

INNOVATION LIST 2018

In our annual list of law firms embracing change by adopting innovation, we spotlight a mixture of domestic and international outfits who are using out-of-the-box thinking to blaze a trail in Asia's legal industry.

LIST AND TEXT BY ASIAN LEGAL BUSINESS

This list was created purely on the basis of submissions received by ALB. Firms are listed in alphabetical order.

ASIAN FIRMS

DENTONS RODYK

Although blockchain, virtual currencies and ICOs are all the rage these days, not many laypeople can understand it, and even fewer law firms can claim expertise. One of these is Dentons Rodyk & Davidson, which recently launched its Blockchain & Initial Token Sales practice, led by senior partners Kenneth Oh and Hsu Li Chuan. "In the absence of specific regulations and a lack of governing framework, the firm has demonstrated its capabilities in helping clients navigate the borderless world of blockchain through our market-leading expertise in advising companies in a wide range of industries, including various high-growth fintech and technology companies, as well as fundraising through ICOs," says Dentons Rodyk.

Two other initiatives launched by the firm in the past year are the Denton Direct online collaboration tool, and the Dentons' Nextlaw In-House Solutions. Dentons Direct is a secure website that

the firm can configure to meet each client's needs, with features that include the ability to give clients tailored access to multiple advisors, document management options, uploading or working with clients to create precedent documents, and schedules and project plans. Dentons' Nextlaw In-House Solutions, launched in November 2017, meanwhile, bringing together more than 50 former general counsel and legal counsel across the globe to provide integrated, multi-disciplinary solutions to in-house counsel – along with legal technology and process management experts and professionals across the spectrum of legal operations disciplines. "Dentons is demonstrating that we are a catalyst for change in the delivery of solutions to our clients' challenges," the firm says.

FITZGERALD LAWYERS

In the past year, the Hong Kong-headquartered FitzGerald Lawyers has been doing an increasing amount of disputes work related to technology. Since the middle of 2017, the firm has seen a number of bitcoin-related disputes and cases. "As our own practice – and thankfully, the field of law as a whole – starts to use more innovation, we realize that the criminals out there

are doing the same – and, even so, their means of innovation are advancing as well in some very interesting and sophisticated ways. As the criminals of the world race to innovate, we must also keep up,” says the firm. In the past year the firm’s startup practice also wholeheartedly embraced legaltech and we have partnered up with Zegal, formerly known as Dragon Law, to provide startup clients with cloud-based legal document services and a helpdesk feature through which clients can access attorneys through an instant-messaging application.

Through Zegal, the firm says its clients can access a cloud-based database of common legal documents, ranging from employment and founders’ agreements all the way to convertible notes and other fundraising instruments, says the firm. “We believe that this is the way to work with startup clients who have some level of sophistication in understanding what they want and what their corporate structures should look like.” In addition, the firm believes that it is a cost-effective and efficient way for it to work with its startup clients as FitzGerald Lawyers can essentially work with them on customized legal documents that are tailored for their business operations but not completely bespoke. “This allows us to give our clients legal advice and documents on par with best practices but at a lower (and more predictable/fixed) price with a quicker turnaround time,” says the firm.

RAJAH & TANN ASIA

The past year has been an innovation-filled one for the Singapore-headquartered Rajah & Tann. For one, it implemented what it calls Rajah & Tann Asia 2.0, an initiative that got more than 1,000 people – lawyers and support staff – across 12 offices in 10 countries to embrace technological solutions. This included updating backend interfaces, implementing client-facing portals, and transforming legal services in all aspects of all areas of law. “We believe we are the only home-grown Asian/Singaporean law firm to be doing this legal technology

transformation in a holistic approach. Most law firms tend to publicise client-facing solutions while neglecting backend interfaces or taking a hard look at what needs to be done in legal transformation. We are the disruptor,” says the firm. “Collectively, over 25 people and 24,000 hours have gone into this transformational project while concurrently, we continue to operate with no service disruptions to clients.”

Then in March last year, the Law Society of Singapore issued a guidance note stating essentially that law firms are permitted to use cloud services if they ensure that their data is secure. “Once it became clear that there was no regulatory prohibition, we started our migration with a clear focus on ensuring security and client confidentiality remain protected at all times,” says Rajah & Tann. “We are the first fully cloud-based law firm in Singapore, if not the region.” Other innovations have included the launch of Rajah & Tann Technologies, which aims to meet the demands and challenges of the “new economy” driven by technology and AI, introducing data breach readiness and response services as well as data protection officer services.

YULCHON

Korean law firm Yulchon has made it its mission to find cost-effective solutions to clients’ issues; this has included introducing ten client-friendly legal applications. “Our development is innovative in that we offer a platform for interactive mobile applications. While other law firms publish isolated applications, we believe that our clients are best served by an ecosystem of interacting, interactive applications. For example, a client concerned about global sanction needs to deploy mobile compliance policies on anti-money-laundering, know-your-client, as well as anti-corruption. We offer an application in each area that is interconnected so that a client name that comes up during an anti-corruption test can refer to other related laws.” The applications can be found on the platform eYulchon.com.

Similarly, Yulchon says, when it comes to forensic analysis, law firms often turn to third-party providers. The Korean firm’s Internal Investigations Team, on the other hand, has set up an in-house digital evidence analysis war room, which houses Nuix Investigator ARX system, a top-of-the-line digital evidence analysis and investigation tool. “Yulchon also has a strategic alliance with a professional mobile forensic expert firm. With such tools and resources, we are the best firm for handling digital forensic work for any device, including mobile devices,” says the firm. In December last year, Yulchon also launched a general digital compliance strategy, named AlgoCompliance, a fully configurable, fully collaborative compliance process management framework. Additionally, the firm has launched the Asia Future Fintech Forum, the first forum of its kind initiated by a law firm, which brings together almost every stakeholder including major fintech companies, industry associations, academia, press, regulatory authorities, and lawmakers.

INTERNATIONAL FIRMS

BAKER MCKENZIE

Previously, Baker McKenzie and energy company BHP Billiton had worked together to co-develop Forests bonds, a first-of-its-kind investment mechanism that unlocked private financing for reducing deforestation. This addressed the issue of finding private sector investments to benefit forest conservation, as government efforts so far have not been adequate. To build on this, Baker McKenzie and BHP Billiton last year, along with Conservation International, launched the Finance for Forests (F4F) initiative, which is working to capitalize on private sector finance to contribute to the conservation of the world’s forests. It advances the private sector’s understanding and support for forest conservation via REDD+, which is the United Nations program for reducing emissions from deforestation.

Implemented on January 2017, the initiative focuses on engagement with the oil and gas, mining, aviation and technology sectors, as well as institutional investors to increase private sector understanding of forest conservation through REDD+, share BHP's experience to encourage others to pursue similar opportunities, develop new, innovative finance tools, extend these ideas beyond forests to other ecosystems. The F4F initiative is looking to help encourage replication of these investments and the exploration of other innovative private finance tools to conserve forests and further advance REDD+. It also serves as a learning hub once countries transition, with the support of businesses, following through on Paris Agreement commitments.

BERWIN LEIGHTON PAISNER

As an example of our innovative outlook, BLP has been directly involved in advising the HK Government in introducing a concessionary regime which came into effect in July 2017, with legislation implemented specifically to encourage the use of Hong Kong as a jurisdiction of choice for aircraft leasing. "Our team has been at the forefront of changing the competitive landscape of aircraft leasing industry," says the firm. "Ireland is an established leading global hub of aircraft leasing, and has directly benefited from the exponential growth of the Asian aviation industry in recent years. Singapore has also introduced new legislative changes providing attractive incentives to the aircraft leasing industry. BLP was tasked with realising the Government's ambitions of making Hong Kong a viable, competitive alternative to those markets. From vision to execution and implementation, Hong Kong Partner William Ho in his capacity as Secretary of the Hong Kong Aircraft Leasing and Aviation Finance Association has been directly involved in the new leasing regime, starting from advising on the initial development of the legislation, through to leading the BLP asset finance practice in terms of implementing the legislation into practice."

The firm says that another innovative way of servicing asset finance and clients is through using a remotely based legal services delivery team, based in Manchester in the UK and dedicated to supporting BLP fee earners in delivering those aspects of client work that can be process engineered and follow a structured "checklist" approach. It comprises lawyers and non-lawyers focused on the delivery of volume and repetitive work (including, for example, document drafting for repeat aircraft financing and aircraft delivery work). This enables clients to benefit from more competitive fees with first drafts of documents being prepared at a lower cost base."

BIRD & BIRD

Notable innovative work for Bird & Bird has included advising on Hong Kong's new patent system, creating a new patent right and launch of its first ever Patent Office. As the only legal advisor engaged by the government in this ambitious multi-year project, Bird & Bird's remit included making recommendations based on leading patent systems worldwide, amendments to primary and secondary legislation, and the establishment of Hong Kong's first ever Patent Office with accompanying rules and regulations. The firm says the reform, apart from aiming to place Hong Kong at the heart of the knowledge economy in Asia, and establishing it as an IP trading hub, enabled Hong Kong to have its own independent patent system encouraging innovation and IP trading. "The changes will further attract IP rich companies to establish in Hong Kong, helping realise the Government's vision of becoming one of the world's leading knowledge-based economies," says Bird & Bird.

Among the firm's various innovative practices, it cites as an example fintech, which combines Bird & Bird's banking and finance expertise with its technology sector focus. The firm provides assists clients on matters involving innovative payment services, blockchain technology, open data and APIs, robo-advice and new lending platforms. Expertise also includes digital payment platforms,

new model finance, data analytics, cybersecurity, blockchain and regulatory aspects. The firm has also wholeheartedly embraced technology, offering clients a wide range of tech-based solutions, including twoBirds Access (which comprises bespoke solutions, an online portal for communicating with clients, and a virtual data room for data related to transactions), a contract risk assessment tool, an e-document review platform, a patent intelligence offering, premium content platform for issues related to disputes, and a brand monitoring technology. The firm has also launched five apps.

PINSENT MASONS

Ever since China announced its One Belt One Road (OBOR) initiative, Pinsent Masons has developed a reputation for OBOR work, many of which have required innovative contracting structures and approaches. Notable work has included advising a Chinese client on the development of a coal-fired power project in Zimbabwe, the largest power station in the country; and acting for China Harbour Engineering Company Limited in negotiations with the Sri Lankan government on the biggest overseas investment of the company to date, as well as the largest foreign investment project in the history of Sri Lanka.

Additionally, after the Hong Kong government adopted a policy to procure all projects under New Engineering Contracts (NEC) wherever possible, Pinsent Masons has been heavily involved in the process, pioneer the use and development of NEC in the city. "We have helped pioneer the use of NEC in HK through a combination of 'hard' and 'soft' pilots, extensive training and engagement with public authorities on roll out," the firm says. It has also developing the P2C Platform to support the provision of its Procurement to Completion project advisory service. This comprises a cloud-based portal through which the legal and commercial risks on projects are managed collaboratively from procurement to completion. 