



Michelle Aggromito

Senior Associate

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OVERVIEW

Michelle Aggromito is a senior lawyer in the Melbourne commercial technology and sourcing team focusing on IT, privacy and data protection.

Michelle regularly advises a variety of technology software, hardware and infrastructure procurements and on large transformational platform implementations and a variety of technology software, hardware and infrastructure procurements. Michelle supports her clients by providing assistance through multi-vendor negotiations, and provides strategic advice in regard to legal frameworks and documentation.

Michelle has extensive experience advising customers and vendors in the technology industry, with particular focus on the procurement of data warehouse infrastructure and security (such as rackspace and co-location services), embedded networks infrastructure, software licensing, systems integration projects, and data privacy and protection.

Michelle also advises clients on the obligations of various Australian privacy laws, including in relation to the mandatory data breach notification scheme and handling difficult data and security breaches. She also regularly writes posts for the K&L Gates blog on Cyberwatch Australia.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Michelle worked in the UK as an Australian qualified lawyer advising on IT, intellectual property and data protection law. In 2017-18, Michelle worked on secondment as Acting Head of Legal at Brady Plc., a London based company that provides software solutions for global commodity and energy trading.

PROFESSIONAL / CIVIC ACTIVITIES

- Law Institute of Victoria member

EDUCATION

- LL.B., Monash University, 2012 (*Hons*)

- B.A., Monash University, 2012

ADMISSIONS

- Supreme Court of Victoria

THOUGHT LEADERSHIP POWERED BY HUB

- March 2021, Privacy, Data Protection, and Cybersecurity Update (*Webinar*)
- 25 March 2020, COVID-19: (Australia) A Phishing Pandemic – Part I (*Alerts/Updates*)
- 20 March 2020, COVID-19: (Australia) Privacy in the Time of Coronavirus (*Alerts/Updates*)

AREAS OF FOCUS

- Technology Transactions and Sourcing
- Data Protection, Privacy, and Security
- Mergers and Acquisitions

REPRESENTATIVE EXPERIENCE

Data Privacy

- Advising an education provider in relation to a data breach of its third party supplier in respect of data held on behalf of the education provider by the third party supplier.
- Advising a charity in regard to its privacy requirements in connection with using Google Assist to collect personal information from vulnerable individuals.
- Conducting a data protection review for Brady Plc and advising Brady Plc in regard to required amendments to its practices, policies and procedures to comply with the GDPR prior to the regulation coming into force.
- Advising a magic circle firm and project managed a major outsourcing transaction to transition all data (including all data held by international affiliates in the firm's group) from each in-house located server to a private cloud. This transaction involved security control issues relating to specific data sets, primarily personal data, across multiple jurisdictions including the UK, U.S. and Germany.
- Conducting GDPR presentations and training for a London-based technology company focused on human resources platforms and assisting the company in designing its data protection project.
- Presenting to various clients about the effect of the GDPR and the *Privacy Act 1988* (Cth).
- Reviewing privacy practices and policies for various clients and advising on required amendments to comply with the Privacy Act and/or the GDPR.

IT Projects

- Advising an international airport in relation to its negotiation with a software developer for the development, implementation and run of an application targeted to international consumers departing, arriving and transiting through airport for the purchase of duty free products.
- Lead adviser and negotiator for Brady Plc. on some of its largest system implementation transactions with customers in Europe.
- Advising an ASX listed company in its rollout of Microsoft's D365 ERP suite, using DXC as its system implementor, preparing, advising on and assisting in the negotiations of statements of work for design and implementation.
- Advising an energy provider in relation to the negotiation of statements of work with Allegro in connection with an upgrade and design of its current enterprise solution.
- Advising Oil Search, Papua New Guinea's largest oil and gas exploration and development company in relation to the negotiation of the system implementation and services and change management and training statements of work for its ERP project.
- Advising a magic circle firm and project managed a major IT transaction, negotiating against Oracle to transition all data (including data held by international affiliates in the firm's group) from each in house located server to a private cloud. This transaction involved multi-jurisdictional outsourcing, multi-sourcing, design build and run agreements and detailed service levels and statements of work across the project. This also included security control issues relating to specific data sets, (including personal data) in multiple jurisdictions including the UK, U.S. and Germany.
- Advising a London based healthcare provider on the acquisition of a UK based company that develops and maintains a medical technology platform for healthcare providers. This involved extensive due diligence in regard to data protection procedures (including GDPR) and technology and intellectual property ownership.
- Advising a European based agricultural pesticide manufacturing and distribution company on the acquisition of a UK based industry competitor. In addition to intellectual property due diligence, this also required regulatory due diligence.
- Advising a UK based software provider in connection with the acquisition of an industry competitor. This required data protection (including GDPR) and intellectual property due diligence.