

**KATE BERETTA**

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Overview

Kate Beretta is a senior associate in our Corporate department and a member of the Technology, Media and Telecommunications sector.

Kate advises both public and private local and international clients on the supplier and customer side of various technology, telecommunications and intellectual property transactions, including various transactions involving:

- on the technology side - software licensing, development, implementation and the provision of services relating thereto (including software as a service agreements), in relation to both hosted (cloud-based) and local (on-premise) solutions; and
- on the telecommunications side - the lease, sale, construction and maintenance of telecommunications infrastructure; and
- on the intellectual property side - assignments and licensing.

Kate has been involved in a number of general commercial transactions involving enterprise resource planning, outsourcing, distribution and marketing agency arrangements. She has also been involved in a wide range of general corporate transactions, including share sales and business sales involving technology and telecommunications companies and businesses.

Kate has assisted in various matters concerning consumer protection and data privacy issues.

Kate has BA (with distinction) and LLB (magna cum laude) degrees from the University of Cape Town.

Experience

- Advising the City of Johannesburg in relation to the implementation of the SAP S4 HANA enterprise resource planning (ERP) solution, as an upgrade to the City's existing SAP solution, to manage and integrate the City's systems. We drafted and negotiated the agreements between the City and the relevant service provider in relation to implementation of the solution, as well as various related agreements.
- Advising National Treasury in relation to the Integrated Financial Management System (IFMS) program, a multi-billion rand project to integrate all government systems. We assisted in relation to all legal aspects of the transaction, including the negotiation of the framework agreement for licensing of the relevant solution and the attendance maintenance and support services.
- Advising KnowRoaming Limited in relation to various agreements, including the provision of MVNE-services by a prominent European mobile virtual network enabler; a product and services distribution agreement with a prominent mobile virtual network operator in Asia; and an independent contractor agreement to be concluded with KnowRoaming's software developers.
- Counsel to Australian listed financial services technology company IRESS Limited in relation to its acquisition of 100% of the shares in South African financial services technology company I-Net BFA, which were held by Media 24, as well as acquisition of the intellectual property of I-Net BFA. We drafted the intellectual property assignment for the transaction and assisted in relation to the due diligence conducted on I-Net BFA and its group, the intellectual property provisions and warranties included in the transaction documents, and the closing of the share sale.

- Undertaking due diligence investigations on and advising in relation to the transactional documents relating to technology, corporate and commercial matters generally, including:
 - MTN's purchase of 100% of the share capital in Smart Village, a fibre-to-the-home infrastructure and services company, from Multichoice;
 - The hive out of SABMiller's ABI bottling division (as part of the combination of The Coca-Cola Company, SABMiller and Gutsche Family Investments' (majority shareholders in Coca-Cola SABCO) bottling operations in Southern and East Africa to create Coca-Cola Beverages Africa); and
 - The listing of Alexander Forbes on the JSE in 2014.
- Advising Bank Windhoek and ContinuitySA in respect of a variety of information technology-related matters, including reviewing, amending and providing comments in relation to various software licensing, software development and services agreements.

Publications & Insights

- [Lexology: A structured guide to Fintech in South Africa](#)