



## Consumer Goods, Food and Retail

DLA Piper's Consumer Goods, Food and Retail Sector team is recognized for advising many of the world's leading organizations in the consumer goods, food and beverage and retail sectors. For businesses looking to expand into new product lines or territories, protect their brand and IP, understand the consequences of changing consumer spending habits, or comply with the regulatory regimes in all the jurisdictions where they have a presence, DLA Piper can help.

Consumer Goods, Food and Retail lawyers are based in offices across the Americas, Asia Pacific, Africa, the Middle East and Europe. We leverage our vast on-the-ground experience and global platform to work seamlessly across borders, supporting you wherever you do business.

We regularly advise companies in these industries:

- Food and beverage
- Grocery
- Health, beauty and personal care
- Household care products
- Investors and funders
- Retail and fashion

As the power of the consumer continues to rise, changing shopping behaviours, never has the consumer had more to say in the battle for customer centricity. This brings with it a number of challenges of which our lawyers regularly advise on, including:

- Wellness and wellbeing
- Sustainability
- Product and supply chain integrity
- Waste and accountability
- The rise of technology
- The use and ownership of customer data
- Distress on the high street
- Direct to consumer
- New ventures and acquisitions
- Crisis management

To find out more about our Consumer Goods, Food and Retail team, please contact either of our Global Co-Chairs.

### KEY CONTACTS

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### RELATED SERVICES

- Intellectual Property and Technology
- Real Estate
- Employment
- Corporate
- Mergers and Acquisitions
- Restructuring
- Litigation, Arbitration and Investigations

### Publications

#### **Consumer contracts affected by COVID-19: CMA Guidance**

25 September 2020

As uncertainties continue over the nature and timing of future restrictions relating to the 2019 novel coronavirus disease (COVID-19), businesses should proceed with caution when dealing with their consumer customers and contracts...

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#### **Human rights compliance programmes in the Consumer Goods, Food & Retail sector**

10 September 2020

The risk of adverse environmental, social or human rights impacts is one that Consumer Goods, Food & Retail businesses will be familiar with, especially in relation to supply chains.

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#### **Human rights compliance programmes: Why now?**

10 September 2020

Businesses are increasingly required to identify and manage their involvement in adverse environmental and social impacts throughout their organisations and supply chains. Previously, drivers for developing human rights compliance programmes have included reputation risk and compliance with best practice and “soft law” standards.

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#### **UAE overhauls Economic Substance Regulations**

3 September 2020

The first ESR Report filing deadline is December 31, 2020.

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#### **Sale of Lion Dairy and Drinks – not in Australia’s national interest**

27 August 2020

On Tuesday 25 August 2020, the Treasurer of Australia announced that the proposed sale of Lion Dairy and Drinks Pty Ltd (Lion Dairy) to China Mengniu Dairy Company Limited (China Mengniu) would not be within Australia's “national interest”, effectively blocking the transaction. This article discusses the ramifications of the decision and how they could impact on foreign investment in Australia.

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#### **Details of the second tranche of Hong Kong’s Employment Support Scheme released**

24 August 2020

On 18 August 2020 the Hong Kong government announced details surrounding the second tranche of the Employment Support Scheme. While the majority of the rules surrounding the second tranche remain largely the same as the first tranche, there are new penalties for employers who have fallen foul of a number of nebulous terms.

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## **Blockchain and Digital Assets News and Trends**

21 August 2020

### **[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)**

California appellate court affirms judgment for Coinbase in lawsuit over Bitcoin Gold – plus latest legal, regulatory and case law developments.

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## **Release of exposure draft legislation for major reforms to Australia's Foreign Investment Framework**

10 August 2020

Many governments around the world have been strengthening their laws relating to foreign investment. Australia is no exception to this development and has just released proposed sweeping reforms to its foreign investment regime. In this article, we provide a high level overview of the key proposed amendments and our thoughts on how some of those proposals are likely to affect foreign investment into Australia.

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## **Schrems II: Now what? New FAQs from EU data protection supervisors provide guidance on data transfers**

28 July 2020

Organizations relying on Privacy Shield for transfers to the US of personal data subject to GDPR must immediately implement an alternative mechanism or cease transfers.

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## **Hong Kong Government increases statutory entitlement for maternity leave**

16 July 2020

On 10 October 2018, the Chief Executive stated in her policy address that the government proposed to increase the statutory maternity leave entitlement from ten to 14 weeks.

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## **The legal challenges facing the vaping industry in the EU/UK and the US: An overview and a look ahead**

7 July 2020

Notes as the industry matures.

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## **New Dutch Franchise Act poses challenges for franchisors**

1 July 2020

### **[FRANCAST](#)**

The legislation offers a number of protections to franchisees, which will be problematic for foreign franchisors who transact with well-established Dutch franchisees. The law will take effect on January 1, 2021, although it provides a two-year transition period for existing agreements.

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## Changes to Hong Kong anti-discrimination legislation

30 June 2020

Anti-discrimination laws in Hong Kong have undergone a series of changes over the past few years.

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## Are you ready for the USMCA? Customs-related takeaways on key changes from NAFTA

30 June 2020

Claiming USMCA duty advantages – practical considerations.

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## Blockchain and Digital Assets News and Trends June 2020

18 June 2020

### [BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

World Economic Forum announces Presidio Principles as a foundation of blockchain ecosystem design – plus latest legal, regulatory and case law developments.

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## World Economic Forum announces Presidio Principles as a foundation of blockchain ecosystem design

18 June 2020

WEF's foundational values for a decentralized future.

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## Further relaxation of English coronavirus restrictions

16 June 2020

The UK government has enacted emergency legislation to address the effects of the coronavirus pandemic. In England, regulations were laid and came into force from 26 March 2020 onwards under the Public Health (Control of Disease) Act 1984. On 12 June 2020, the UK government published the most recent (the fourth) set of amendment regulations.

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## Boardroom Brexit - 15 June 2020

15 June 2020

### [BOARDROOM BREXIT](#)

Boardroom Brexit - Britain rules out extension (15 June 2020).

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## Loosening the lockdown: 1 June 2020 amendments to the English COVID-19 emergency regulations

1 June 2020

The UK government and the UK devolved administrations have enacted emergency legislation to address the effects of the coronavirus pandemic. On 31 May 2020, the UK government laid the most recent and, in some respects, the most significant, set of amendment regulations. The changes came into force at 11:30am BST on 1 June 2020.

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## Afghanistan's Food & Beverage Market and COVID-19

28 May 2020

Afghanistan is a frontier market and an importer of a variety of food products; and in the last two years has undergone a record number of business reforms meaning there are significant opportunities for international food and beverage companies in the Afghan market, even in the midst of COVID-19.

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## Consumer Goods, Food and Retail Top of Mind: COVID-19 sector insights

20 May 2020

In this time of growing uncertainty, we recognize that many of our clients are facing unprecedented challenges arising from the coronavirus disease 2019 (COVID-19) pandemic.

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## Blockchain and Digital Assets News and Trends

20 May 2020

### [BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

California may limit application of securities laws to tokens, French court says bitcoins are fungible assets – plus latest legal, regulatory and case law developments.

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## US takes action to abate tariffs and duties in wake of COVID-19

8 May 2020

US importers may consider navigating the various tariff exemptions and deferrals in several ways.

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## Coronavirus: Changes to rules governing meetings and the execution of company documents (Australia)

7 May 2020

Certain requirements in the *Corporations Act 2001* (Cth) (**Corporations Act**) relating to shareholders meetings, and document signatures, are not compatible with public health requirements for social distancing during the coronavirus pandemic. In order to facilitate these important corporate functions during this period, on May 6, 2020 the Australian Federal Government introduced the Corporations (Coronavirus Economic Response) Determination (No. 1) 2020.

This determination modifies the legislative requirements regarding meetings and execution of company documents. These changes come into force on 6 May 2020, and will expire after six months, on 5 November 2020.

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## BIS announces three new rules that place significant restrictions on exports to China

7 May 2020

These rules will subject many products and technologies to new US export control licensing requirements.

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## Coronavirus: Cancellation of consumer contracts and consumer law enforcement in the UK during the

## **pandemic**

6 May 2020

While various COVID-19-related special measures have already been announced by the UK government to alleviate the impact on businesses, is there anything special for businesses dealing with consumers who did not receive or use what they paid for because of coronavirus-related restrictions?

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## **COVID-19: New York and Other Northeast Council states take phased approach to reopening economy**

6 May 2020

These developments raise a number of immediate questions and considerations for businesses operating in the region.

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## **Economic relief for hemp farmers in new round of funding in response to COVID-19**

5 May 2020

The new stimulus package is a more apparent green light for hemp businesses to obtain financial aid.

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## **CFIUS filing fees effective as of May 1, 2020: What you need to know**

5 May 2020

The filing fees go into effect and must be paid for transactions filed on or after May 1, 2020.

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## **Coronavirus: Directors' duties and making decisions in a crisis (Australia)**

4 May 2020

Directors need to carefully consider the risks of the COVID-19 outbreak within their business, given its impact on the global economy. As many now face significant, and increasing, cash flow pressure, directors should carefully consider their actions in the context of the legal framework.

In this new guide we have set out the practical steps directors should be taking to protect their company and its business going forwards.

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## **Food and beverage COVID-19 regulatory updates**

1 May 2020

Ongoing commentary and guidance from US regulators.

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## **eSignature and ePayment News and Trends**

30 April 2020

### **[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)**

Some key considerations for lenders looking to close loans electronically, either in person or remotely, plus latest regulatory, legal and case law developments around eSignatures and ePayments.

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## **Covid-19: Advertising guidance for brands (UK)**

30 April 2020

The outbreak of COVID-19 is an unprecedented and rapidly-evolving challenge to businesses in all sectors. In the context of advertising, marketing and social media communications, the overwhelming regulatory focus has been on preventing the exploitation of consumers and on limiting the spread of misinformation.

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## **Post-COVID-19: What to expect in the "next normal"**

30 April 2020

Issues that are front of mind, based on an informal survey of some of the largest companies and most influential global business leaders.

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## **Law à la Mode**

30 April 2020

### **[LAW À LA MODE](#)**

Law à la Mode: top tips for social media campaigns, the expansion of copyright protection in the UK, compulsory labelling in Russia, an interview with Deploy's Founder and Creative Director Bernice Pan and more

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## **COVID-19: Critical due diligence considerations for M&A, financing and strategic corporate transactions in the retail industry**

29 April 2020

Parties to retail-related transactions must consider unprecedented issues.

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## **Consumer law enforcement - Recent EU / UK legislative developments and future prospects**

28 April 2020

Recent legislative developments in the EU and the UK indicate that there will be more reason for businesses to be aware when consumer law requirements apply, what steps they need to take to comply as well as be vigilant of future legal changes.

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## **Coronavirus: reopening businesses – compliance risks**

24 April 2020

Companies looking to reopen are urged to do so in compliance with varying, changing government restrictions to avoid longer term liabilities that could potentially outweigh short term gains

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## **Strengthening franchise systems post COVID-19: Strategic acquisitions**

23 April 2020

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For franchise companies looking for strategic opportunities, a discussion of transaction structures.

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## **Blockchain and Digital Assets News and Trends**

23 April 2020

### **[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)**

The FSB report on global stablecoin frameworks and related cryptoassets reflects views inside G20 governments – plus latest legal, regulatory and case law developments.

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## **Hong Kong government approves catering sector one-off subsidy**

22 April 2020

The Hong Kong government's Finance Committee met on Friday and Saturday to discuss and approve further details surrounding its Anti-epidemic Fund.

The Committee approved the terms of a government paper published last week which clarifies certain additional details in relation to the one-off subsidy for the catering sector as set out below. This is a new development following our previous alert, which was published on 10 April.

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## **Hong Kong government approves Hotel Sector Support Scheme**

22 April 2020

The Hong Kong government has approved a Hotel Sector Support Scheme. Please find more information and how to contact us on our website if you have any queries.

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## **Relaxation of the competition rules for the COVID-19 pandemic- not all that is solid melts into air**

21 April 2020

On Friday 27 March, the UK Government passed the Competition Act 1998 (Groceries) (Coronavirus) (Public Policy Exclusion) Order 2020. This article looks at what the order means, was it needed and what aspects of competition it covers.

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## **Proposed amendments to Hong Kong's Employment Support Scheme**

21 April 2020

The Hong Kong government's Finance Committee met today, Friday 17 April, to discuss and approve further details surrounding the Employment Support Scheme in response to coronavirus COVID-19.

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## **US antitrust enforcers on high alert for collusion in labor markets during COVID-19 pandemic**

21 April 2020

### **[ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)**

Antitrust enforcers are closely monitoring employer coordination to disadvantage workers.

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## **Guidance from the courts (England and Wales) on the application of the Covid-19 Job Retention Scheme (or employee furlough) in administrations.**

21 April 2020

The High Court has given directions to the administrators of each of Carluccio's Limited and Debenhams Retail Limited on the application of the Covid-19 Job Retention Scheme, but can the government tread a course that protects the rights of employees and follows the scheme?

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## **Puerto Rico's Emergency Paid Sick Leave Act is in force**

16 April 2020

The Act will also apply in case of future epidemics in which the Puerto Rican government declares a state of emergency.

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## **Adapting to a new consumer market**

15 April 2020

As consumer-facing businesses consider changes in their business models, avoiding legal pitfalls in some key areas is necessary for a successful transition.

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## **US CPSC advises consumers certain recall remedies may be unavailable due to COVID-19 – four key takeaways**

15 April 2020

Guidance will evolve as the pandemic develops, and CPSC-regulated firms are encouraged to consider these actions.

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## **Main Street Lending Program: Federal Reserve unveils emergency lending facilities for small and mid-size businesses up to 10,000 employees**

13 April 2020

The Fed announces new steps it is taking to provide loans to assist employers of various sizes, as well as to strengthen the ability of state and local governments to deliver critical services during the pandemic.

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## **FDA COVID-19 updates for the food and beverage industry**

13 April 2020

### **[FOOD AND BEVERAGE NEWS AND TRENDS](#)**

FDA issues guidance to serve as a food safety resource during the COVID-19 pandemic, plus other late-breaking developments in the food and beverage sector.

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## **COVID-19: New York State provides new guidance on essential businesses**

13 April 2020

The Guidelines raise a number of immediate questions and considerations for New York businesses.

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### **UK government to provide additional financial support measures for mid-market business impacted by COVID-19**

9 April 2020

On 3 April 2020 the Chancellor announced a new scheme for larger companies, with the creation of the new Coronavirus Large Business Interruption Loan Scheme (CLBILS) to ensure that more firms are able to benefit from government-backed support during this difficult time.

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### **Contract analysis in a crisis: flowcharts**

7 April 2020

Flowcharts providing considerations for analyzing commercial contracts in the context of the COVID-19 pandemic through a logical process flow that can serve as a practical checklist.

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### **Coronavirus - Mitigating supply chain and customer insolvency risk (Canada)**

7 APR 2020

The on-going impact of the COVID-19 outbreak could have a significant impact on your global supply and customer chains.

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### **Cost-cutting considerations in the time of COVID-19 (Part 3 – employment issues outside the US)**

7 April 2020

A deeper dive into various cost-saving measures and their viability for employers outside the US.

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### **COVID-19 and the "essential business" designation: Practical guidance for businesses that fall in the gray area between "essential" and "non-essential"**

6 April 2020

Certain frequently asked questions as well as practical guidance.

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### **Coronavirus: The Defense Production Act's authorities and limitations in the fight against COVID-19**

6 April 2020

The DPA has significant implications for companies receiving a direct order from the President and for the subcontractors and suppliers behind them; meanwhile, recent legislation has created procurement opportunities under the DPA.

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### **A balance between the government, the private sector and the needs of the people: Invocation of rarely used provisions to ensure public safety during the COVID-19 pandemic**

6 April 2020

The Defense Production Act, compulsory licensing and march-in rights are means for authorizing the government to step in and assert rights against private companies.

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### **COVID-19: Financial relief programs for hemp and hemp-related businesses**

3 April 2020

What the relief bill may mean for the cannabis industry.

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### **eSignature and ePayment News and Trends**

March/April 2020

#### **ESIGNATURE AND EPAYMENT NEWS AND TRENDS**

COVID-19 special edition

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### **Beyond social distancing: What employers need to know to keep their workplaces safe and manage privacy obligations in the face of COVID-19**

2 April 2020

Guidance from OSHA, EEO and CDC to help employers seeking to protect the health, safety and privacy of their on-site employees.

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### **Coronavirus: Directors' duties and making decisions in a crisis**

1 April 2020

Directors need to carefully consider the risks of the COVID-19 outbreak within their business, given its impact on the global economy. As many now face significant, and increasing, cash flow pressure, directors should carefully consider their actions in the context of the legal framework.

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### **Emergency Legislation In Ireland**

31 March 2020

The Irish parliament has passed emergency legislation to support the national response to the COVID-19 pandemic - the "Health Act 2020" (the Act). The Act gives the Government significant powers which will have major impact on businesses across Ireland. In this article, Associate, Louise McErlean explores likely measures and impacts.

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### **COVID-19 – Force Majeure & Frustration of Commercial Contracts in Ireland**

31 March 2020

Working with our international colleagues, we are advising organisations on novel and complex cross-border contract management issues. As an initial guide, Senior Associate, Conor McEaney and Associate, Clodagh Butler outline remedies that may be available if it becomes difficult or impossible for a party to the contract to perform contractual obligations.

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## Coronavirus - Mitigating supply chain and customer insolvency risk

31 March 2020

The impact of the COVID-19 outbreak could have a significant impact on your global supply and customer chains. We can assist in responding to such risks in the various jurisdictions in which you operate, source materials and/or supply products and services.

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## Coronavirus: Cybersecurity considerations for your newly remote workforce (United States)

31 March 2020

Cyber risk management involves balancing the productivity of a workforce with ensuring confidentiality, integrity and availability of the company's own systems and data, as well as that of their supply chain.

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## Coronavirus: US State AGs ramp up efforts to combat price gouging

29 March 2020

### [ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD](#)

State Attorneys General throughout the country are vigorously enforcing state unfair trade practice and price gouging statutes against those alleged to be taking advantage of consumers during the COVID-19 pandemic.

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## Coronavirus: DHS Response to COVID-19 - What US Employers Need to Know

29 March 2020

Key questions and answers related to the new DHS guidance.

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## Coronavirus: Employer's guide to the California Stay at Home Order and the Bay Area Shelter in Place Orders

27 March 2020

Many Northern California employers are seeking to reconcile their obligations under these orders. This Alert will address some of the uncertainties associated with dual compliance for Northern California employers.

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## ESG: the rise of private ordering and the role of the NCGC committee (United States)

26 March 2020

### [PROXY SEASON HOT TOPICS](#)

This inaugural ESG handbook, part of our 2020 Proxy Season Hot Topics series, aims to help public companies as they develop and maintain a robust ESG program.

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## Coronavirus: Cyber hygiene practices

25 March 2020

While the world is responding to the coronavirus disease 2019 (COVID-19), and individuals are increasingly focused on personal hygiene and social distancing, augmenting cyber hygiene efforts at home and at work are increasing in importance too.

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## **Coronavirus: Competition and regulatory measures in Ireland**

25 March 2020

### **ANTITRUST AND COMPETITION: NOVEL ISSUES IN A POST-CORONAVIRUS WORLD**

An unprecedented challenge calls for unprecedented measures. The competition and regulatory world has reacted rapidly to the challenge of COVID-19 with bold legal solutions. We discuss how EU and Irish regulators are responding with support for business, exploring the relaxation of competition laws and adopting temporary measures for merger review.

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## **Blockchain and Digital Assets News and Trends**

25 March 2020

### **BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS**

The age of viral outbreaks – key contract considerations in a post-COVID-19 world, plus latest legal, regulatory and case law developments around blockchain and digital transformation.

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## **Coronavirus: Employee furloughs, reductions-in-force and similar temporary cost-saving measures in the US - Part 1**

25 March 2020

Key employment-related issues for US-based employers in relation to cost-saving measures due to COVID-19.

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## **Coronavirus: Employee furloughs, reductions-in-force and similar temporary cost-saving measures (Part 2 – Employment issues outside the US)**

25 March 2020

A general overview of key employment issues to consider outside of the US in light of COVID-19.

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## **Coronavirus: Several state and local governments issue “shelter in place” orders (United States)**

23 March 2020

Between March 17 and 22, state and local governments have promulgated at least a dozen “Stay-at-Home” / “Shelter-at-Home”-type Orders. This alert provides details on a number of state and local government orders.

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## **[UPDATED] New stay at home orders in California and Los Angeles: key highlights**

23 March 2020

The orders all exempt various businesses from compliance, but the orders have different scopes.

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## **90-day deferral for US federal income tax payments**

20 March 2020

Those who decide to defer their federal tax payments will be able to do so on a penalty-free and interest-free basis, with penalties and interest beginning to accrue for payments submitted after July 15, 2020.

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## COVID-19 and food – FDA position (United States)

19 March 2020

For help considering potential impacts of FDA touchpoints.

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## COVID-19: The benefits of US chapter 11 relief in a time of economic crisis

19 March 2020

Highlighting some of the most significant benefits of US chapter 11 for companies facing severe challenges under the current circumstances.

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## Coronavirus: Federal government stimulus response – Massive stimulus package may move through US Congress at “warp speed”

19 March 2020

The economic stimulus package taking shape may be the biggest one ever.

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## Coronavirus: executive summary - key highlights from Washington (March 19, 2020) (United States)

19 March 2020

Key highlights for March 19, 2020.

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## COVID-19: As diagnostic companies and laboratories ask “how can I help?” FDA responds with unprecedented regulatory flexibility, seeking to achieve more rapid testing capacity in the US

18 March 2020

Options expand for life science, healthcare and other stakeholders.

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## Real Estate Gazette: Operational Real Estate

17 March 2020

### [REAL ESTATE GAZETTE](#)

Operational real estate is a rising star in the real estate investment market. One element that makes this asset class so interesting is the various sub sectors it covers, each calling for specialist experience and practical know-how in both commercial and legal terms.

That diversity is reflected in this issue, we hope you enjoy it.

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## US employee benefits and the coronavirus

17 March 2020

Some of the many benefit plan issues that employers are facing.

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## **Coronavirus: Congress expected to pass expanded paid leave (United States)**

16 March 2020

The paid leave requirements in the current version of the Families First Coronavirus Response Act.

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## **Coronavirus: federal and state tax relief (United States)**

16 March 2020

Congress and state legislatures and administrative agencies are working hard to provide necessary tax relief for those affected by the coronavirus disease (COVID-19) pandemic.

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## **Coronavirus (COVID-19): ten practical steps for global employers, right now (Global)**

13 March 2020

These steps are not based on laws of any one jurisdiction but rather are designed to provide a global employer with themes to consider, understanding that what may be suitable for each employer may vary greatly depending on the employer's unique circumstances.

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## **Implications of the Single Use Plastics Directive**

12 March 2020

New Regulations concerning Single Use Plastics (SUP) and other plastics all over Europe will be affecting the product compliance, design and manufacturing processes of the EU operating Food and Beverage industry substantially within the near future.

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## **Defending your supply chain against coronavirus COVID-19 (United States)**

9 March 2020

An action plan that companies can implement to make strategic decisions related to potential supply chain disruptions.

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## **Court of International Trade blocks expanded Section 232 tariffs on certain US imports, prompting others to take legal action**

4 March 2020

The first injunction in an appeal filed by a US importer challenges the expansion of the tariffs on constitutional and procedural grounds.

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## **Coronavirus COVID-19 and corporate governance (Australia)**

18 February 2020

The coronavirus COVID-19 outbreak and ensuing government restrictions raise corporate governance concerns and create areas

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of risk across the ESG spectrum that should be considered by companies and their directors and officers.

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### **Coronavirus COVID-19 and other supply chain disruptions (UK)**

14 February 2020

In a world of increasingly long, international and interdependent supply chains, the coronavirus COVID-19 outbreak is just the most recent event to highlight the ever more complex considerations arising from a disruption to supply.

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### **When is an outbreak an act of God? Mitigating commercial and operational risks during the COVID-19 crisis (Global)**

13 February 2020

A close look at a standard but often overlooked "act of God" or force majeure clause in contracts may provide some insight into options for mitigating commercial and operational risks during the ongoing health crisis.

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### **Coronavirus COVID-19: The legal impact on force majeure events (Australia)**

12 February 2020

Key considerations for parties that may wish to declare a force majeure event or dispute the declaration of a force majeure event by a counterparty in relation to coronavirus COVID-19.

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### **COP25's key outcome: adoption of the San Jose Principles on carbon market mechanisms – takeaways for business**

12 February 2020

Ambitious countries are not waiting for full consensus on carbon markets.

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### **An update on the impact of the coronavirus on business in Singapore**

12 February 2020

Due to the evolving 2019-nCoV acute respiratory disease (the COVID-19) situation, the Ministry of Health (the MOH) and the Ministry of Manpower (the MOM) have, since January 2020, issued advisories which employers will need to be aware of. In particular, the MOH and MOM have, since our last update on February 12 2020, updated and issued new advisories due to the increased risk of importation of COVID-19 into Singapore.

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### **Coronavirus COVID-19 and force majeure: How are your contracts being affected? (Europe)**

12 February 2020

The outbreak of coronavirus COVID-19 has caused, and continues to cause, great uncertainty for businesses around the world.

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### **Hong Kong Government introduces mandatory quarantine measures**



11 February 2020

On 9 February 2020, the number of deaths due to the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

Numerous governments have been implementing restrictions barring entry to those with recent travel history through Mainland China, including Singapore, Japan, Australia and the United States. Following pressure from public health workers, the Hong Kong Government has now followed suit and has begun a mandatory two-week quarantine for anyone arriving from Mainland China.

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### **How to resume business amid the coronavirus outbreak (China)**

11 February 2020

As reported in our previous article, China has extended its Chinese New Year holiday and work suspension period as a result of the novel coronavirus outbreak which has now infected more than 40,000 people around the world.

This is a summary of the Back to Work Day and compensation for working before Back to Work Day in key cities and provinces across China.

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### **APAC employment issues arising out of the Coronavirus (AsiaPac)**

31 January 2020

On 29 January 2020, the number of confirmed cases of the rapidly spreading coronavirus in Mainland China officially surpassed the figure seen during the 2002/2003 SARS epidemic.

Multinationals with local operations around the APAC region have been significantly affected. As staff return to the office following the Chinese New Year holiday period, businesses are now considering what they can do to minimise any risk to health and safety and support staff through this challenging period where anxiety and uncertainty is rife, whilst at the same time complying with their employment obligations and maintaining business continuity. Putting in place detailed business and contingency plans and ensuring careful communications with staff to address key topics and concerns is key, as is keeping such plans and communications under frequent review given the fluidity of the current situation.

This alert considers some of the key issues that HR and business leaders should be considering across the APAC region.

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### **The President announces expansion of Section 232 tariffs expected to affect millions of dollars in US imports**

30 January 2020

The Proclamation authorizes the Department of Commerce to establish a process for requesting exclusions for affected parties located inside the US.

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### **Harsher penalties on discriminatory employment practices in Singapore**

29 January 2020

The Fair Consideration Framework was updated in January 2020 to impose harsher penalties on employers found to be engaging in discriminatory practices such as by favouring the hiring of foreigners over Singaporeans.

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## **China extends holidays for workers amid coronavirus outbreak (China)**

28 January 2020

Learn about how the widely publicised corona virus outbreak affects business in Greater China.

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## **Brazil's new Franchising Law allows parties to settle their disputes by arbitration**

27 January 2020

The new framework aims to allow the expansion of franchising in Brazil through more legal certainty, transparency and simplification.

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## **Iran nuclear deal: the launch of the 'Dispute Resolution Mechanism' and the 'potential snapback' of UN and EU sanctions**

17 January 2020

This week, France, Germany and Britain have triggered the Dispute Resolution Mechanism against Iran under the Joint Comprehensive Plan of Action (JCPOA). Will this process lead to the re-imposition of UN and EU sanctions on Iran?

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## **The almost free US-Japan Trade Agreement is now in effect**

9 January 2020

This trade agreement reduces or eliminates US customs duties on numerous goods.

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## **Different countries, different circumstances . . . but both require attention**

8 January 2020

**FRANCAST**

Franchisors seeking to expand into Saudi Arabia will face significant regulatory hurdles, and those eyeing Indonesia will generally find a more relaxed regulatory regime.

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## **Commerce imposes export licensing requirement on geospatial imagery software**

8 January 2020

Companies that produce, design, test, manufacture, fabricate, or develop a software described in the new controls may now be operating within the category of "critical technologies" as defined in CFIUS regulations.

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## **Ireland commences Consumer Protection Gift Vouchers Act**

24 December 2019

On 2 December 2019 Ireland introduced the Consumer Protection (Gift Vouchers) Act which sets a minimum five-year expiry period for gift vouchers and prohibits any charge for changing the name on the voucher or that the voucher be spent in full in a single transaction. This applies to all gift vouchers sold from 2 December 2019.

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## **EU launches preparatory work for a global sanctions regime for human rights violations**

17 December 2019

On 9 December 2019, High Representative/Vice-President of the European Union Josep Borrell announced that the Foreign Affairs Council has agreed with strong consensus to start the preparatory work for a global sanctions regime to address serious human rights violations.

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## **Law à la Mode: Levi Strauss & Co and Google; Mystery shoppers and the GDPR; Monograms and trademarks; Counterfeit products in China and more**

16 December 2019

### **[LAW À LA MODE](#)**

The UK editorial team is delighted to bring you the 29th edition of *Law à la Mode*, the legal magazine produced by DLA Piper's Consumer Goods, Food and Retail sector group for clients and contacts of the firm worldwide.

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## **The EU Commission trailblazing towards a sustainable future**

12 December 2019

The European Green Deal is a holistic approach to delivering transformational change and leading the transition towards a new paradigm.

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## **New European Commission Assumed Office on 1 December 2019**

2 December 2019

The new leadership of the European Commission has officially assumed office yesterday, Sunday, 1 December 2019, for a five-year term. The newly assembled College of Commissioners obtained a comfortable majority in an approval vote in the European Parliament plenary session on Wednesday, 27 November 2019.

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## **VAT - Monthly Alert - October 2019**

4 November 2019

### **[VAT MONTHLY ALERT](#)**

A summary of important VAT developments with implications for cross-border business operations.

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## **Beginning October 11, 2019: opportunity to obtain temporary reduction or suspension of US import duties**

7 October 2019

Miscellaneous Tariff Bill petitions can be submitted to the ITC until 5:15 pm EST on December 10, 2019.

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## **US Trade Representative imposes additional tariffs on EU goods following WTO decision in Airbus subsidies dispute**

7 October 2019

This decision marks the resolution of a 15-year WTO dispute over US claims of illegal subsidies to support Airbus production.

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## **With great influence comes great responsibility: potential liabilities in the growing influencer marketplace**

30 Sep 2019

What responsibility, if any, falls on the influencer for social media product endorsements?

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## **The CBD problem: searching for a legal pathway for CBD in foods and supplements**

20 September 2019

The current state of the laws and regulations in the US, and potential pathways to a resolution.

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## **US Trade Representative publishes fourth list of Chinese products subject to Section 301 tariffs**

19 August 2019

Yet more Chinese products will be subject to an additional 10 percent tariff.

---

## **VAT - Monthly Alert - July 2019**

5 August 2019

### **[VAT MONTHLY ALERT](#)**

A summary of important VAT developments with implications for cross-border business operations.

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## **Dallas employees may not want to call in sick**

31 July 2019

An Austin-based conservative think tank filed suit this week against the City of Dallas arguing that the paid sick leave ordinance violates the United States Constitution.

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## **EU Impact - Issue 5/2019**

2 July 2019

Despite record temperatures in some EU countries these days, political developments in Brussels and Member States' capitals have rather sped up than slowed down. Following the elections to the EU Parliament in May 2019, the leaders of the EU Member States have been engaged in intense negotiations on the upcoming major re-shuffle of EU top jobs.

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## **Who's that bot? California requires clear disclosure starting 7/1/2019**

20 June 2019

A California law attempts to tackle the problem of automated online accounts that simulate conversation – and that are used to confuse or deceive.

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## Diversity and Inclusion - how does the retail sector fare in the boardroom?

5 JUN 2019

With diversity and inclusion fast becoming a hot topic on the agenda for almost every business across the globe, there is no doubt that the requirement for a more diverse board is increasing.

The consumer goods and retail landscape is rapidly evolving. Now more than ever, consumers are seeking more diverse products from which to choose and a variety of different ways to shop. With the need for the overall customer experience to reflect this broadening diversity, is the sector sufficiently diverse to be equipped with the varied cultural knowledge and understanding to take on the challenge?

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## Law à la Mode: Beauty Trends: 5 Key Beauty M&A deals; Street art and fashion; Word from the industry's mouth; The rise in innovative retail services; and more

20 MAY 2019

### [LAW À LA MODE](#)

The Moroccan editorial team is delighted to bring you the 28th edition of Law à la Mode, the legal magazine produced by DLA Piper's Consumer Goods & Retail Sector Group for clients and contacts of the firm worldwide.

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## Intellectual Property and Technology News (Asia Pacific) May 2019

15 MAY 2019

### [INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

Intellectual Property and Technology News (Asia Pacific) is our biannual publication designed to report on worldwide development in intellectual property and technology law, offering perspectives, analysis and visionary ideas.

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## EU Impact - Issue 4/2019

10 MAY 2019

With only two weeks left until the European elections of 23-26 May 2019, Europeans find themselves at the beginning of a months-long period of crucial transformations that are expected to significantly impact citizens and businesses in the medium- and long term.

---

## Dallas passes ordinance requiring paid sick leave for private sector workers – key facts to know

29 APR 2019

With the effective date rapidly approaching, companies with employees in the City of Dallas should become familiar with the ordinance and review their applicable policies.

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## So you want to go digital...

11 APR 2019

This article assists businesses in identifying the core issues that must be addressed to ensure the legal sufficiency of

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transactions conducted on eSignature platforms.

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### **EU Impact - Issue 3/2019**

29 MAR 2019

Monthly update on the latest EU policy and regulatory developments relevant for your sector

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### **EU Policy & Regulatory Update - European Parliament Adopts EU Copyright Reform**

28 MAR 2019

Following two and a half years of negotiations and unprecedented public attention, the European Parliament adopted the controversial EU copyright reform in its plenary session on 26 March 2019.

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### **EU Policy & Regulatory Alert: EU Mechanism for Foreign Investment Screening to Enter into Force in April**

21 MAR 2019

Today, on 21 March 2019, the new Regulation establishing a framework for the screening of foreign direct investments into the Union was published in the Official Journal of the European Union (EU).

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### **Top of Mind: Litigation**

20 MAR 2019

In this issue, our coverage of 10 big topics businesses have been thinking about this quarter.

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### **PFAS: in California, regulators put cleanup levels on hold, but announce major data hunt**

7 MAR 2019

This data hunt will affect thousands of facilities, drinking water systems and private drinking water well owners.

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### **EU Impact - Issue 2/2019**

4 MAR 2019

Monthly update on the latest EU policy and regulatory developments relevant for your sector

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### **DLA Piper in Latin America: 2018 in review**

28 FEB 2019

While challenges always lie ahead, we are excited by the region's continuing growth.

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## Data privacy law: the top global developments in 2018 and what 2019 may bring

25 FEB 2019

In 2018, the world saw numerous significant privacy law developments, a trend that is continuing in 2019.

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## Sharpen your pencils: California AG's Office announces start of its important CCPA pre-rulemaking and schedule for issuing its important CCPA rules

13 FEB 2019

Because the CCPA is littered with drafting errors and confusing definitions, this AG rulemaking is extremely important.

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## California Consumer Privacy Act: what's new for retailers?

23 JAN 2019

Particular features of the CCPA affect the retail industry in unique ways.

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## Global Employment Law Quiz 2019

11 JAN 2019

The annual quiz about global developments and trends in employment law.

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## Singapore deposits OECD Multilateral Instrument

8 JAN 2019

### [TRANSFER PRICING](#)

Multinationals that have a holding, financing, or intangible property company in Singapore are taking note.

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## The Music Modernization Act: stronger protections for artists and publishers

21 DEC 2018

The MMA revamps the Copyright Act in three major aspects.

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## Supreme Court Corner Q4 2018

20 DEC 2018

A trademark case concerning the Lanham Act's prohibition of "immoral" marks; a patent case asking whether the government is a "person" under the AIA.

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## Taking part in 2018 ANA/BAA Marketing Law Conference

21 DEC 2018

Ben Mulcahy and Gina Reif Ilardi actively participated in the 2018 Association of National Advertisers/Brand Activation Association Marketing Law Conference in Chicago.

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## **EU Impact: Monthly update on the latest EU policy and regulatory developments relevant for your sector**

21 DEC 2018

Edition 12 of our monthly update on the latest EU policy and regulatory developments

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## **eSignature and ePayment News and Trends**

20 DEC 2018

### **[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)**

In this issue, digitally transforming your business – the year's big legal and regulatory developments and breaking news.

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## **Global Anticorruption Newsletter**

5 DEC 2018

DLA Piper's *Global Anticorruption Newsletter* offers practical guidance on complying with international bribery laws.

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## **The European Data Protection Board issues long-awaited guidelines on the territorial scope of the GDPR**

30 NOV 2018

Among other provisions, the Guidelines concern GDPR's application to entities in the EU even when they process personal data of persons outside the EU.

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## **eSignature and ePayment News and Trends**

30 NOV 2018

### **[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)**

In this issue, a fintech Q&A with the team, plus the latest developments from the legislatures, the regulators and the courts

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## **Law à la Mode: Word of the industry's mouth; Enforcement of IP rights through Ukrainian customs register; E-commerce in Poland; The development of artificial intelligence in the fashion industry; and more**

26 NOV 2018

### **[LAW À LA MODE](#)**

The US editorial team is delighted to bring you the 27th edition of *Law à la Mode*, the legal magazine produced by DLA Piper's Retail Sector Group for clients and contacts of the firm worldwide.

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## **EU Policy & Regulatory Alert: New Regulation on Foreign Direct Investment Screening in the EU**

22 NOV 2018

The European Union is moving fast towards establishing a joint regulatory and policy framework for Europeans to seize the opportunities provided by Artificial Intelligence (AI) and to reinforce Europe's competitiveness in this field.

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## **eSignature and ePayment News and Trends**

26 OCT 2018

### **[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)**

In this issue, obtaining remote epayment authorizations from customers – are you in compliance? Plus the latest legislative and regulatory news.

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## **CFIUS pilot program mandates declarations for certain non-controlling investments in critical technologies**

17 OCT 2018

The pilot program covers critical technologies in 27 industries.

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## **Recent Landmark Case on Comparative Advertising in Hong Kong**

12 OCT 2018

On 5 September 2018, the Hong Kong Court of First Instance handed down a significant win to Hong Kong Broadband Network Limited (HKBN) in dismissing a trade mark infringement claim brought against it by the PCCW-HKT group (PCCW). The case is the first decision the Hong Kong Court has made on section 21 of the Trade Mark Ordinance (Cap. 559) (TMO) and provided important guidance on the use of trademarks in the context of comparative advertising.

HKBN was represented by the legal team from DLA Piper Hong Kong led by May Ng, Partner, assisted by Queenie Chan, Associate.

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## **Section 301 additional tariffs on imports of Chinese products: options for high tech and manufacturing companies**

3 OCT 2018

Additional tariffs of 10 percent or 25 percent have been imposed on three different lists of thousands of imports from China. Companies can request exclusion from these tariffs.

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## **DLA Piper hosts clients at INTA Annual Meeting in Seattle**

27 SEP 2018

More than 10,000 trademark professionals and brand owners from around the world took part in the 140th International Trademark Association Annual Meeting.

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## How blockchain, Internet of Things and smart contracts improve the supply chain

27 SEP 2018

Incorporating three key technologies into the supply chain can significantly improve profitability while reducing risk.

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## Slavery in the supply chain: new corporate reporting obligations for companies

9 DEC 2015

### [HEALTH, SAFETY AND ENVIRONMENTAL MATTERS SERIES](#)

The UK's Modern Slavery Act 2015 is in force, imposing on companies new reporting requirements and new enforcement powers, including the creation of an Independent Anti-Slavery Commissioner.

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## Supply chain planning in the post-BEPS era: five questions for MNEs

22 JUL 2015

After BEPS actions are incorporated into OECD documents and local legislation, tax planning opportunities will still exist, but realizing the benefits of tax planning will require a greater emphasis on economic substance. One often-overlooked area of opportunity is tax-efficient supply chain planning.

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## EVENTS

### Upcoming

#### Sustainability and ESG: A case study on Timberland's strategic alliance in Haiti

28 September 2020

### [SUSTAINABILITY AND ESG: A CASE STUDY ON TIMBERLAND'S STRATEGIC ALLIANCE IN HAITI](#)

Webinar

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#### Sustainability and ESG: A case study on Timberland's strategic alliance in Haiti

28 September 2020

### [SUSTAINABILITY AND ESG: A CASE STUDY ON TIMBERLAND'S STRATEGIC ALLIANCE IN HAITI](#)

Webinar

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### [Previous](#)

## Evolution of the global grocery market during and after COVID-19

21 July 2020

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### TopCo liability panel

25 JUN 2019  
London

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## NEWS

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### DLA Piper announces partnership promotions for 2020

30 April 2020

DLA Piper is proud to announce that 67 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2020 in the United States and May 1, 2020 for EMEA and Asia Pacific. The promotions have been made across many of the firm's practice areas in 35 different offices throughout 13 countries.

Across the firm's practices globally, Corporate saw the largest intake of new partners with 19 promotions, followed by Litigation and Regulatory with 15. Intellectual Property and Technology and Finance and Projects had ten and eight promotions respectively, while there were six in Real Estate. Tax and Employment both had four, and there was one in Restructuring.

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### DLA Piper lawyers named Acritas Stars

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

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### DLA Piper Ukraine advises food chain Billa on lease extension flagship store in the Bessarabskyi Market in Kyiv

21 February 2020

DLA Piper Ukraine real estate team has advised food chain Billa on securing a record 8-year lease extension agreement with Kyiv City Council for its flagship store in the Bessarabskyi Market in Kyiv.

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### New report finds retail sector leadership diversity deficit will affect future competitiveness

5 JUN 2019

DLA Piper and executive recruitment and diversity consultancy Green Park today launch *The Retail Leadership 700* report, which reveals for the first time the extent of the lack of diversity within the leadership teams of the top US, UK and European retailers.

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## **DLA Piper advises on the sale of L.K. Bennett to Byland UK**

12 APR 2019

DLA Piper has advised administrators EY in connection with the sale of the majority of the business and assets of the fashion retailer L.K. Bennett Limited in the UK & Ireland to Byland UK Limited for an undisclosed sum.

The sale includes the Company's headquarters, 21 stores, all of its concessions, and 325 employees, who will transfer across to the purchaser. Unfortunately, the 15 stores that were not included in the sale will be closed, resulting in the redundancy of around 110 employees.

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## **DLA Piper announces partnership promotions for 2019**

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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## **DLA Piper successfully defends Samsung Electronics against Dyson**

29 MAR 2019

DLA Piper acted on behalf of Samsung Electronics GmbH to lift a temporary injunction obtained by Dyson AG in January 2018 from the District Court of Düsseldorf. The injunction prohibited Samsung from making certain advertising statements for battery-powered vacuum cleaners. As some of the prohibited statements were also on the packaging this led to a de facto ban on the sale for the battery-powered vacuum cleaner.

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## **DLA Piper advises Mothercare on the sale of Early Learning Centre business to the Entertainer**

26 MAR 2019

DLA Piper has advised UK retailer Mothercare plc on the £13.5 million sale of Early Learning Centre Limited to TEAL Brands Limited, a subsidiary of TEAL Group Holdings, the holding company of the Entertainer group of companies. Mothercare will use the proceeds from the sale to reduce its bank debt.

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## **Sustainability and ESG**

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Sustainability and Environment, Social and Governance (SESG) is an issue that businesses have been grappling with for many years now and, as a result of pressure being applied by law-makers, investors, shareholders, governments across the globe and consumers alike, it is a topic that is only going to increase in importance in coming years. Consumer goods, food and retail companies must be prepared with an SESG strategy that demonstrates their values as a business and ensures that these values are implemented in a transparent and auditable way in every step of the supply chain.

SESG covers a wide spectrum of matters expanding beyond environmental issues, to aspects including diversity in employment, labour practices, transparency in accounting; as well as end-to-end supply chain accountability - including product

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sourcing, manufacturing and product life cycle management; routes to market and final mile logistics, there a great deal to consider.

Notwithstanding that there is often a perceived dichotomy between ESG issues and increased downwards pressure on profitability and margins, the market pressure and prevailing zeitgeist means that ESG issues must be fully understood and addressed by businesses if they are going to remain profitable. If they don't address these issues they risk becoming exposed to litigation (particularly in global jurisdictions where class actions are on the increase), regulatory breaches and/or reputational damage as well as impacting the bottom line and investment opportunities.

## CONSUMER GOODS

Many consumer goods businesses are no longer waiting for regulatory force to drive change in their business and are seeing the opportunities regardless of external pressures. They have realised the cost savings that can be made from becoming energy efficient and reducing their carbon output at all stages of the supply chain. Decreasing their dependency on fossil fuels and using renewables, as well using LEAN operational methods (a systematic approach to identifying and eliminating wasteful or non-value-adding activities within manufacturing operations) to reduce waste which can reduce costs and improve long term sustainability. We predict that use of technologies including artificial intelligence and the Internet-of-Things will be embraced by those businesses at the fore of the ESG agenda, as they support greater efficiency, using data to facilitate more effective predictive demand forecasting, as well as capacity sharing for warehouses and logistics, driving environmental and cost benefits.

Consumer goods brands are now faced with scrutiny for how they manage their product life cycle, with consumers demanding retailers to be more transparent about how items are made and what materials are used. The implementation of blockchain solutions, to create an immutable, digital ledger of transactions, has the potential to be transformative for ESG in the consumer goods sector, by reducing barriers and increasing visibility, trust, and interoperability between different parties in the supply chain. Many businesses are also now implementing closed loop value chains so that products don't end up in land fill. For example; consumer durables have higher environmental impact as they contribute to hazardous and non-hazardous solid waste and excessive energy consumption. Products like fridge/freezers contain harmful chemicals which are released when not correctly disposed of – therefore there is growing importance around waste management and recycling materials.

As social media has become ingrained in our day to day lives so has our access to information and things going viral in a matter of minutes, meaning brands are now subject to new levels of scrutiny. Corporate transparency and reputation have never been as important, and consumers are choosing what brand they use - not just based on whether they like the product - but also based on do they like the people behind the brand.

## FOOD AND BEVERAGE

Renewed focus has been given to tackling obesity by the World Health Organisation and governments across the globe, with over 650 million people now recorded as obese. Obesity is linked to a number of other health issues including worsened effects of COVID-19.

Food and beverage businesses are being called upon to demonstrate their commitment to helping address this crisis by changing their ingredients for healthier alternatives, addressing the pricing of health foods and restricting marketing of unhealthy foods. Governments are also developing new ways to reduce obesity which include educating people on their choices, introducing taxes and changing labelling regulations.

However, there is also a growing trend towards healthier lifestyles, particularly amongst young adults, which includes reduced meat intake; low or no alcohol consumption and ethically sourced products. It is these trends that are influencing the investment and development of new products like low alcohol seltzers and meat free alternatives. The main drivers behind consumer healthification are:

- Health worries
- Ethical concerns/animal welfare
- Environmental impact of meat consumption
- Food security
- And most recently, COVID-19 and potential future pandemics.

The issue of ingredients and provenance will continue to grow in their importance to the “conscious” consumer and we are likely to

a continuing trend towards embracing blockchain as a means of creating a permanent, immutable database or record of information at each stage of the supply chain, including ingredient sourcing, and monitoring of factory, warehouse and transport conditions, as well as aiding more efficient recall processes.

Food and beverage businesses have been facing scrutiny for many years with prominent members of the industry demanding the reform of food labelling and packaging laws to make sure they are standardised across the industry as well as being clear for consumers, making it easier for them to make healthy decisions. For example, the World Health Organisation have criticised the lack of consistency in the labelling of alcoholic drinks as it is currently not mandatory in Europe, but it is across food and non-alcoholic beverages.

Product life cycle management is another focal topic for the food and drinks industry as they have historically relied upon single use plastics; but there is now more pressure from governments and consumers alike for a circular economy in the use of plastic in food packaging, reducing wastage and the amount of single use plastics that end up in landfill. Many retailers have been taking this into account and mass reduction in the use of plastic has been seen across the industry, however COVID-19 has caused a return to single use plastics to reduce transmission of the disease and, in the coming months, the industry will once more need to consider how it can reduce reliance on single-use plastics in a safe way.

## RETAIL

Sustainability issues arise in retail as a result of fast fashion; an issue that recently has had increased media attention, as clothes brands have seasonal products to remain 'on trend', yet these products can sometimes be made with lower quality materials and they are often thrown away at the end of the season, leading to high levels of consumption and – ultimately - waste. Typically clothes, particularly the poorer quality, cheaper products, are not recycled, therefore causing a sustainability issue. As consumers become more aware of their purchasing habits this will continue to climb the ESG agenda and fashion and retail businesses will need to find a way to solve this alongside the competing downward pressure on price and margin.

Waste is not just limited to cheap fast fashion brands; luxury brands too have issues with waste, with large amounts of waste simply from their pattern cutting process designed to obtain the best quality cuts from material; alongside allegations of burning unsold stock to maintain a brand's perceived exclusivity.

All of this has led to a prevailing consumer desire to know where items are from and how they are made, consumers also want to know how brands treat their employees, including employees of their sub-contractors and suppliers at all stages of the supply chain. Consumers expect brands to have ethical practices and an employee wellbeing strategy in place which flow through to their sourcing strategy, with suppliers being regularly audited and held accountable for adhering to these ethical practices. Companies are expected to take responsibility for the whole supply chain, and it is no longer accepted that they didn't know of malpractice in their factories, if they aren't accountable then they could experience boycotting and lasting commercial impact. NGOs often champion the interests of workers in factories where practices are unethical, and see it as their moral duty to shine a light on these issues.

This is a prevalent issue for fashion retailers who often make use of textile hubs that are found in emerging markets and offer cheap labour; consumers are now considering how their clothes have been made and where they came from. When considering employee wellbeing it is also key that businesses are considering occupational health and safety, an issue that has been under the spotlight since the outbreak of COVID-19.

The issue of how the consumer receives the product is also key. With the move to online shopping having been accelerated by COVID-19, ESG issues around logistics and particularly the environmental impact of inefficiencies in the final mile are more visible to the public and, as a result, are subject to greater scrutiny. This is an issue which the industry has been grappling with for several years from a cost efficiency perspective, but which now is also being examined from a ESG perspective. Use of electric vehicles in the final mile, particularly in urban areas, is becoming increasingly prevalent and we also predict an increase in the use of technology to aide dynamic delivery scheduling and capacity sharing within vehicles. Similarly, the issue of single use plastics for deliveries is also increasingly prevalent – brands are under increased pressure to reduce packaging and use of coat hangers, as well as using fully recycled (and recyclable) materials.

Another issue faced in the retail space relating to trust and brand integrity, is the use and security of consumer data. In order to stay competitive retailers need to invest in their digital capabilities making it easier for consumers to buy with them. However each new technological advancement they make exposes them to greater risk of cyber-attacks. Consumers want to know how companies are handling their data more than ever as stolen data puts them at risk, so companies with transparent data handling practices are more likely to gain consumer trust; as well as those who demonstrate how they handle security breaches.

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To discuss these issues in more detail please get in touch with our sustainability leaders.