advising on the regulatory requirements and restrictions applicable to the use of satellites, earth stations, and other communications equipment.
- ❖ Part of the team advising a communications software and cloud infrastructure provider on the rollout of its cloud-based offerings in Malaysia, including advising on our telecommunications licensing and regulatory regime and foreign equity restrictions. We also assisted with applying for

and obtaining the client's telecommunications licences in Malaysia.

- ❖ Assisted in advising a multinational fibre network operator and connectivity services provider on the relevant permits, approvals, and licences required for the construction, deployment, and maintenance of subsea and terrestrial fibre optic cables in Malaysia. We also advised on potential contracting structures with customers for the provision of cross-border connectivity services and drafted the agreement between the client and a local telecommunications company setting out the revenue sharing arrangement for the development of infrastructure within Malaysia.
- ❖ Involved in advising a major multinational technology company on the intended provision of its cloud-based services in Malaysia, including advising on the Malaysian telecommunications licensing/regulatory regime and the regulatory landscape of several highly regulated industries.
- ❖ Part of the team which was involved in advising a foreign company on Malaysian regulatory issues relating to its intended filing with the ITU for specific coordinates in space, including advising on ITU regulations as well as licensing and spectrum-related requirements.
- ❖ Part of the team which regularly advises a multinational manufacturer of vehicles on various regulatory issues surrounding products/services in its connected cars, including in-vehicle connectivity services, app stores, and infotainment services.
- ❖ Part of the team which advised and assisted a world-leading provider of hearing implants with the regulatory approvals required to provide its products, which utilized radiofrequencies, in Malaysia. This involved extensive negotiations, discussions, and advocacy with the local telecommunications regulator to obtain an amendment of local regulations to allow for the operation of the client's product at its intended frequencies.
- ❖ Assisted in drafting and reviewing technology-related agreements, such as systems integration, software development, and collaboration agreements, as well as terms and conditions.

Privacy and Data Protection

Regularly assists in advising domestic and international companies on a wide range of data protection issues in Malaysia, including reviewing and drafting the required documentation for compliance with local data protection laws. Notable examples include:

- ❖ Assisted in reviewing privacy policies and other data protection-related documentation for compliance with Malaysian personal data protection laws, and drafting such documentation.
- ❖ Assisted in advising international companies on the data protection laws and standards in Malaysia to assist in assessing the risks with transferring personal data to Malaysia, as a part of transfer impact assessments.
- ❖ Part of the team which assisted a global non-profit organisation with reviewing its existing data protection policies and practices and drafting new privacy policies for the rollout of its new certification and traceability platform. We also assisted with drafting the terms and conditions for the platform.
- ❖ Part of the team which analysed and reviewed a social media conglomerate's personal data protection practices in Malaysia, including in-depth analysis into all possible avenues of non-compliance.
- ❖ Involved in advising a multinational retail company on the data protection implications of its intended implementation of new marketing tools.
- ❖ Assisted in advising a major medical management solutions company on the data protection implications of its service, including restrictions from a healthcare law perspective.

Entertainment, Gaming and Media

- ❖ Assisted in advising international companies on the legal and regulatory issues surrounding online gambling in Malaysia.
- ❖ Assisted in advising international companies on the legal and regulatory issues surrounding media and entertainment in Malaysia, including content and advertising-related issues on networked mediums such as censorship, prohibited and restricted content, and platform liability.
- ❖ Assisted in advising a multinational mass media and entertainment conglomerate on the rollout of its content

streaming service in Malaysia, including advice on regulatory/licensing and content-related issues.

- ❖ Assisted in advising an American film and television production and distribution company on the laws and regulations surrounding the distribution and depiction of content in Malaysia.

Intellectual Property

- ❖ Drafted and reviewed contracts/agreements involving assignment of intellectual property rights.
- ❖ Conducted legal IP due diligence on companies in various industries.
- ❖ Assisted with registration of intellectual property rights, including advising on strategies relating to intellectual property protection.
- ❖ Assisted in trademark opposition matters, including drafting the relevant documents to be filed.

Qualifications

Advocate and Solicitor, High Court of Malaya (2021)
ADR ODR International Accredited Civil-Commercial Mediator (2019)
Barrister-at-Law, Middle Temple (2019)
LL.B (Hons), University of Reading (2018)