



## International Trade, Regulatory and Government Affairs

DLA Piper's International Trade, Regulatory and Government Affairs team provides advice at all stages of the regulatory process. Advising on regulatory law, we focus on areas such as international trade, antitrust and competition, global governance and more.

Companies that transact business around the globe must comply with a myriad of statutes and administrative rules and regulations, many of which directly affect their ability to conduct business or expand their reach. The regulatory, government affairs and public policy environment is constantly changing—affected by politics, history, legal decisions, interest groups, precedent and news events.

### What we do

Effective compliance begins with an independent and realistic assessment of the legal, compliance, and reputational risks that could threaten your business objectives.

We represent clients before national, supra-national and sub-national governments and administrative organizations on a broad array of public policy, legislative, regulatory and administrative issues:

- In the United States, we work closely with clients to advocate their views to the White House and Executive Branch departments, Congress and independent administrative agencies.
- Similarly, our lawyers are leading practitioners before the executive, legislative and judicial institutions of the European Union.
- On a more localized level, we regularly represent clients on policy matters before national, provincial, state and local governments worldwide.
- We also regularly advocate before international organizations, including the United Nations, regional treaty organizations and multilateral development institutions.

The group takes a cross-disciplinary approach in our engagements, because the path to success frequently is not linear, but one that requires carefully coordinated efforts in different forums.

Accordingly, our lawyers and policy professionals often work across borders and practice groups in interdisciplinary teams, ensuring the most efficient and effective results for our clients. And, as clients increasingly recognize, legislative and administrative advocacy is a skill that is quite distinct from defending an enforcement action or seeking to overturn a recently promulgated rule or regulation.

### KEY CONTACTS

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### RELATED SERVICES

- Corporate
- Employment
- Finance
- Intellectual Property and Technology
- Litigation, Arbitration and Investigations
- Projects, Energy and Infrastructure
- Tax
- International Corporate Reorganizations

### RELATED SECTORS

- Financial Services

Our government advocacy team includes skillful litigators and subject matter professionals knowledgeable on a wide variety of policy issues. We have one of the largest regulatory and government affairs groups of any global law firm, with lawyers and policy professionals throughout the world. Many of the members of this group have held senior elected, appointed and staff positions in all branches of government or gained important public policy experience from work in the corporate world.

- Energy and Natural Resources
- Insurance
- Life Sciences
- Media, Sport and Entertainment
- Technology

## INSIGHTS

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### Publications

#### China's Blocking Rules: New trade-compliance dilemmas for third-country companies

25 January 2021

The Blocking Rules respond to the increased use of "secondary" economic sanctions and export controls by the US.

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#### Boardroom Brexit: The view from Europe on the trade deal

31 December 2020

##### BOARDROOM BREXIT

The mood in Europe is upbeat – if a little apprehensive on how things are going to work in practice. All in all, it is fair to say that Brussels is extremely happy to have concluded the TCA.

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#### Boardroom Brexit: The view from the UK on the trade deal

31 December 2020

##### BOARDROOM BREXIT

The UK-EU Trade and Cooperation Agreement (TCA) came as a much-needed, hurriedly wrapped Christmas present for the UK Prime Minister.

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#### Boardroom Brexit: What the deal means for Level Playing Field rules

31 December 2020

##### BOARDROOM BREXIT

Given the zero-tariff and zero-quota nature of the TCA, the EU's initial request was to push for strict level playing field rules. The TCA provides for a more flexible mechanism that does not oblige the UK to align with EU legislation but prevents both sides from using their regulatory autonomy to grant unfair subsidies to businesses or distort competition.

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#### Boardroom Brexit: What the deal means for dispute resolution

31 December 2020

##### BOARDROOM BREXIT

This was one of the most contentious areas in the negotiations as both sides wanted assurances that the other party would honour the commitments contained in the TCA in the future.

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## Boardroom Brexit: What the deal means for energy and climate change

31 December 2020

### [BOARDROOM BREXIT](#)

The TCA regulates the trade in electricity and gas between the EU and the UK over interconnectors, provides for cooperation in respect of security of supply, the integration of renewables into their respective markets and cooperation to develop hybrid projects that combine interconnectors and offshore wind farms in the North Sea (thus opening up the potential for a North Sea grid), as well as ensuring open and fair competition and stipulating general safety standards.

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## Boardroom Brexit: What the deal means for fishing

31 December 2020

### [BOARDROOM BREXIT](#)

Fisheries punched way above its economic weight in these negotiations, and a compromise was only agreed at the last minute. Many will argue that the quality of the negotiation suffered as a result.

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## Boardroom Brexit: What the deal means for funding and procurement

31 December 2020

### [BOARDROOM BREXIT](#)

The TCA provides last-minute clarity for UK companies and organisations that participate in EU funded projects, or receive funding and investment through EU programmes, such as Horizon Europe.

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## Boardroom Brexit: What the deal means for intellectual property

31 December 2020

### [BOARDROOM BREXIT](#)

The TCA is not radical in terms of its immediate impact on holders of IP rights in the UK or the EU. It does not, for example, affect the post-2020 status of EU trade marks in the UK.

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## Boardroom Brexit: What the deal means for mobility

31 December 2020

### [BOARDROOM BREXIT](#)

From 1 January 2021, freedom of movement between the United Kingdom and European Union will end. There are, however, some provisions in the TCA regarding the temporary movement of those carrying out business-related activities between the UK and EU.

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## Boardroom Brexit: What the deal means for personal data and digital trade

31 December 2020

### [BOARDROOM BREXIT](#)

The TCA allows personal data to transfer from the EU-UK, for a period of up to six months from 1 January 2021. This 'bridging' period is designed to allow the EU time needed to adopt a formal adequacy decision which will allow the continuing flow of personal data to the UK.

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## Boardroom Brexit: What the deal means for state aid and competition

31 December 2020

### [BOARDROOM BREXIT](#)

EU state aid law applies to assistance from state resources that is selective in its application and that has a potential effect on trade between EU member states and competition.

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## Boardroom Brexit: What the deal means for the UK and EU ratification and implementation process

31 December 2020

### [BOARDROOM BREXIT](#)

The steps before the EU/UK Trade and Cooperation Agreement becomes law

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## Boardroom Brexit: What the deal means for trade in goods

31 December 2020

### [BOARDROOM BREXIT](#)

What will the Trade and Cooperation Agreement mean for tariffs and quotas, rules of origin, technical barriers to trade, customs and product standards

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## Boardroom Brexit: What the deal means for trade in services

31 December 2020

### [BOARDROOM BREXIT](#)

The TCA has substantial sectoral coverage, including professional and business services (e.g. legal, auditing, architectural services), delivery and telecommunication services, computer-related and digital services, financial services, research and development services, most transport services and environmental services.

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## Boardroom Brexit: What the deal means for transport

31 December 2020

### [BOARDROOM BREXIT](#)

There will be continued market access rights for UK and EU road haulage operators, while under the TCA, UK and EU air carriers will continue to enjoy flyover rights and operating rights on routes between the UK and EU. However, UK carriers will not be able to operate cabotage routes in the EU (and vice versa)

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## **US DOT issues groundbreaking proposals for regulation of automated driving systems, seeks input**

11 December 2020

The rulemaking initiates an important new chapter in autonomous vehicle development and commercialization in the US.

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## **China's First Measures Under New Export Control Law Target Encryption Products**

7 December 2020

China's new Export Control Law took effect on December 1, 2020. The next day, the Ministry of Commerce, together with the State Cryptography Administration and the General Administration of Customs, released a circular that includes the first list of products and technologies focusing on commercial encryption products and technologies.

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## **SEC 2021 and beyond: What to expect**

7 December 2020

Some likely areas of SEC focus, from both the regulatory and enforcement perspectives, in 2021 and beyond.

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## **PFI and PPP in the UK – is it time to talk about handback?**

30 November 2020

The most recent standard form contracts and guidance in the UK for PPPs and similar forms of contract recognize the importance of prescribing detailed handback requirements and making provision for lead-in processes to be followed when a project approaches the end of its term.

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## **The UK's National Security & Investment Bill: Excessive protectionism, or necessary to align the UK with other major economies?**

18 November 2020

Laid before Parliament on 11 November 2020, the National Security & Investment Bill (the "Bill") promises to usher in a sweeping reform of the way in which the UK Government can scrutinise foreign investment.

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## **New antidumping duty petition filed against imports of polyester textured yarn from Indonesia, Malaysia, Thailand, and Vietnam: Consequences for exporters and US importers**

2 November 2020

Additional duties can be imposed if the DOC determines that imported goods are dumped and the ITC determines that the domestic industry is materially injured or threatened with such injuries.

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## **Canada: Third-party litigation funding, enforcement of arbitral awards, admissibility of fresh evidence during court review**

26 October 2020

Three recent decisions.

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## **Chile: Drafting arbitration clauses in international contracts – practical aspects**

26 October 2020

International arbitration has expanded considerably in recent years in Chile.

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## **USMCA investor-state dispute settlement provisions: Key differences for Mexico**

26 October 2020

For ISDS claims, only after the local litigation requirement is fulfilled or 30 months have elapsed may certain substantive claims be brought against a state.

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## **China signs off on PRC Biosecurity Law: What this means for industry players in China**

21 October 2020

The Biosecurity Law establishes a comprehensive framework replacing the current somewhat piecemeal legislation.

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## **New CFIUS regulations change mandatory filing requirements and increase the importance of US export controls**

30 September 2020

The new rule modifies the criteria that trigger a mandatory filing with CFIUS, potentially subjecting more transactions to mandatory CFIUS review.

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## **Trading on WTO terms – what does it actually mean for your business?**

24 September 2020

### **DLA PIPER TRADE TRUTHS**

It is now more important than ever to prepare your business for trading on WTO terms. In the third Trade Truths article, we outline the key principles of the WTO, what trading on WTO terms means for the goods and services sectors, and how you can best prepare your business for the end of the transition period.

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## **New national security regulations subject more insurance sector transactions to CFIUS review**

20 August 2020

Transactions in the insurance sector are squarely in the CFIUS crosshairs.

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## **US moves forward on enhanced securities regulations focusing on Chinese companies**

17 August 2020

Latest developments in US efforts to address the financial risks posed by emerging market companies.

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## **WIN Wise: Top Tips for contract governance and change control**

5 August 2020

This note gives practical tips to assist parties to understand and be familiar with their digital transformation and outsourcing

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contracts, to help ensure that the parties follow the terms of the contract and that any changes are carefully considered and documented.

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### **Procurement Law Reform - Let's Start a Discussion**

29 July 2020

This is the fourth in our short series of bitesize feedback notes following on from DLA Piper's Panel Discussion Webinar held on 1 July 2020. This feedback note looks at the panel's response to the range of procurement procedures set out in the Public Contracts Act, 2015 (PCR'15).

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### **WIN Wise: Top tips for making the most of your IT contracts**

20 July 2020

There can sometimes be a disconnect between lawyers who draft contracts, and those with primary responsibility for implementing them. Through smart collaboration, effective communication and shared vision, in-house lawyers and their commercial counterparts can work together to maximize value and generate extra revenue.

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### **Court of Appeal confirms mining company is not liable for human rights abuses in Sierra Leone**

17 July 2020

Earlier this year, the Court of Appeal handed down its judgment in the case of *Kalma v (1) African Minerals Limited, (2) African Minerals (SL) Limited and (3) Tonkolili Iron Ore (SL) Limited*. In this case review, we consider the Court's findings in relation to (i) accessory liability and (ii) companies' duty of care when operating abroad.

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### **EU's highest court invalidates the EU-US Privacy Shield; European Standard Contractual Clauses remain valid, but subject to conditions**

16 July 2020

The CJEU declared invalid the EU-US Privacy Shield framework for the transfer of personal data from the EU to the US.

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### **Reputation management during investigations: ZXC v Bloomberg LP**

16 July 2020

The Court of Appeal has upheld the decision of Nicklin J which found that Bloomberg had breached the privacy rights of a US businessman when it published an article containing confidential details about a UK criminal investigation which he was subject to.

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### **Global Class Actions Briefing: Major developments in European consumer protection laws: Product safety and consumer class actions in Europe**

15 July 2020

The EU's proposals for a revised EU General Product Safety Directive (the GPSD) and the EU's deal for a Collective Redress Directive (the CRD) point the way to a future of heightened novel risk in Europe of collective redress or, as these claims are popularly known, "class actions".

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### **Procurement Law Reform - Let's start a discussion**

9 July 2020

DLA Piper's panel discussion webinar held on 1 July 2020 had a lively debate on the merits of potential options for reform and which changes might produce a better model for procurement regulation in the UK post Brexit. This is the first of a series of bitesize summary reports providing feedback from the debate.

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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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### **New Section 301 investigations into digital services taxes involving multiple countries**

29 June 2020

The US Trade Representative will investigate whether these DSTs discriminate against or place an unreasonable burden upon or restrict US commerce.

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### **First emerging technologies identified and controlled for export in the EAR**

26 June 2020

The designation also makes these a "critical technology," giving CFIUS jurisdiction over foreign investments in US businesses that engage with these items.

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### **Therapies for COVID-19: Two major developments**

25 June 2020

The developments, one negative and one positive, involve widely available medications.

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### **CFIUS encourages public to provide tips and referrals**

24 June 2020

The new webpage encourages tips and referrals about non-notified deals, violations of CFIUS mitigation measures, and other matters that raise national security risk.

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### **Diary note of a remote mediation**

16 June 2020

A colleague and I recently took part in a remote mediation over Skype. Given that there are likely to be many other litigating parties seriously contemplating the use of remote mediation (some with reservations), we thought that it might be helpful to share our own candid experience of a recent remote mediation.

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### **Boardroom Brexit - 15 June 2020**

15 June 2020

[BOARDROOM BREXIT](#)

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

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### **Just deserts: English court grants conditional anti-suit injunction on “quasi-contractual” basis**

5 June 2020

Times Trading Corporation v National Bank of Fujairah (Dubai Branch), the English Commercial Court granted an anti-suit injunction (ASI) restraining the National Bank of Fujairah (Dubai Branch) (NBF) from pursuing Singaporean court proceedings. The judgment contains a helpful summary of general principles applicable to “contractual” ASIs.

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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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### **Preparing for global class actions arising from COVID-19**

28 May 2020

The risk to companies of global and cross-border class action and collective redress proceedings is rising.

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### **COVID-19 Public Procurement Guide**

20 May 2020

Our procurement guide explains what 50 countries and multinational organisations are doing in respect of issues such as maximising use of exemptions within the law, and addressing practicalities such as prompt payment or fair compensation for contracts suspended due to COVID-19.

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### **Mexican renewable energy projects affected by new measures**

19 May 2020

Foreign investors in wind and solar electricity generation facilities in Mexico may wish to consider their rights and potential remedies under applicable investment instruments.

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### **COVID-19 and investment claims under NAFTA**

15 May 2020

An examination of whether measures taken by States in response to the pandemic could provide a basis for claims under the North American Free Trade Agreement and more.

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### **Puerto Rico: Potential solutions for business agreements affected by the COVID-19 pandemic**

15 May 2020

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As businesses start to reopen and redefine their operations in Puerto Rico, they should also prepare for potential disputes.

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### **Further amendments to English COVID-19 emergency regulations**

13 May 2020

On 13 May 2020, the UK government amended its emergency legislation for COVID-19 to relax some of the lockdown restrictions in England. This article explains what the changes are and what they mean.

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### **COVID-19: National security risks lead to expanded global foreign direct investment reviews**

11 May

Key developments in global FDI review regimes.

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

5 May 2020

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

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### **Main Street Lending Program: Federal Reserve expands scope and eligibility for small and mid-size business loans**

5 May 2020

The revised Main Street Lending Program will allow larger companies and businesses with more pre-existing debt access to loans.

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### **What compliance programs can do now to prepare for operations in the new COVID-19 reality**

5 May 2020

Anticipating changes in the ABAC and compliance landscape to prepare for the lifting of social distancing mandates that have required non-essential businesses to close.

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### **Israel Group News May 2020**

4 May 2020

#### **[ISRAEL GROUP NEWS](#)**

Providing access to valuable business resources in real time.

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### **Post-COVID-19 Sustainability and ESG disputes: human rights commitments and key legal risk during times of crisis**

5 May 2020

Maintaining a consistent approach to sustainability and human rights is not just the right thing to do during the COVID-19 crisis, but an important consideration to mitigate medium and long-term legal risks

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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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### **Pandemic Response Accountability Committee – Update**

1 May 2020

The PRAC, in conjunction with various agency inspectors general, has emerged at the forefront of nascent oversight efforts for relief funds.

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### **HHS clarifies PREP Act immunity for COVID-19-related activities**

28 April 2020

These immunity provisions may provide significant protection to manufacturers, distributors, and others engaged in COVID-19-related efforts.

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## Connected care funding for healthcare providers from the CARES Act

24 April 2020

New funding to promote and support telehealth.

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## What COVID-19 could mean for the future of the Big Tech investigations

24 April 2020

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

Rather than hampering the investigations over the long term, the pandemic may open new lines of inquiry for antitrust investigators.

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## Congress approves more funding for small businesses

23 April 2020

This package includes billions of dollars in new funding.

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## COVID-19 Phase 4 federal legislation – UPDATE

21 April 2020

Time is of the essence and the plan is to have a draft Phase 4 COVID-19 relief bill ready by the end of April.

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## Coronavirus: State Attorneys General take action against alleged price gouging in personal protection equipment sales

21 April 2020

State Attorneys General coast to coast are taking aggressive action.

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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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## Bank Regulatory News and Trends

20 April 2020

### [BANK REGULATORY NEWS AND TRENDS](#)

Bank regulators, Treasury and Congress take emergency steps to contain damage to the economy and temporarily ease regulatory burdens on financial services industry.

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## CARES Act: A lifeboat for Puerto Rico

20 April 2020

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The stage is set for Puerto Ricans to benefit directly from key provisions of the CARES Act.

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### **Cross-border liability management strategies for Latin American issuers with New York law-governed debt securities**

20 April 2020

The main types of so-called liability management transactions available to Latin American issuers seeking to reprofile or restructure their New York law-governed debt securities.

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### **Opening Up America Again Guidelines signal relaxation in elective surgery restrictions**

20 April 2020

For healthcare providers as they evaluate how the Opening Up America Again Guidelines pertain to their respective practices.

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### **Investment adviser compliance in the COVID-19 pandemic – pay attention to valuation and strategy deviation issues**

17 April 2020

Investment advisers still must comply with their obligations to maintain and implement fair pricing policies and procedures and follow their disclosed investment strategies.

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### **CMS issues temporary waivers to allow hospital services to be provided in community-based locations and clarifies the applicability of EMTALA for locations outside of the hospital**

16 April 2020

These waivers permit patients to be triaged to a variety of community-based locales.

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### **CMS regulatory waivers relax supervision and other requirements in an effort to address staff shortages caused by rising COVID-19 cases**

16 April 2020

These changes are effective immediately.

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### **FCC now accepting applications for CARES Act telehealth grants**

16 April 2020

To ensure as many applicants as possible receive funding, the FCC noted it does not anticipate awarding more than \$1 million to any single applicant.

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### **Immediate COVID-19 relief to Medicare providers arrives... with conditions**

16 April 2020

For eligible Medicare providers who continue to suffer economic losses stemming from the pandemic, this program is welcome, but

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it comes with detailed conditions.

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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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### **Paradigm Change in Germany's Foreign Direct Investments (FDI) Law**

14 April 2020

Germany's FDI rules so far had a reputation of not being very strong. In the past few years, only three transactions have been prohibited. This is set to change under a new bill.

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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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### **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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### **COVID-19: A breeding ground for corruption – monitoring key risks**

10 April 2020

US regulators are reminding US businesses that a crisis situation does not excuse a failure to address increased risks of bribery and corruption.

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### **COVID-19: The EU Temporary State Aid Framework - Focus on Greece**

10 April 2020

Since the COVID-19 outbreak affected Greece, the Greek Government has announced a number of measures to support businesses and employees in need. Kindly read in this insight the legal bases for state aid measures during the COVID-19 crisis and the measures announced so far by the Greek Government.

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### **Coronavirus: Overview of healthcare funding stimulus and policy provisions in the CARES Act (United States)**

10 April 2020

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Among numerous health policy provisions in the CARES Act is one allowing BARDA to partner with private sector companies on R&D.

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### **Families First Coronavirus Response Act – Health emergency leave and exempted health care providers**

10 April 2020

The temporary health emergency leave measures include a key carveout for "Health Care Providers" and "Emergency Responders."

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### **US \$2T stimulus COVID-19 package includes significant R&D funding**

10 April 2020

A summary of R&D funding in the CARES Act broken out by federal departments and agencies.

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### **Family First Coronavirus Response Act: US Department of Labor regulations provide additional guidance for employers**

9 April 2020

Key developments.

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### **European Commission proposes one-year postponement of MDR application date**

8 April 2020

Following an informal heads-up on 25 March 2020, today the European Commission adopted a proposed regulation to postpone by one year the date of application of the Medical Devices Regulation (Regulation (EU) 2017/745, "MDR"). If enacted, the Medical Device Directive (Directive 93/42/EEC) and implementing legislation of the EU member states will continue to apply as far as they have not yet been amended.

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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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### **HHS issues notification of enforcement discretion under HIPAA for certain uses and disclosures by business associates**

7 April 2020

This announcement permits business associates to share personal health information with public health authorities and agencies in accordance with HIPAA exceptions as part of COVID-19 relief efforts.

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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 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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### **COVID-19 emergency declaration allows Centers for Medicare & Medicaid Services to issue 1135 waivers, 1915(c) waivers and changes to survey and audit processes**

6 April 2020

Issued in a public health emergency, the waivers help ensure healthcare items and services are available for individuals enrolled in Social Security Act programs.

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### **Coronavirus: Supplier due diligence for vetting Chinese medical suppliers for quality, safety, fair pricing and anti-corruption compliance**

6 April 2020

Some key risks, and potential solutions to reduce cross-border operational risks.

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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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### **Puerto Rico: Governor extends lockdown and curfew; key deadlines and governmental measures in response to COVID-19**

6 April 2020

A summary of restrictions placed in light of COVID-19.

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### **CARES Act may offer relief for medical practices, but raises questions for private equity-backed practice management companies**

3 April 2020

Medical practices and practice management companies are urged to consider options under the CARES Act.

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## **CARES Act waivers from CMS provide additional flexibility for telehealth services and relief from certain Stark Law liabilities (United States)**

3 April 2020

This latest relief further expands healthcare practitioners' ability to reach patients through telehealth, an important tool for addressing patient needs while reducing in-person contact.

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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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## **Funding opportunities and changed requirements for education institutions in the CARES act**

3 April 2020

A number of provisions in the CARES Act are designed to relax requirements for education institutions, students and faculty.

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## **Hospitality industry update: President signs into law massive COVID-19 relief and economic stimulus package**

3 April 2020

Phase 3 in the ongoing federal government efforts to respond to the health and economic implications of the COVID-19 pandemic.

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## **Public legislative processes and public meetings during the time of COVID-19**

3 April 2020

While modifications to open meetings laws may allow many public meetings to take place remotely, municipalities and petitioners must also take steps to ensure the legal sufficiency of public participation in remote public hearings.

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## **COVID-19 - financial services measures in Ireland**

31 March 2020

On 12 March, an Taoiseach, Leo Varadkar TD, announced the closure of schools, childcare facilities, colleges, and State-run cultural institutions, and recommended the cancellation of mass gatherings until 29 March.

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## **COVID-19 and the impact on asset-based lenders and their customers**

31 March 2020

The outbreak of coronavirus COVID-19 represents one of the most significant global public health crises in recent memory and is causing major disruption and unprecedented volatility in markets, economies and businesses.

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## **COVID-19 essential businesses: Anti-bribery and anti-corruption risks**

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31 March 2020

Given the significant impact of being deemed non-essential, businesses and employees are incentivized to ensure their business is deemed essential by local authorities – and this can pose anti-bribery anti-corruption (ABAC) risks to companies.

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### **Coronavirus: Warning from SEC on insider trading highlights importance of disclosure controls during the COVID-19 pandemic**

31 March 2020

A statement on March 23 warned that the SEC would be on heightened alert for signs of insider trading and other misconduct that might harm investors.

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### **Importing critical healthcare supplies during the COVID-19 pandemic: Recent US developments**

31 March 2020

Practical guidance is critical to help importers of medical products efficiently navigate legal and regulatory hurdles so that admissible products with the potential to safeguard patients' health and well-being may be granted entry into US markets as expeditiously as possible.

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### **Coronavirus COVID-19 impact on derivative agreements: To margin call or not to margin call (UK)?**

30 March 2020

Coronavirus COVID-19 is having a serious financial impact across a whole range of sectors and industries. In recent weeks, the extreme volatility in the financial markets has had a particularly significant impact on the derivatives markets.

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### **COVID-19: Getting your cross-border deal done and documents notarized and legalized in the age of coronavirus (United States)**

27 March 2020

A summary of recent changes to the notarization, apostille and legalization by embassy processes in the United States.

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### **US Antitrust enforcers issue joint statement on competitor collaboration amid COVID-19 pandemic**

27 March 2020

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

The US Department of Justice and Federal Trade Commission issued a Joint Antitrust Statement Regarding COVID-19, in which they announced an expedited procedure for evaluating proposed collaborations among competitors and other businesses working to address the pandemic.

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## Bank Regulatory News and Trends

26 March 2020

### **BANK REGULATORY NEWS AND TRENDS**

The Federal Reserve takes extraordinary steps to address the economic risks arising from COVID-19, among them unprecedented emergency measures to support the economy and expanding credit flow to municipal debt markets. This issue also reports on urgent actions being taken by an array of other federal and state financial services regulators.

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### **Coronavirus: Congressional leaders and the Trump Administration reach agreement on massive COVID-19 relief and economic stimulus package**

26 March 2020

Senate Republican and Democratic leaders and the Trump Administration announced on Wednesday, March 25, 2020 that they have reached a deal on The Coronavirus Aid, Relief, and Economic Security Act.

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### **SBA to provide disaster assistance loans for small businesses impacted by coronavirus (COVID-19) (United States)**

24 March 2020

The Small Business Administration has authorized Economic Injury Disaster Loans of up to \$2 million in assistance to help small businesses and other organizations that have been financially impacted as a direct result of the coronavirus (COVID-19) since January 31, 2020.

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### **Coronavirus: executive summary – key highlights from Washington (March 20, 2020) (United States)**

20 March 2020

As the White House, Congress and federal government agencies scramble to address the coronavirus disease (COVID-19) crisis, DLA Piper's Federal Law and Policy team is providing regular updates on the latest developments from the nation's capital.

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### **Potential paths forward amidst the challenges to COVID-19 therapeutic and vaccine development; collaboration and communication among clinical trial stakeholders takes on heightened importance (United States)**

20 March 2020

In a March 19, 2020, briefing and press release, the US Food and Drug Administration outlined ways that existing regulatory options may make it possible to expedite access to therapeutics and vaccines with the potential to treat or prevent coronavirus disease 2019 (COVID-19).

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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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### **Coronavirus: business resilience and continuity planning**

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19 March 2020

Prudent companies understand that their response to the COVID-19 pandemic should be consistent with their business resilience plans.

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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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### **Coronavirus: emergency response legislation passed by the Senate; additional stimulus and tax relief expected soon (United States)**

18 March 2020

The US Senate is expected to pass, on March 18, comprehensive legislation to help families and businesses impacted by the coronavirus disease 2019 (COVID-19) pandemic.

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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: 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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### **OCC issues further guidance on risk management in third-party relationships**

13 March 2020

#### **[BANK REGULATORY NEWS AND TRENDS](#)**

The Office of the Comptroller of the Currency (OCC) released Bulletin 2020-10, a supplement to OCC Bulletin 2013-29, "Third-Party Relationships: Risk Management Guidance," issued October 30, 2013.

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### **Europe initiates regulations on artificial intelligence; industry presented with opportunity to provide inputs**

5 March 2020

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## AI OUTLOOK

The White Paper on AI initiates a process that could potentially establish the world's first far-reaching regulatory framework for AI.

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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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### **CFIUS's new role in real estate transactions**

20 February 2020

An outline of CFIUS's new authority to review foreign investment in US real estate and its impact on real estate investors who have not previously dealt with CFIUS risk.

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### **Huawei Temporary General License extended for third time**

14 February 2020

The extension applies to Huawei and the 114 other non-US Huawei affiliates on the Entity List.

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### **Israel Group News February 2020**

10 February 2020

#### **[ISRAEL GROUP NEWS](#)**

In this issue, our global activities, latest publications, coming events and more.

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### **Long-awaited changes to export controls for firearms and ammunition have arrived**

6 February 2020

This new regulatory scheme will create a transition burden on industry, but it will result in more flexible regulatory obligations overall.

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### **Foreign ITAR cloud storage now permitted**

4 February 2020

This may provide ITAR-registered companies some flexibility with the virtual storage and transmission of their technical data, but using non-US based cloud storage is still not without risk.

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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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## **New regulations reinforce CFIUS's expanded role with respect to foreign investments in the United States**

16 January 2020

The new CFIUS regulations become effective on February 13, 2020.

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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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## **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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## **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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## **Congressional hearing to focus on facial recognition and national security**

12 December 2019

### **[AI OUTLOOK](#)**

Technologies controlled by foreign governments and their implications for privacy and national security are expected to be a major topic.

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## **Preventive Medicine: Official "Antimonopoly Compliance Guidelines for Business Operators" in China**

10 December 2019

On 28 November 2019, the State Administration of Market Regulation (SAMR) released for public comment draft "Anti-Monopoly Compliance Guidelines for Operators" (the "Draft Guidelines"). These non-binding guidelines recommend measures for "business operators" subject to the Antimonopoly Law (AML) to develop and implement antitrust compliance programmes. The Draft Guidelines integrate prevailing best practices for international compliance programmes, while reflecting the unique challenges of antitrust risk management in China.

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## **Antitrust Matters - November 2019**

18 November 2019

### **[ANTITRUST MATTERS](#)**

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We're pleased to share with you a new Edition of our periodical global publication Antitrust Matters

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### **Israel Group News November 2019**

18 November 2019

In this issue, IP considerations in augmented reality and virtual reality, plus our global activities, latest publications, coming events and more.

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### **Hikvision and other Chinese companies added to the Entity List**

10 October 2019

The list includes Chinese companies in the video surveillance, artificial intelligence, voice recognition, deep learning and other technology fields.

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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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### **Treasury Department proposes regulations comprehensively implementing FIRRMA and reforming CFIUS national security review**

19 September 2019

The proposed regulations affect non-controlling investments involving critical technologies, critical infrastructure, and sensitive personal data; and transactions involving real estate near sensitive national security facilities.

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### **UK Court refuses to sanction transfer of annuity portfolio - Re Prudential Assurance Company**

23 August 2019

On 16 August 2019, the UK High Court declined to sanction the transfer of a portfolio of annuity policies from Prudential Company Assurance Ltd (Prudential) to Rothesay Life PLC (Rothesay) under Part VII of the Financial Services and Markets Act 2000.

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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.

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## Israel Group News August 2019

7 August 2019

### ISRAEL GROUP NEWS

In this issue, our global activities, latest publications, coming events and more.

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## Issue 2: Follow Your Contract

26 July 2019

### DIGITAL TRANSFORMATION AND OUTSOURCING CONTRACTS

This is the second of a series of fortnightly issues in which we will give practical tips on how to avoid contractual issues arising out of digital transformation and outsourcing contracts.

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## Updated FATF standards include interpretative note on virtual assets

16 July 2019

The FATF updates its anti-money laundering and counter-terrorist financing standards.

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## Engaging with UK Parliamentary Select Committees

21 June 2019

Giving evidence to a Parliamentary Select Committee can be a daunting experience. Select Committee hearings are high-profile events which can attract significant media attention. Evidence sessions expose witnesses to cross-examination by MPs or Peers, which at times can be hostile.

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## Deadlines approaching fast for fourth set of Section 301 tariffs

4 JUN 2019

Companies have the opportunity to present their views on specific products before the list is finalized but there is less than one month before the window closes.

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## Commerce issues Temporary General License for Huawei

22 MAY 2019

The Temporary General License is a brief reprieve.

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## New EU Regulation safeguarding fair competition - Milestone for EU air carriers

22 MAY 2019

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On 10 May 2019, the EU regulation on safeguarding fair competition in international air transport was published in the Official Journal of the EU (Regulation (EU) 2019/712 of the European Parliament and of the Council of 17 April 2019). The Regulation aims at ensuring fair competition between EU and non-EU air carriers.

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### **Antitrust Matters - May 2019**

13 MAY 2019

#### **ANTITRUST MATTERS**

We are pleased to share with you a New Edition of our periodical global publication Antitrust Matters.

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### **Israel Group News May 2019**

9 MAY 2019

#### **ISRAEL GROUP NEWS**

In this issue, our global activities, latest publications, coming events and more.

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### **Preparing for new customs procedures post-Brexit: Focus on UK and EU EORI numbers**

8 MAY 2019

As companies prepare for a range of potential Brexit outcomes, including a no-deal scenario, among the key considerations for businesses engaged in international trade will be the potential introduction of additional customs procedures for UK-EU trade following the UK's departure from the EU customs union.

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### **China's latest legislative step-up on Trademark Protection: Amendments to the Trademark Law effective from November 2019**

1 MAY 2019

On April 23, 2019, the 10th Session of the 13th Standing Committee of the National People's Congress approved the amendments to the PRC Trademark Law.

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### **EU Policy & Regulatory Alert - EU Publishes Artificial Intelligence Ethics Guidelines**

12 APR 2019

On 8 April 2019, the EU's High-Level Expert Group ("AI HLEG") on Artificial Intelligence ("AI") published the much-anticipated "Ethics Guidelines for Trustworthy AI", setting out a horizontal framework for the development and deployment of ethical and robust AI systems across the EU

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### **China Passes Foreign Investment Law**

11 APR 2019

On March 15, 2019, President Xi Jinping signed into law China's Foreign Investment Law (the "Law") that was passed by China's National People's Congress on the same day. The Law is to take effect from January 1, 2020.

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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 Update: EU Adds 8 Russian Officials on Sanctions List in response to Kerch Strait and the Sea of Azov Incident**

19 MAR 2019

On 14 March 2019, the Council of the European Union adopted Council Implementing Regulation 2019/409 and Council Decision (CFSP) 2014/145 adding eight Russian officials to the list targeting those "undermining the territorial integrity, sovereignty or independence of Ukraine".

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## **No-deal Brexit: UK Government publishes temporary trade tariff**

14 MAR 2019

This week the UK Parliament voted against leaving the EU without a Withdrawal Agreement and a Framework for the Future Relationship on 29 March 2019 - i.e. a no-deal Brexit.

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## **US companies: EU data regulation means new oversight**

2 DEC 2015

Many US companies are about to experience new regulatory oversight.

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## **Japan exempts virtual currencies from consumption tax**

31 MAR 2017

Comparable treatment can be found in Europe, where EU member states exempt virtual currencies from taxation as a result of a CJEU ruling.

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## **European Commission tackles financing risks linked to virtual currencies**

13 SEP 2016

The proposal seeks to bring greater transparency to the virtual currency market in the European Union by imposing customer due diligence requirements on certain market participants, now considered "obligated entities."

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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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### Distributing patent rights between affiliates: guidelines to support enforcement rights around the world

16 NOV 2015

Considering a few issues at the outset when rights are distributed between Parent and Affiliate (or between multiple affiliates) may avoid difficulties in the future when a company wants to enforce patent rights.

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### US courts affirm expansive discovery under 28 U.S.C. § 1782

29 SEP 2015

There is increasingly clear consensus among US courts giving § 1782 expansive reach.

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### Mexico's new National Anticorruption System: 7 key points

20 JUL 2015

Constitutional reform regarding the creation of the National Anticorruption System

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### International tax and withholding considerations for US companies and their directors

19 MAY 2015

Multinationals commonly elect boards with international representation; it is also common to convene board meetings outside the US. US companies that do either – or both – of these things must be mindful of any resulting US or foreign tax implications

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### Mixed feelings: China censures bitcoin while Hong Kong embraces it

4 JUL 2014

Last December, bitcoin prices plummeted by nearly half, after Chinese authorities banned all financial institutions and payment processor companies in China from engaging in bitcoin-related business, denominating prices in bitcoins, and providing bitcoin trading, settlement, clearing or other linked financial products and services.

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### A new test for Mexico's structural changes: antitrust reform – key points in one chart

16 JUN 2014

This entirely new framework should be carefully analyzed by investors in structuring their Mexico-related M&A transactions and managing their existing operations

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***The Cybersecurity Framework: Administration, Congress move to incentivize private-sector cooperation, strengthen federal acquisition process***

12 SEP 2013

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**Congress, Administration move forward to secure critical US infrastructure**

11 JUL 2013

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**US commits \$7B to ambitious Power Africa initiative**

2 JUL 2013

A new initiative aiming to double access to power in sub-Saharan Africa

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**Information security obligations for Australian businesses under the Privacy Act: A reminder from the OAIC**

14 MAY 2013

At the launch of this year's Privacy Awareness Week on 29 April 2013, the OAIC released its new Guide to Information Security: 'Reasonable steps to protect personal information' ("**Guide**"). The Guide aims to assist Australian businesses and those carrying on business in Australia to interpret the continuing requirement under the Privacy Act (both under the current and the amended law) to "take reasonable steps" to protect the personal information they hold.

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**Cybersecurity and US federal public procurements: what contractors need to know**

11 MAR 2013

Practical considerations for US federal contractors

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**EU releases cybersecurity strategy**

15 FEB 2013

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**What companies need to know about the Obama Administration's Cybersecurity Order**

14 FEB 2013

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**Food safety from farm to fork: FDA publishes proposed rules aiming to ensure the safety and security of the food supply**

24 JAN 2013

The proposed rules lay the foundation of the prevention-based, modern food safety system envisioned in the FSMA and have wide-ranging effects on many industries, including every link in the global food supply chain.

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**Law à la Mode**

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20 SEP 2012

## LAW À LA MODE

This issue of Law à la Mode is brought to you by our German editorial team, in the midst of a month in which fashion capitals around the globe are enjoying Fashion Week S/S 2013.

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### Law à la Mode

1 MAY 2012

## LAW À LA MODE

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### UK: The real risk of cyber attack

1 AUG 2011

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## Events

### Previous

#### Part 3: The 2020 general election results – implications of tax and economic policy for business

12 January 2021 | 2:00 - 3:00 ET

Webinar

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#### The US Election and the Race for a Vaccine: A Roundtable Discussion with Gregory Zuckerman

21 December 2020

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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#### 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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#### Brexit – What's happening next?

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9 September 2020  
Webinar

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### **US-Israel-China Relations: A complicated triangle**

15 June 2020  
Webinar

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### **Update on the Paycheck Protection Program: A webinar**

13 May 2020 | 12:30 - 1:30 ET  
Webinar

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### **Looking forward: COVID-19 and its implications for global economies and international cooperation**

11 May 2020 | 12:00 - 1:00 ET  
Webinar

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### **CARES Act: A practical guide for the real estate industry**

3 April 2020  
Webinar

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### **Federal stimulus package update, part II – practical tips and strategies for accessing capital and maximizing opportunities in the CARES Act: webinar**

2 April 2020 | 12:00 - 1:00 EST  
Webinar

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### **Navigating the CARES Act for nonprofit organizations: webinar**

1 April 2020 | 3:00 – 4:00 EST  
Webinar

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### **Federal Stimulus Update: Details on the Rescue Plan and Opportunities for Small Business to Keep Employees Employed and Paid**

26 March 2020 | 3:00 - 4:00 EST  
Webinar

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### **Settling an enforcement action**

June 2019  
Webinar

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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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### Frank Ryan discusses the trade war with Yahoo Finance

9 Sep 2019

**Highlight: “Where we are right now is in a political phase in this debate, and... we need to get to a practical phase,” says @DLA\_Piper’s Frank Ryan on the trade war. “The sooner we get stability for major multinationals in China regarding IP protection, the better off we’ll be.” [pic.twitter.com/u0y kzF8m89](https://pic.twitter.com/u0y kzF8m89)**

— Yahoo Finance (@YahooFinance) September 9, 2019

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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 hosts leading business and diplomacy conference

14 MAR 2019

DLA Piper's London office has hosted the Annual Conference of the International Diplomatic and Business Exchange (IBDE).

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