



William Maema

Senior Partner, IKM Advocates

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William Maema holds a Master of Laws degree from the University of Cambridge and a Bachelor of Laws degree from the University of Nairobi. He is an Advocate of the High Court of Kenya.

He is a leading Corporate Commercial lawyer with over thirty years of post-admission experience and a former lecturer of law at both the University of Nairobi and Kenya School of Law.

He advises both local and international clients on transactions of varied complexity and has gained wide experience in handling sophisticated transactions locally, regionally and internationally.

His client base spans literally across the Globe. He is the trusted legal advisor for Ivy League US Universities and their local operations in Kenya.

In addition to his commercial law background, William has distinguished himself as a leading practitioner in the non-governmental/not-for-profit sector in which he has built an enviable portfolio of local and international clients, including some of the most prestigious Foundations and charities in the world.

He is a renowned expert in employment law and assists clients to navigate through complex employment situations including recruitment, terminations and redundancies.

William is widely regarded as the father of intellectual property law in Kenya, having introduced the subject in the country at the University of Nairobi in the mid-1990s.

William is a prolific writer and a regular columnist in the prestigious *Business Daily* newspaper where he has published many articles on legal topics of general public interest.

William is passionate about professional ethics and is the current Chairman of the Advocates Disciplinary Tribunal where he represents the Attorney General of the Republic of Kenya in handling disciplinary complaints against advocates.

Experience

Experience has included advising on:

- Commercial legal services such as drafting, review and localization of different types of commercial contracts and agreements, preparation of legal opinions and training on commercial matters

Related services

[Intellectual Property and Technology](#)

[Employment](#)

Related sectors

[Technology](#)

[Consumer Goods and Retail](#)

[Media, Sport and Entertainment](#)

Languages spoken

English, Swahili

- Complex matters such as the proper classification of food additives under the Standards Act, filing and prosecuting applications for reclassification, and the legal framework for the importation and use of drones in Kenya
- Legislation that governs American universities and university-funded programs in Kenya including, registration procedures and requirements, collaboration with Kenyan universities, immigration affairs for foreign staff, establishment of non-academic programs in Kenya, employment law, and contracts with collaborators including government
- Various aspects of employment law including preparation and review of employment contracts, independent contractor agreements and human resource policies / manuals to bring them into compliance with local labor laws, advising on staff rationalization exercises, transfer of employees following a merger / acquisition transaction, employee share option plans / schemes, retirement benefits, workplace safety, and foreign contracts of employment
- The termination of employment contracts at a minimum risk and assist in the preparation of the required documentation for each stage of the process, as well as assisting clients in conducting disciplinary processes in accordance with the provisions of the Employment Act
- Estate planning, this includes creating complex structures for the purpose for high-net-worth individuals
- Immigration options available to clients and providing guidance on the most ideal option based on business and personal needs
- Intellectual property portfolios, carrying out searches and advising clients on registrability of their trademarks, registration and renewal of trademarks as well as recordal of assignments, changes of name and address

Credentials

Professional Qualifications

- Advocate admitted to the High Court of Kenya (1991)

Education

- Queen's College, University of Cambridge, Master of Law LL.M. (1992)
- University of Nairobi, Bachelor of Law LL.B. (1990)
- Kenya School of Law, Diploma in Law (1990)

Recognition

- Ranked as leading lawyer in Chambers & Partners Global
- Ranked as leading lawyer by Legal 500
- Ranked as leading lawyer in IFLR 1000
- Ranked by World Trademark Review

Prior Experience

- 2000 to date, Partner, IKM, DLA Piper Africa member firm in Kenya
- 1997 to 2000, Partner, Nairobi-based law firm
- 1993-1997, Legal Assistant, Nairobi-based law firm

Memberships

- Institute of the Certified Public Secretaries of Kenya
- International Trademark Association (INTA)
- Cambridge Commonwealth Trust Society

Insights

Employee consent not required for variation of employment terms

24 October 2023

The extent to which an employer can change the terms of employment without the consent of the employee has always vexed employers but was severely tested during the COVID-19 pandemic. During that dark period many employers found themselves unable to sustain their contractual obligations to the employees due to the financial and logistical challenges posed by the pandemic.

[Why employees are shunning the shilling for the mighty dollar](#)

7 September 2023

With the unending gymnastics of the Kenya shilling against major hard currencies, employers are increasingly coming under pressure from both existing and prospective employees to pay their salaries in convertible currency, preferably the US dollar or Sterling Pound.

[The era of trust fund babies is here](#)

22 June 2023

When the will of a fabulously wealthy Kenyan lawman, notorious for his English mannerisms and adoration of Queen Elizabeth was made public, many Kenyans gawked in wonderment, doubting whether what he had disclosed in the will was all he owned and, if not, where the rest was.

[Employers beware of that consultancy contract](#)

5 June 2023

In his classic play, Romeo and Juliet, the famous English playwright, William Shakespeare posed the intriguing question: "What's in a name?" His answer was equally ingenious: "That which we call a rose by any other name would smell as sweet."

[Fixed-term contracts shocker](#)

9 May 2023

If you are employed on a fixed-term contract, prepare to go home on the expiry date unless your employer advises you otherwise. Indeed, the preparation should start from the day you sign the contract. That is the latest, crisp albeit stone-cold advisement from the Court of Appeal.