

Alexandre Rodrigues Atheniense

Alexandre Atheniense is a lawyer who is a graduate of the Federal University of Minas Gerais (UFMG). He completed a post graduate specialization in Internet Law and Intellectual Property in the Berkman Center - Harvard Law School. He is a partner in the firm, Aristoteles Atheniense Advogados.

He is a specialist lawyer in the area of Law and Information Technology. He is a Partner in the firm, Aristoteles Atheniense Advogados and Coordinator of the Post Graduation course in I.T. Law in the "Escola Superior de Advocacia (ESA)" (College of Advocacy) of the "OAB -SP" (Brazilian Bar Association, Sao Paulo). He is also author of the book "Comentários a lei 11.419/2006 e as Práticas Processuais por Meio Eletrônico nos Tribunais Brasileiros" (Commentaries on Bill of Law 11.419/2006 and Procedural Practices by Electronic Means in Brazilian Courts)

He stands out as a specialist lawyer in matters relating to Information Technology and has 23 years of professional experience encompassing the following areas; software, intellectual property in digital media, electronic crimes, civil responsibility of providers, procedural practices by electronic means, contracts, consumer rights on the internet, data security policy in companies, online privacy, domain names, electronic bidding and auction, electoral advertising on the internet, electronic balloting audit, reports, legal problems related to the internet, legal shielding for the reputations of companies and individuals on the internet, removal of undesired content from the internet, and arbitration in issues related to technology and electronic evidence, among others.

He held the presidency of the Information Technology Commission of the Federal Brazilian Bar Association (OAB) for 8 years (2002-2010) where he acted as adviser to lawyers on themes relating to Technology and Law. He helped to implement the Certifying Authority (AC-OAB), the largest of its kind in Brazil linked to a professional class. He also represented this authority in matters relating to Law and Information Technology in the National Congress before governmental authorities, in Brazil and abroad, acting as OAB representative in bills of law, among them, the Cybernetic Crimes Bill and the Civil Framework for the Brazilian Internet; regulations for procedural practices by electronic means together with the National Council of Justice and sundry State Courts.

He is editor of the blog "Law and New Technology- DNT Blog", a pioneer in the legal area in Brazil. He is author of the books "Internet e o Direito" (Internet and the Law) - published by Inedita in 2000 and "Comentários a lei 11.419/2006 e as Práticas Processuais por Meio Eletrônico nos Tribunais Brasileiros" (Commentaries on Bill of Law 11.419/2006 and Procedural Practices by Electronic Means in Brazilian Courts), published by Juruá in 2010.

Education

- Graduated in 1987 from the Law Faculty of the Federal University of Minas Gerais (UFMG);
- Post-graduate specialization course in Internet Law (2001 and 2003) and

Intellectual Property (2001) - Berkman Center - Harvard Law School.

Professional Capacity

- Lawyer, partner in firm of Aristoteles Atheniense Advogados

Professional experience in the following areas

- Training of lawyers, magistrates, IT managers, in procedural practices by electronic means.
- Software: legal treatment, contracts for licensing, registry, auditing, taxing and Free Software, Software forgery and piracy, improper use of content and intellectual works in general, including image, on portals and websites, unfair competition, brand and patent infringement
- Intellectual property, Copyright and similar, Entertainment Law: contracts for licensing and assignment, distribution, editing and management of original works, collective rights management, multimedia and data bases.
- Electronic crimes and Forensic Report: Electronic fraud, violation of secrecy, crimes against honor, larceny, illegal interception, invasion of privacy and other offences. Adoption of preventative legal and technological procedures. Tracing, identification and civil and criminal responsibility of agents using electronic means to carry out illegal activities.
- Electronic Bidding: Administrative and litigious representation
- Civil Responsibility of Providers
- Intercepting and obtaining legal evidence for filing of judicial and administrative processes against electronic fraud.
- Data security policy in companies: analysis, implementation and auditing.
- Electoral Advertising in electronic media. Legal conformity analysis for political campaigns and litigious representation.
- Electronic Balloting – Inspection, auditing and litigious representation
- Electronic Trading: Legal compliance analysis of sites for service providers and electronic trading in alignment with the Civil Code and Consumer Code; terms and policies of use, privacy and security.
- Workplace Privacy: implementation of privacy policy and usage of networks, emails and internet in public and private companies.
- Contracts: Preparation and analysis of contracts in different modalities of the IT, telecommunications and outsourcing sectors.

- Domain names: Registry, transference and conflict resolution in Brazil and abroad
- Data base: legal treatment, protection of form of expression and data protection.
- Electronic auction – legal consultancy for sites selling goods by electronic means;

Academic/Teaching Experience

Coordinator of the Post-graduate course in Law and Information Technology in the “Escola Superior de Advocacia (ESA)” (College of Advocacy) of the “OAB –SP” (Brazilian Bar Association, Sao Paulo) since 2006, a pioneering academic project in the area in Brazil, with 16 different lines of research active on various themes, including:

Internet Regulation in Brazil and the World

Technical Concepts in Information Technology

Online Privacy, Electronic Monitoring and Breach of data confidentiality

Software

Electronic contracts

Civil Responsibility of Providers

Procedural practices by electronic means

Consumer rights in the electronic environment

Cybernetic crimes

Electoral advertising on the internet

Intellectual Property and Copyright

Information Security

Domain names

Tax law for IT services and Electronic Invoice

Coordinator and lecturer of ‘in-company’ courses and training and awareness lectures on various themes related to the Law and New Technologies for Courts, governmental authorities, companies and teaching bodies.

- Course Lecturer on Cybernetic Crimes in the Luiz Vicente Cernicchiaro Institute for TJDF (Federal District and Territories Court of Justice) Magistrates (2010)
- Course lecturer in the Electronic Process in the 3rd District Law School of the

Regional Labor Court (2009)

- Course lecturer in 'Electronic Process and Cybernetic Crimes', for Magistrates in the Edésio Fernandes Law School of the TJMG (Minas Gerais' Court of Justice). (2009-2010)
- Coordinator of specialization course *Latu Sensu* in IT Law in "Escola Superior de Advocacia (ESA)" (College of Advocacy) of the "OAB-SP" (Brazilian Bar Association, Sao Paulo). (2006-2009) (2009-2012)
- Lecturer in Virtual Procedural Law as part of the Post-Graduation course in Civil Procedural Law in the Law Refresher Course Center – CAD (2010)
- Coordinator of Internet based Distance Learning Specialization Course in Information Technology Law in the Escola Nacional de Advocacia (National Advocacy College) of the OAB (2008-2009)
- IT Law Course Coordinator in the Escola Superior de Advocacia (Advocacy College-ESA) of the OAB/MG (Brazilian Bar Association, Minas Gerais)
- Post graduate course lecturer in Intellectual Property and New IT Technologies in FAAP (Armando Alvares Penteado Foundation- higher education institute), São Paulo (2009)
- Lecturer in Electoral Advertising on the Internet as part of the Post graduate course in Electoral Law in the ENA (National Advocacy College) of the OAB (2009)
- Coordinator and lecturer in the first Law Refresher Course in NIEPE – Faculdade de Direito (Law Faculty) UFMG (Federal University of Minas Gerais) (2004)
- Coordinator and lecturer in the first internet distance learning Law Refresher Course in IT in Puc (Pontifical Catholic University) Minas Virtual (2003)

Institutional Representation

- Ex-President of IT Commission of the OAB (Brazilian Bar Association) Federal Council (2002 to 2010)
- OAB representative on the Managing Committee for the Development of computerized systems for the CNJ (National Justice Council) Courts.
- OAB representative on the Managing Committee for the Development of the 'Projudi' (digital legal process software) System in the CNJ (National Justice Council).
- Studies Commission Coordinator for ABDI - Brazilian Association of IT and Telecommunications Law in Minas Gerais

- Legal Vice-President of SUCESU (Society for IT and Communications Users)-MG
- Member of Consultative Council of the IBDI – Brazilian Institute of IT Law
- Member of ITLaw – *International Technology Law Association*
- Member of ABPI – Brazilian Association of Intellectual Property
- Member of *American Bar Association*
- Member of FIA – Inter-American Federation of Lawyers.

Arbitral Representation

- Arbitrator specialized in IT issues for CAMARB – Brazilian Chamber of Corporate Arbitration
- Arbitrator and Coordinator of IT sector of CAMINAS – Minas Gerais Chamber of Conciliation, Mediation and Arbitration.

Published Works

- Author of "Comentários a lei 11.419/2006 e as Práticas Processuais por Meio Eletrônico nos Tribunais Brasileiros" (Commentaries on Bill of Law 11.419/2006 and Procedural Practices by Electronic Means in Brazilian Courts), published by Juruá, 2010.
- Co-author of the book "Comentários à lei do Processo Eletrônico" (Commentaries on the Electronic Process Bill of Law) , published by LTR, 2010.
- Co-author of "Internet Legal" (Legal Internet), published by Juruá, 2003
- Author of the book "Internet e o Direito" (Internet and the Law), published by Inédita, 2000
- Co-author of the book 'Manual de Direito Eletrônico e Internet' (Internet and Electronic Law Manual) , published by Aduaneiras, 2006.
 - Author of sundry articles published in various national legal magazines on the themes of Law and IT .

Contact Information

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