



## Life Sciences

As the legal matters confronting our life science clients are varied, so are the skill sets we employ. DLA Piper's life sciences team comprises lawyers with legal, scientific and medical knowledge who understand the complexity of the business and regulatory environments in which our clients operate.

The challenges facing today's biotechnology and medical device companies are greater than ever. For companies to take promising therapies from the laboratory to the market, they must protect those therapies from IP, regulatory and reputational risks. Furthermore, the last few years have seen increasing pressure from many sides: demand for greater shareholder return, loss of key revenue streams due to patent expiration or generic challenges, fierce competition in key therapeutic areas, pricing pressures from health care payors, increased government regulation beyond core safety issues, rising costs of R&D, challenges in maximizing return in emerging markets and aggressive government enforcement action.

Our life sciences sector team is one of the largest and most active of any law firm. Operating as one team across more than 30 jurisdictions, we combine subject matter experience with considerable knowledge of the sector, including the scientific, medical, regulatory, commercial and enforcement environments facing our biopharmaceutical, medical device, research and diagnostics clients.

DLA Piper's team includes award-winning lawyers practicing litigation, compliance and investigations, IP strategy and enforcement, M&A, licensing and distribution and clinical trial advice. They also support clients across all other areas needed to address risk, including government affairs, environmental law, import/export, tax, real estate and employment law. Many of our lawyers are former sector professionals, many have PhDs or other advanced degrees in the life sciences field and others are former government officials or prosecutors.

Recognizing that our clients' needs vary, we rapidly organize and customize our client service teams, whether for a large pharmaceutical company, a mid-sized medical device client or a development-stage biotech company. These teams are supported by international and local practitioners to efficiently meet the demands of the matter.

Our cutting-edge staffing, budgeting and billing systems, created specifically to assist our global life science clients, ensure that our teams deliver value in addition to great results.

Our life sciences team helps clients solve their biggest challenges every day. Examples of our experience include:

- Conducting a sensitive investigation in China
- Negotiating a complex multi-country distribution deal in Latin America

### KEY CONTACTS

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### RELATED SERVICES

- Antitrust and Competition
- Corporate
- Employment
- Intellectual Property and Technology
- International Tax Counsel
- Litigation, Arbitration and Investigations
- Real Estate
- Tax

- Acting as National Counsel on a mass tort in the US
- Helping sell or acquire a major business asset
- Advising on implementation of transparency laws or the impact of other new legislation
- Devising a risk mitigation plan for a key product
- Negotiating a large vaccine contract with a global NGO
- Counselling on a multi-jurisdictional clinical trial
- Advising on the downsizing of employees in Europe
- Supporting global business conduct and compliance functions
- Outsourcing critical R&D or IT functions
- Devising an IP strategy for a promising new therapy
- Negotiating a worldwide licensing and collaboration deal
- Protecting a blockbuster drug in patent litigation

## INSIGHTS

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### Publications

#### Corruption Perceptions Index 2020 - a regional perspective

11 February 2021

Last week Transparency International launched the 2020 edition of its Corruption Perceptions Index (CPI), which ranks 180 countries and territories by their perceived levels of public sector corruption, according to experts and business people, using a scale of zero to 100 (100 being very clean and zero being highly corrupt).

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#### The Qualified Maquiladora Approach Agreement has been renewed: Implications for multinationals' transfer pricing

26 January 2021

US-based multinationals using the maquiladora structure to manufacture goods in Mexico are taking note.

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#### Israel Group News January 2021

19 January 2021

### ISRAEL GROUP NEWS

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

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#### Boardroom Brexit: What the deal means for business

31 December 2020

### BOARDROOM BREXIT

Welcome to this last edition of Boardroom Brexit, marking the end of the negotiations and the agreement of a new trade deal, the UK-EU Trade and Cooperation Agreement (TCA). In this edition, we summarise the impact of the deal on all aspects of business operations in one place – please use the hyperlinks below to help you navigate the report.

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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

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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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### **The Pharmaceutical Corner**

22 December 2020

A precedential decision with potentially far-reaching impacts for future Hatch-Waxman litigation and generic-product launches.

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### **Brexit: Choice of Law, Jurisdiction, Enforcement, and Service**

27 November 2020

This article looks at the impact of reaching the end of the Brexit transition period (at 11pm on 31 December 2020) on governing law, jurisdiction, enforcement, and service in contracts between UK entities and EU member state entities.

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### **Telehealth around the world: A global guide**

19 November 2020

This Global Guide provides an overview of the current state of telehealth regulations worldwide and assists readers to identify the opportunities, challenges and risks, on a country-by-country basis.

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### **Pharmaceutical Sector Update - November 2020**

9 November 2020

The Russian Ministry of Healthcare is considering a mechanism for increasing permitted maximum sale prices for essential medicines that may face a shortage because of their manufacture becoming unprofitable.

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

2 November 2020

Directors need to carefully consider how to address the risks of the ongoing Covid-19 pandemic within their business, given its impact on the global economy. As many companies are continuing to face significant, and increasing, cash flow pressure, directors should carefully consider their actions in the context of the legal framework.

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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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## Germany's New Foreign Direct Investments (FDI) Act took effect on 11 October 2020

19 October 2020

In addition to the intended amendments to the Foreign Trade and Payments Act Germany's Federal Government on 20 May 2020 has decided on a bill that broadens the scope and the scrutiny with regard to foreign investments.

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## China Enforces Tax Collection on Employees Working for Chinese-invested Enterprises Overseas

16 October 2020

With the recent IIT reform in 2019, and the introduction of a number of implementation rules (particularly the tax policy on overseas income), it appears the China tax authorities are taking a harder stance on how overseas income derived by China tax residents will be taxed in China, starting with Chinese expatriates working for Chinese state-owned enterprises.

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## COVID-19 – Galvanising your business against supply chain and customer insolvency risk

7 October 2020

The risk of unforeseen counterparty customer or supplier financial distress and failure amidst the on-going challenges for businesses from COVID-19 means that pre-emptive legal and operational protections against the risk of heavy financial loss or business disruption from customer/supplier failure are more valuable than ever.

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## Israel Group News October 2020

7 October 2020

### [ISRAEL GROUP NEWS](#)

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

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## Mass layoffs and collective redundancies guide

6 October 2020

As COVID-19 continues to impact the global economy in unprecedented ways, companies that have had to scale back or shut down operations are bracing for what the next few months will bring, and what this means for their workforces. In this guide, we examine key considerations for employers looking to make permanent reductions in force across APAC.

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## Coronavirus Resource Center: Our global repository of insights and events

30 September 2020

A central repository for our reports and commentary on the legal and regulatory concerns arising from the pandemic.

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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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## **Philadelphia grows privacy capabilities with a new arrival**

30 September 2020

Ronald Plesco, an internationally known information security and privacy lawyer, has joined our Philadelphia office.

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## **The Pharmaceutical Corner**

30 September 2020

In this inaugural column, we look at the implications of IPR and PGR proceedings in Hatch Waxman litigation.

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## **Digital Therapeutics - evolution and entry into mainstream healthcare**

18 September 2020

Research undertaken by DLA Piper's Life Sciences sector in conjunction with The Lawyer seeks to understand the current developments in the field of digital therapeutics, looking at key questions that need to be addressed if these products are to become mainstream components of health systems across the world.

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## **Human rights compliance programmes in the Life Sciences sector**

10 September 2020

The risk of adverse environmental, social or human rights impacts is one that Life Sciences businesses will be familiar with.

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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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## **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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## **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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## **Vlog series: How to raise equity capital during the Coronavirus pandemic (UK)**

4 August 2020

The first half of 2020 has seen an unprecedented volume of activity by companies raising capital through follow-on equity offerings on the London Stock Exchange in response to the Coronavirus pandemic. There have been over 140 equity issues on the London Stock Exchange's main market or AIM since 20 March 2020 raising more than GBP14 billion.

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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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### **Israel Group News July 2020**

8 July 2020

#### **ISRAEL GROUP NEWS**

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

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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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### **Clinical trials during the COVID-19 pandemic: A global guide**

2 July 2020

The consequences of the COVID-19 pandemic continue to develop dynamically. Some countries are beginning to ease lockdown measures, whilst others retain or even impose new restrictions. The situation continues to impact the ability to conduct clinical trials on a global scale. Pharmaceutical companies need to address even more challenges to ensure the continuity of trials on human medicines.

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### **A go-to firm for defending patent cases**

30 June 2020

Recognition from *Law360*

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### **Atlanta expands privacy capabilities**

30 June 2020

Lael Bellamy's arrival bolsters our data protection, privacy and security capabilities throughout the firm.

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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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## **Hatch-Waxman Litigation 101: The Orange Book and the Paragraph IV Notice Letter**

30 June 2020

A few of the key issues that must be addressed before a Hatch-Waxman suit is filed.

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## **Intellectual property rights are a renewed focus as the world looks beyond a global viral outbreak**

30 June 2020

A few key IP-related considerations for companies, whether they are seeking to expand into new markets or looking to preserve their place in an existing market.

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## **Northern California bolsters telecom and regulatory practice**

30 June 2020

Regulatory and telecom attorney Kristin Jacobson has joined our Northern California office in Sacramento.

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## **Washington, DC grows technology capabilities with two new arrivals**

30 June 2020

Marius Domokos and Justin Ilhwan Park have joined our Washington, DC practice.

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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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## **Dublin office anniversary**

19 June 2020

Our people in the Irish practice are celebrating our first anniversary and the substantial growth that has been achieved in just 12 months.

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## **Business protection: An Interactive guide**

18 June 2020

Global companies are at risk of their data and confidential information being leaked to competitors, especially when key employees leave. Protecting the integrity of new formulations and trade secrets is crucial, particularly for life sciences companies, to holding a competitive advantage and building success.

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## **Australia tightens rules on foreign investment**

17 June 2020

In this article we summarise the tax-related developments from early June 2020, as Australia takes a more stringent approach towards compliance procedures involving foreign investments.

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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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## **Chinese and other emerging market companies listed in the US face increased scrutiny from Congress and Nasdaq**

27 May 2020

Within a span of two days, the US Senate, House and Nasdaq each took steps to safeguard investors in the US capital markets.

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## **Guideline: How do we safely buy medical items online**

14 May 2020

Due to the pandemic context, online shopping is continuing to increase in the wider European Union, consumers being able to shop anytime, anywhere, with access to a wide range of products from basic to more sophisticated needs. Eurostat's recent release on ICT expects e-commerce to grow ever further. Here is a brief Romanian regulatory check-list.

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## **Helping patients during the pandemic**

14 May 2020

Some important considerations for biopharma manufacturers.

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## **[UPDATED] Therapies for COVID-19: What is in the pipeline?**

11 May 2020

As of May 8, 2020, there are over 1,300 clinical trials investigating potential therapies for COVID-19, of which nearly 800 are interventional trials.

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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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## Latest round of CMS COVID-19 waivers includes telehealth expansion and other billing flexibilities

7 May 2020

Congress is permitting dramatic expansion of telehealth coverage for the duration of the public health emergency. These are the latest developments.

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## Life Sciences Top of Mind: COVID-19 sector insights

7 May 2020

Top COVID-19 considerations for the life sciences sector.

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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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## 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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## Israel Group News May 2020

4 May 2020

[ISRAEL GROUP NEWS](#)

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Providing access to valuable business resources in real time.

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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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### **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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### **Methodological norms regarding the approval of the activities related to medical devices**

28 April 2020

On 8 April 2020 entered into force Order no. 566/2020 for approving the methodological norms regarding the approval of activities related to medical devices (Order no. 566/2020). This order repeals and replaces Order no. 1008/2016 on the same subject matter.

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### **US telehealth update: New federal guidance to state Medicaid agencies suggests more coverage is coming**

27 April 2020

A powerful signal that CMS is ready to support targeted interventions in favor of telehealth.

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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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### **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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### **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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### **Clinical trials during the COVID-19 pandemic: A global guide**

17 April 2020

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The unprecedented situation resulting from the COVID-19 pandemic impacts the ability to conduct clinical trials on a global scale. Pharmaceutical companies need to address multiple challenges to ensure the continuity of trials on human medicines.

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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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### **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 it comes with detailed conditions.

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

10 April 2020

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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### **EU Antitrust Framework for the coordination of essential coronavirus COVID-19 products and services**

10 April 2020

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

On 8 April 2020 the Commission published a Temporary Framework for the antitrust assessment of increased business cooperation between competitors in response to coronavirus COVID-19. The aim is to reduce shortages for essential products and services.

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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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## **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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## **COVID-19: Tort immunity for vaccines and antivirals – lessons from the swine flu of 1976**

8 April 2020

While the common goal is to quickly develop countermeasures to combat COVID-19, it is important to consider the potential legal and reputational risks.

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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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## **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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## **FCA publishes guidance on UK mortgage “payment holidays” relating to COVID-19**

7 April 2020

Following an announcement by the UK government on 17 March 2020, the Financial Conduct Authority (FCA) has published guidance for participants in the residential mortgages sector, setting out their expectations in respect of payment holidays that are to be offered to customers experiencing financial difficulties arising from the COVID-19 outbreak.

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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

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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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### **[UPDATED] As device industry veterans and newcomers step up to the line, FDA swiftly adjusts regulatory hurdles for personal protective equipment during the COVID-19 pandemic**

6 April 2020

A high level overview of the FDA's tiered, risk-based approach to masks, face shields and respirators based on developments to date.

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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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### **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: 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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### **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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### **Are you ready for CCPA class action litigation?**

30 March 2020

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Many businesses may not have fully contemplated the major data breach class action litigation risk created by the California Consumer Privacy Act.

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### **Top franchise developments of 2019**

30 March 2020

Two top franchise developments in 2019 stand out from the rest.

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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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### **COVID-19 prompts CMS to give new flexibility to participants in Medicare Quality Programs**

25 March 2020

In light of COVID-19, participants in the Medicare Quality Payment Program will have extra time to report some quality metrics and can temporarily suspend other tracking and reporting activities altogether.

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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: 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: 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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### **Hotels and hospitals may find new partnerships to solve for bed capacity issues and vacancies**

25 March 2020

The impacts of COVID-19 upon the hospitality sector as well as hospital systems and the healthcare industry have been sudden and dramatic.

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### **CMS Emergency Preparedness Rule: Planning during COVID-19 (United States)**

24 March 2020

As healthcare providers continue to face a variety of challenges during the coronavirus disease 2019 (COVID-19) pandemic, healthcare providers and suppliers should be aware of the Centers for Medicare and Medicaid Services Emergency Preparedness Rule and its resources.

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

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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### **Telehealth update: COVID-19 prompts emergency Medicare coverage and other seismic shifts (United States)**

18 March 2020

Multiple federal agencies have issued regulatory waivers and released additional funding to loosen the constraints on telehealth services and encourage widespread adoption.

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

5 March 2020

#### **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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### **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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### **DLA Piper's Dylan Kennett joins panel debate at the Cannabis Investor Summit in Odense, Denmark**

11 February 2020

On January 28, Dylan Kennett, Senior Associate in DLA Piper's corporate team and co-lead of our Global Cannabis practice, joined a panel debate at the Cannabis Investor Summit in Odense, Denmark. DLA Piper is proud to be a partner on this summit hosted by Invest in Odense, Invest in Denmark and Novo Nordisk Engineering (NNE).

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

11 February 2020

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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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### **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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### **EU Policy & Regulatory Alert**

3 February 2020

On 29 January 2020, the new European Commission has adopted its 2020 annual Work Programme, announcing 43 new concrete policy and legislative measures to be introduced over the course of the year of 2020, and thereby translating into practice the Political Guidelines of new European Commission President Ursula von der Leyen.

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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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### **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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### **EU MDCG issues new guidance on Cybersecurity for medical devices**

27 January 2020

On 7 January 2020, the EU Medical Device Coordination Group published new guidance to help manufacturers fulfil all relevant cybersecurity requirements in Annex I to the new Medical Device Regulations (Regulations 2017/745 on medical devices and 2017/746 on in vitro diagnostic medical devices).

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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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### **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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### **Top of Mind: Life Sciences**

16 January 2020

Eight big topics that life sciences businesses have been thinking about and how DLA Piper has been covering those stories.

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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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### **CCPA Rescue Kit arrives amid new privacy law change**

19 December 2019

A series of integrated compliance offerings to help businesses begin the journey of compliance with this important new privacy bill.

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### **Street art raises novel copyright issues – or does it?**

19 December 2019

Is street art less entitled to copyright protection than are traditional art forms?

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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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### **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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### **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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### **The Russian Supreme Court clarifies intellectual property legislation**

30 Sep 2019

Clarifications from the Supreme Court have a significant impact on the further development of court practice in Russia.

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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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### **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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## **Brexit: The Implications for the Life Sciences Sector**

1 September 2019

Brexit. If you operate within, are considering entering, or even expanding an existing footprint in either the UK or EU markets, this guide will help identify risk areas, any changes to be made, and the deadlines imposed for doing so.

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## **Australian Taxation Office publishes important guidance on cross-border tax measures**

29 August 2019

In this article we analyse guidance published by the Australian Taxation Office on important Australian international tax measures that affect foreign investments in Australian structures and other cross-border transactions.

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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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## **Biomarker-based cancer diagnostics: German pricing regulator sets high validation and reimbursement standards for novel diagnostic methods**

10 July 2019

On 20 June 2019, for the first time, the German Federal Joint Committee (FJC – Gemeinsamer Bundesausschuss / G-BA), the highest decision-making body of the joint self-government of physicians, dentists, hospitals and statutory health insurance funds (SHI – gesetzliche Krankenversicherung / GKV) in Germany, made the resolution that a specific biomarker-based test to support the treatment decision for or against adjuvant chemotherapy, i. e. after primary surgery, in certain breast cancer patients may be reimbursed by the SHIs.

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## **Predictions of a No-Deal Brexit are rising...but for the Life Sciences Sector, will “science prevail” over the Brexit “doom and gloom”?**

9 July 2019

This article assumes a no-deal Brexit (Hard Brexit) and highlights the key UK Government, MHRA and EMA guidance, proposed legal changes and practical consequences of a Hard Brexit on medicines, medical devices, clinical trials, manufacturing and supply.

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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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## 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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## 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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## Supreme Court Corner Q1 2019

11 APR 2019

In celebration of the 10th anniversary of IPT News, we note that 10 years ago, in the first quarter of 2009, Bernard L. Bilski filed his petition in the landmark *Bilski v. Kappos*, 561 U.S. 593 (2010), forever shaping the patentability of business methods.

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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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## Intellectual Property and Technology News (United States), Issue 23, Q3 2014

10 SEP 2014

### INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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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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## EVENTS

### Previous

#### **EDPB recommendations for safeguarding data transfers after Schrems II**

19 November 2020  
Webinar

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#### **COVID-19: Present and future**

14 July 2020  
Webinar

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#### **TopCo liability panel**

25 JUN 2019  
London

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## NEWS

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#### **DLA Piper advises Poland's Copernicus on its sale to Nemera**

29 October 2020  
DLA Piper has advised Copernicus, regarded as one of the most valued innovative companies in the Polish health sector, and its founders on its sale to Nemera, a world leader in the design, development and manufacturing of drug delivery devices for the pharmaceutical, biotechnology and generics industries.

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#### **DLA Piper advises Dechra Pharmaceuticals on GBP133.4m share placing**

5 June 2020  
DLA Piper has advised FTSE 250 veterinary pharmaceuticals business Dechra Pharmaceuticals (Dechra) on the placing of 5,1 million new ordinary shares raising GBP133.4 million.

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## **DLA Piper advises Ping An on investment in Berlin health start-up Plusdental**

29 May 2020

DLA Piper has advised Hong Kong based Ping An Global Voyager Fund (Global Voyager Fund) on an investment in the Berlin based health start-up Plusdental in a EUR32 million financing round.

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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 announces launch of Artificial Intelligence practice**

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

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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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## **Sustainability and ESG**

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Sustainability is a core business issue in the life sciences sector, given its central role in addressing systemic global challenges including pandemics, access to medicine, and climate change. Creating new and sustainable value depends upon connecting

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stakeholder experiences with business outcomes – from patients to health workers, as well as wider health sector players. Boards must focus on more personalized healthcare and specialized services, leveraging technology in product development and patient care, and fostering trust on key issues like transparency of clinical trials, use of health and patient data, product quality and safety, and the environmental and social impacts across product life-cycles.

A number of sustainability-related themes affect businesses operating in the life sciences sector:

- **Access and affordability:** Addressing unmet healthcare needs, increasing access to affordable essential medicines and strengthening health systems around the world are all fundamental to social and economic progress. The coronavirus disease 2019 (COVID-19) has further highlighted the importance of the life sciences sector in addressing these challenges.
- **Digital transformation:** The use of AI, machine learning, automation and other digital technologies is transforming the global life sciences landscape. The application of AI, robotics and cloud services has paved the way to innovative, effective and cost-efficient therapy discoveries and the development of preventative and wellness-focused consumer wearables, personalized telemedicine services and remote patient monitoring. This digital transformation is expected to continue as more than 50 percent of health consumers support the use of AI and robotics to improve health outcomes.
- **Transparency and access in clinical trials:** Stakeholders increasingly expect transparency in clinical trials and wider access to trial data for scientific exchange and research. There is a bright spotlight on participant safety and privacy. Businesses are demanding more effective information sharing to enable informed decision-making and consent, along with post-trial access to results. Technology and collaborative partnerships with patient and health worker groups enable wider representative demographic populations to participate in clinical trials.
- **Trust and ethical use of data:** Vast amounts of valuable health data are generated through health and wellness apps, digital or automated diagnostics, cloud-based patient records and other medical devices. There is also a growing number of stakeholders with access to this data, including healthcare providers, health workers, insurers, governments and app developers. A key expectation within the life sciences sector is that data to improve health outcomes will continue along the path of increased accessibility while also ensuring its ethical use and the protection of individuals' privacy.
- **Patient-centered services and more personalized healthcare:** The changing priorities of health consumers and professionals are leading to a greater focus on the patient experience, from prevention and wellness to diagnosis and management of disease. Technology gives health consumers greater control over prevention and management of disease and provides health professionals access to better data to track and monitor their patients.
- **Net-zero decarbonization:** In striving to decarbonize the economy, businesses are implementing commitments to Science Based Targets, increasing energy efficiency and reducing carbon output, decreasing dependency on fossil fuels and increasing the use of renewables. The implementation of these initiatives is creating operational efficiencies, optimizing processes and reducing costs across the sector.
- **Sustainable sourcing, product life-cycles and a circular economy:** Stakeholders demand greater transparency across product life-cycles, businesses make commitments to net-zero decarbonization and business model innovation is driven by circular economy concepts. Underpinned by an increasingly complex transnational regulatory landscape, these developments are changing the way raw materials are sourced; how products are designed, manufactured, packaged, sold, reused or recycled; how waste and hazardous material is treated; and how wider environmental and social impacts relating to issues like emissions, plastics, water use, biodiversity loss, labor conditions and community impacts are managed.
- **Product safety and quality:** Fake or substandard medicines lead to hundreds of thousands of deaths each year. Drug safety, along with protecting health consumers from counterfeit medicines and drug diversion, are integral to ensuring public health and maintaining trust and confidence in the life sciences sector.
- **Business ethics:** There is increasing stakeholder attention, including from regulators and policymakers and also from providers of capital, on transparency and ethics in business dealings with healthcare providers and medical practitioners for the sale and use of products, as well as in relation to lobbying and advocacy activities. The way in which businesses respond to these expectations can have a direct impact upon their reputation and ultimately upon their license to operate.

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To discuss the implications of these issues for your business, please contact our ESG leaders.



## Life Sciences

As the legal matters confronting our life science clients are varied, so are the skill sets we employ. DLA Piper's life sciences team comprises lawyers with legal, scientific and medical knowledge who understand the complexity of the business and regulatory environments in which our clients operate.

The challenges facing today's biotechnology and medical device companies are greater than ever. For companies to take promising therapies from the laboratory to the market, they must protect those therapies from IP, regulatory and reputational risks. Furthermore, the last few years have seen increasing pressure from many sides: demand for greater shareholder return, loss of key revenue streams due to patent expiration or generic challenges, fierce competition in key therapeutic areas, pricing pressures from health care payors, increased government regulation beyond core safety issues, rising costs of R&D, challenges in maximizing return in emerging markets and aggressive government enforcement action.

Our life sciences sector team is one of the largest and most active of any law firm. Operating as one team across more than 30 jurisdictions, we combine subject matter experience with considerable knowledge of the sector, including the scientific, medical, regulatory, commercial and enforcement environments facing our biopharmaceutical, medical device, research and diagnostics clients.

DLA Piper's team includes award-winning lawyers practicing litigation, compliance and investigations, IP strategy and enforcement, M&A, licensing and distribution and clinical trial advice. They also support clients across all other areas needed to address risk, including government affairs, environmental law, import/export, tax, real estate and employment law. Many of our lawyers are former sector professionals, many have PhDs or other advanced degrees in the life sciences field and others are former government officials or prosecutors.

Recognizing that our clients' needs vary, we rapidly organize and customize our client service teams, whether for a large pharmaceutical company, a mid-sized medical device client or a development-stage biotech company. These teams are supported by international and local practitioners to efficiently meet the demands of the matter.

Our cutting-edge staffing, budgeting and billing systems, created specifically to assist our global life science clients, ensure that our teams deliver value in addition to great results.

Our life sciences team helps clients solve their biggest challenges every day. Examples of our experience include:

- Conducting a sensitive investigation in China
- Negotiating a complex multi-country distribution deal in Latin America
- Acting as National Counsel on a mass tort in the US
- Helping sell or acquire a major business asset
- Advising on implementation of transparency laws or the impact of other new legislation
- Devising a risk mitigation plan for a key product
- Negotiating a large vaccine contract with a global NGO
- Counselling on a multi-jurisdictional clinical trial
- Advising on the downsizing of employees in Europe
- Supporting global business conduct and compliance functions
- Outsourcing critical R&D or IT functions
- Devising an IP strategy for a promising new therapy
- Negotiating a worldwide licensing and collaboration deal
- Protecting a blockbuster drug in patent litigation

### INSIGHTS

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## Publications

### Corruption Perceptions Index 2020 - a regional perspective

11 February 2021

Last week Transparency International launched the 2020 edition of its Corruption Perceptions Index (CPI), which ranks 180 countries and territories by their perceived levels of public sector corruption, according to experts and business people, using a scale of zero to 100 (100 being very clean and zero being highly corrupt).

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### The Qualified Maquiladora Approach Agreement has been renewed: Implications for multinationals' transfer pricing

26 January 2021

US-based multinationals using the maquiladora structure to manufacture goods in Mexico are taking note.

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### Israel Group News January 2021

19 January 2021

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

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

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### Boardroom Brexit: What the deal means for business

31 December 2020

#### [BOARDROOM BREXIT](#)

Welcome to this last edition of Boardroom Brexit, marking the end of the negotiations and the agreement of a new trade deal, the UK-EU Trade and Cooperation Agreement (TCA). In this edition, we summarise the impact of the deal on all aspects of business operations in one place – please use the hyperlinks below to help you navigate the report.

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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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### The Pharmaceutical Corner

22 December 2020

A precedential decision with potentially far-reaching impacts for future Hatch-Waxman litigation and generic-product launches.

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### **Brexit: Choice of Law, Jurisdiction, Enforcement, and Service**

27 November 2020

This article looks at the impact of reaching the end of the Brexit transition period (at 11pm on 31 December 2020) on governing law, jurisdiction, enforcement, and service in contracts between UK entities and EU member state entities.

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### **Telehealth around the world: A global guide**

19 November 2020

This Global Guide provides an overview of the current state of telehealth regulations worldwide and assists readers to identify the opportunities, challenges and risks, on a country-by-country basis.

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### **Pharmaceutical Sector Update - November 2020**

9 November 2020

The Russian Ministry of Healthcare is considering a mechanism for increasing permitted maximum sale prices for essential medicines that may face a shortage because of their manufacture becoming unprofitable.

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

2 November 2020

Directors need to carefully consider how to address the risks of the ongoing Covid-19 pandemic within their business, given its impact on the global economy. As many companies are continuing to face significant, and increasing, cash flow pressure, directors should carefully consider their actions in the context of the legal framework.

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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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### **Germany's New Foreign Direct Investments (FDI) Act took effect on 11 October 2020**

19 October 2020

In addition to the intended amendments to the Foreign Trade and Payments Act Germany's Federal Government on 20 May 2020 has decided on a bill that broadens the scope and the scrutiny with regard to foreign investments.

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## **China Enforces Tax Collection on Employees Working for Chinese-invested Enterprises Overseas**

16 October 2020

With the recent IIT reform in 2019, and the introduction of a number of implementation rules (particularly the tax policy on overseas income), it appears the China tax authorities are taking a harder stance on how overseas income derived by China tax residents will be taxed in China, starting with Chinese expatriates working for Chinese state-owned enterprises.

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## **COVID-19 – Galvanising your business against supply chain and customer insolvency risk**

7 October 2020

The risk of unforeseen counterparty customer or supplier financial distress and failure amidst the on-going challenges for businesses from COVID-19 means that pre-emptive legal and operational protections against the risk of heavy financial loss or business disruption from customer/supplier failure are more valuable than ever.

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## **Israel Group News October 2020**

7 October 2020

### **ISRAEL GROUP NEWS**

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

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## **Mass layoffs and collective redundancies guide**

6 October 2020

As COVID-19 continues to impact the global economy in unprecedented ways, companies that have had to scale back or shut down operations are bracing for what the next few months will bring, and what this means for their workforces. In this guide, we examine key considerations for employers looking to make permanent reductions in force across APAC.

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## **Coronavirus Resource Center: Our global repository of insights and events**

30 September 2020

A central repository for our reports and commentary on the legal and regulatory concerns arising from the pandemic.

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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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## **Philadelphia grows privacy capabilities with a new arrival**

30 September 2020

Ronald Plesco, an internationally known information security and privacy lawyer, has joined our Philadelphia office.

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## **The Pharmaceutical Corner**

30 September 2020

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In this inaugural column, we look at the implications of IPR and PGR proceedings in Hatch Waxman litigation.

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### **Digital Therapeutics - evolution and entry into mainstream healthcare**

18 September 2020

Research undertaken by DLA Piper's Life Sciences sector in conjunction with The Lawyer seeks to understand the current developments in the field of digital therapeutics, looking at key questions that need to be addressed if these products are to become mainstream components of health systems across the world.

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### **Human rights compliance programmes in the Life Sciences sector**

10 September 2020

The risk of adverse environmental, social or human rights impacts is one that Life Sciences businesses will be familiar with.

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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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### **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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### **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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### **Vlog series: How to raise equity capital during the Coronavirus pandemic (UK)**

4 August 2020

The first half of 2020 has seen an unprecedented volume of activity by companies raising capital through follow-on equity offerings on the London Stock Exchange in response to the Coronavirus pandemic. There have been over 140 equity issues on the London Stock Exchange's main market or AIM since 20 March 2020 raising more than GBP14 billion.

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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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## Israel Group News July 2020

8 July 2020

### ISRAEL GROUP NEWS

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

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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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## Clinical trials during the COVID-19 pandemic: A global guide

2 July 2020

The consequences of the COVID-19 pandemic continue to develop dynamically. Some countries are beginning to ease lockdown measures, whilst others retain or even impose new restrictions. The situation continues to impact the ability to conduct clinical trials on a global scale. Pharmaceutical companies need to address even more challenges to ensure the continuity of trials on human medicines.

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## A go-to firm for defending patent cases

30 June 2020

Recognition from *Law360*

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## Atlanta expands privacy capabilities

30 June 2020

Lael Bellamy's arrival bolsters our data protection, privacy and security capabilities throughout the firm.

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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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## Hatch-Waxman Litigation 101: The Orange Book and the Paragraph IV Notice Letter

30 June 2020

A few of the key issues that must be addressed before a Hatch-Waxman suit is filed.

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## Intellectual property rights are a renewed focus as the world looks beyond a global viral outbreak

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30 June 2020

A few key IP-related considerations for companies, whether they are seeking to expand into new markets or looking to preserve their place in an existing market.

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### **Northern California bolsters telecom and regulatory practice**

30 June 2020

Regulatory and telecom attorney Kristin Jacobson has joined our Northern California office in Sacramento.

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### **Washington, DC grows technology capabilities with two new arrivals**

30 June 2020

Marius Domokos and Justin Ilhwan Park have joined our Washington, DC practice.

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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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### **Dublin office anniversary**

19 June 2020

Our people in the Irish practice are celebrating our first anniversary and the substantial growth that has been achieved in just 12 months.

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### **Business protection: An Interactive guide**

18 June 2020

Global companies are at risk of their data and confidential information being leaked to competitors, especially when key employees leave. Protecting the integrity of new formulations and trade secrets is crucial, particularly for life sciences companies, to holding a competitive advantage and building success.

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### **Australia tightens rules on foreign investment**

17 June 2020

In this article we summarise the tax-related developments from early June 2020, as Australia takes a more stringent approach towards compliance procedures involving foreign investments.

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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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### Chinese and other emerging market companies listed in the US face increased scrutiny from Congress and Nasdaq

27 May 2020

Within a span of two days, the US Senate, House and Nasdaq each took steps to safeguard investors in the US capital markets.

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### Guideline: How do we safely buy medical items online

14 May 2020

Due to the pandemic context, online shopping is continuing to increase in the wider European Union, consumers being able to shop anytime, anywhere, with access to a wide range of products from basic to more sophisticated needs. Eurostat's recent release on ICT expects e-commerce to grow ever further. Here is a brief Romanian regulatory check-list.

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### Helping patients during the pandemic

14 May 2020

Some important considerations for biopharma manufacturers.

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### [UPDATED] Therapies for COVID-19: What is in the pipeline?

11 May 2020

As of May 8, 2020, there are over 1,300 clinical trials investigating potential therapies for COVID-19, of which nearly 800 are interventional trials.

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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

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come into force on 6 May 2020, and will expire after six months, on 5 November 2020.

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### **Latest round of CMS COVID-19 waivers includes telehealth expansion and other billing flexibilities**

7 May 2020

Congress is permitting dramatic expansion of telehealth coverage for the duration of the public health emergency. These are the latest developments.

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### **Life Sciences Top of Mind: COVID-19 sector insights**

7 May 2020

Top COVID-19 considerations for the life sciences sector.

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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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### **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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### **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: 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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### **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

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efforts.

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### **Methodological norms regarding the approval of the activities related to medical devices**

28 April 2020

On 8 April 2020 entered into force Order no. 566/2020 for approving the methodological norms regarding the approval of activities related to medical devices (Order no. 566/2020). This order repeals and replaces Order no. 1008/2016 on the same subject matter.

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### **US telehealth update: New federal guidance to state Medicaid agencies suggests more coverage is coming**

27 April 2020

A powerful signal that CMS is ready to support targeted interventions in favor of telehealth.

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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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### **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.

---

### **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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### **Clinical trials during the COVID-19 pandemic: A global guide**

17 April 2020

The unprecedented situation resulting from the COVID-19 pandemic impacts the ability to conduct clinical trials on a global scale. Pharmaceutical companies need to address multiple challenges to ensure the continuity of trials on human medicines.

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

16 April 2020

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For eligible Medicare providers who continue to suffer economic losses stemming from the pandemic, this program is welcome, but it comes with detailed conditions.

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

10 April 2020

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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### **EU Antitrust Framework for the coordination of essential coronavirus COVID-19 products and services**

10 April 2020

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

On 8 April 2020 the Commission published a Temporary Framework for the antitrust assessment of increased business cooperation between competitors in response to coronavirus COVID-19. The aim is to reduce shortages for essential products and services.

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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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### **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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## **COVID-19: Tort immunity for vaccines and antivirals – lessons from the swine flu of 1976**

8 April 2020

While the common goal is to quickly develop countermeasures to combat COVID-19, it is important to consider the potential legal and reputational risks.

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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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## **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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## **FCA publishes guidance on UK mortgage “payment holidays” relating to COVID-19**

7 April 2020

Following an announcement by the UK government on 17 March 2020, the Financial Conduct Authority (FCA) has published guidance for participants in the residential mortgages sector, setting out their expectations in respect of payment holidays that are to be offered to customers experiencing financial difficulties arising from the COVID-19 outbreak.

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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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**[UPDATED] As device industry veterans and newcomers step up to the line, FDA swiftly adjusts regulatory hurdles for personal protective equipment during the COVID-19 pandemic**

6 April 2020

A high level overview of the FDA's tiered, risk-based approach to masks, face shields and respirators based on developments to date.

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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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## **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: 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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## **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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## **Are you ready for CCPA class action litigation?**

30 March 2020

Many businesses may not have fully contemplated the major data breach class action litigation risk created by the California Consumer Privacy Act.

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## **Top franchise developments of 2019**

30 March 2020

Two top franchise developments in 2019 stand out from the rest.

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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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## **COVID-19 prompts CMS to give new flexibility to participants in Medicare Quality Programs**

25 March 2020

In light of COVID-19, participants in the Medicare Quality Payment Program will have extra time to report some quality metrics and can temporarily suspend other tracking and reporting activities altogether.

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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: 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: 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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## **Hotels and hospitals may find new partnerships to solve for bed capacity issues and vacancies**

25 March 2020

The impacts of COVID-19 upon the hospitality sector as well as hospital systems and the healthcare industry have been sudden and dramatic.

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## **CMS Emergency Preparedness Rule: Planning during COVID-19 (United States)**

24 March 2020

As healthcare providers continue to face a variety of challenges during the coronavirus disease 2019 (COVID-19) pandemic, healthcare providers and suppliers should be aware of the Centers for Medicare and Medicaid Services Emergency Preparedness Rule and its resources.

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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

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Orders. This alert provides details on a number of state and local government orders.

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

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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### **Telehealth update: COVID-19 prompts emergency Medicare coverage and other seismic shifts (United States)**

18 March 2020

Multiple federal agencies have issued regulatory waivers and released additional funding to loosen the constraints on telehealth services and encourage widespread adoption.

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

5 March 2020

### **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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## **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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## **DLA Piper's Dylan Kennett joins panel debate at the Cannabis Investor Summit in Odense, Denmark**

11 February 2020

On January 28, Dylan Kennett, Senior Associate in DLA Piper's corporate team and co-lead of our Global Cannabis practice, joined a panel debate at the Cannabis Investor Summit in Odense, Denmark. DLA Piper is proud to be a partner on this summit hosted by Invest in Odense, Invest in Denmark and Novo Nordisk Engineering (NNE).

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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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## 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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## EU Policy & Regulatory Alert

3 February 2020

On 29 January 2020, the new European Commission has adopted its 2020 annual Work Programme, announcing 43 new concrete policy and legislative measures to be introduced over the course of the year of 2020, and thereby translating into practice the Political Guidelines of new European Commission President Ursula von der Leyen.

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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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## 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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## **EU MDCG issues new guidance on Cybersecurity for medical devices**

27 January 2020

On 7 January 2020, the EU Medical Device Coordination Group published new guidance to help manufacturers fulfil all relevant cybersecurity requirements in Annex I to the new Medical Device Regulations (Regulations 2017/745 on medical devices and 2017/746 on in vitro diagnostic medical devices).

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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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## **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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## **Top of Mind: Life Sciences**

16 January 2020

Eight big topics that life sciences businesses have been thinking about and how DLA Piper has been covering those stories.

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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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## **CCPA Rescue Kit arrives amid new privacy law change**

19 December 2019

A series of integrated compliance offerings to help businesses begin the journey of compliance with this important new privacy bill.

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## **Street art raises novel copyright issues – or does it?**

19 December 2019

Is street art less entitled to copyright protection than are traditional art forms?

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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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## **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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## **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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## **The Russian Supreme Court clarifies intellectual property legislation**

30 Sep 2019

Clarifications from the Supreme Court have a significant impact on the further development of court practice in Russia.

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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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## **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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## **Brexit: The Implications for the Life Sciences Sector**

1 September 2019

Brexit. If you operate within, are considering entering, or even expanding an existing footprint in either the UK or EU markets, this guide will help identify risk areas, any changes to be made, and the deadlines imposed for doing so.

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## **Australian Taxation Office publishes important guidance on cross-border tax measures**

29 August 2019

In this article we analyse guidance published by the Australian Taxation Office on important Australian international tax measures that affect foreign investments in Australian structures and other cross-border transactions.

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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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## Biomarker-based cancer diagnostics: German pricing regulator sets high validation and reimbursement standards for novel diagnostic methods

10 July 2019

On 20 June 2019, for the first time, the German Federal Joint Committee (FJC – Gemeinsamer Bundesausschuss / G-BA), the highest decision-making body of the joint self-government of physicians, dentists, hospitals and statutory health insurance funds (SHI – gesetzliche Krankenversicherung / GKV) in Germany, made the resolution that a specific biomarker-based test to support the treatment decision for or against adjuvant chemotherapy, i. e. after primary surgery, in certain breast cancer patients may be reimbursed by the SHIs.

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## Predictions of a No-Deal Brexit are rising...but for the Life Sciences Sector, will “science prevail” over the Brexit “doom and gloom”?

9 July 2019

This article assumes a no-deal Brexit (Hard Brexit) and highlights the key UK Government, MHRA and EMA guidance, proposed legal changes and practical consequences of a Hard Brexit on medicines, medical devices, clinical trials, manufacturing and supply.

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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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## 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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## 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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## Supreme Court Corner Q1 2019

11 APR 2019

In celebration of the 10th anniversary of IPT News, we note that 10 years ago, in the first quarter of 2009, Bernard L. Bilski filed his petition in the landmark *Bilski v. Kappos*, 561 U.S. 593 (2010), forever shaping the patentability of business methods.

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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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### **Intellectual Property and Technology News (United States), Issue 23, Q3 2014**

10 SEP 2014

#### **INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS**

Our Intellectual Property and Technology News reports on worldwide developments in IP and technology law, offering perspectives, analysis and visionary ideas.

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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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## **EVENTS**

### **Previous**

#### **EDPB recommendations for safeguarding data transfers after Schrems II**

19 November 2020

Webinar

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## COVID-19: Present and future

14 July 2020  
Webinar

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## TopCo liability panel

25 JUN 2019  
London

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## NEWS

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### DLA Piper advises Poland's Copernicus on its sale to Nemera

29 October 2020

DLA Piper has advised Copernicus, regarded as one of the most valued innovative companies in the Polish health sector, and its founders on its sale to Nemera, a world leader in the design, development and manufacturing of drug delivery devices for the pharmaceutical, biotechnology and generics industries.

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### DLA Piper advises Dechra Pharmaceuticals on GBP133.4m share placing

5 June 2020

DLA Piper has advised FTSE 250 veterinary pharmaceuticals business Dechra Pharmaceuticals (Dechra) on the placing of 5,1 million new ordinary shares raising GBP133.4 million.

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### DLA Piper advises Ping An on investment in Berlin health start-up Plusdental

29 May 2020

DLA Piper has advised Hong Kong based Ping An Global Voyager Fund (Global Voyager Fund) on an investment in the Berlin based health start-up Plusdental in a EUR32 million financing round.

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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

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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 announces launch of Artificial Intelligence practice

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

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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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## Sustainability and ESG

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Sustainability is a core business issue in the life sciences sector, given its central role in addressing systemic global challenges including pandemics, access to medicine, and climate change. Creating new and sustainable value depends upon connecting stakeholder experiences with business outcomes – from patients to health workers, as well as wider health sector players. Boards must focus on more personalized healthcare and specialized services, leveraging technology in product development and patient care, and fostering trust on key issues like transparency of clinical trials, use of health and patient data, product quality and safety, and the environmental and social impacts across product life-cycles.

A number of sustainability-related themes affect businesses operating in the life sciences sector:

- **Access and affordability:** Addressing unmet healthcare needs, increasing access to affordable essential medicines and strengthening health systems around the world are all fundamental to social and economic progress. The coronavirus disease 2019 (COVID-19) has further highlighted the importance of the life sciences sector in addressing these challenges.
  - **Digital transformation:** The use of AI, machine learning, automation and other digital technologies is transforming the global life sciences landscape. The application of AI, robotics and cloud services has paved the way to innovative, effective and cost-efficient therapy discoveries and the development of preventative and wellness-focused consumer wearables, personalized telemedicine services and remote patient monitoring. This digital transformation is expected to continue as more than 50 percent of health consumers support the use of AI and robotics to improve health outcomes.
  - **Transparency and access in clinical trials:** Stakeholders increasingly expect transparency in clinical trials and wider access to trial data for scientific exchange and research. There is a bright spotlight on participant safety and privacy. Businesses are demanding more effective information sharing to enable informed decision-making and consent, along with post-trial access to results. Technology and collaborative partnerships with patient and health worker groups enable wider representative demographic populations to participate in clinical trials.
  - **Trust and ethical use of data:** Vast amounts of valuable health data are generated through health and wellness apps, digital or automated diagnostics, cloud-based patient records and other medical devices. There is also a growing number of stakeholders with access to this data, including healthcare providers, health workers, insurers, governments and app developers. A key expectation
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within the life sciences sector is that data to improve health outcomes will continue along the path of increased accessibility while also ensuring its ethical use and the protection of individuals' privacy.

- **Patient-centered services and more personalized healthcare:** The changing priorities of health consumers and professionals are leading to a greater focus on the patient experience, from prevention and wellness to diagnosis and management of disease. Technology gives health consumers greater control over prevention and management of disease and provides health professionals access to better data to track and monitor their patients.
- **Net-zero decarbonization:** In striving to decarbonize the economy, businesses are implementing commitments to Science Based Targets, increasing energy efficiency and reducing carbon output, decreasing dependency on fossil fuels and increasing the use of renewables. The implementation of these initiatives is creating operational efficiencies, optimizing processes and reducing costs across the sector.
- **Sustainable sourcing, product life-cycles and a circular economy:** Stakeholders demand greater transparency across product life-cycles, businesses make commitments to net-zero decarbonization and business model innovation is driven by circular economy concepts. Underpinned by an increasingly complex transnational regulatory landscape, these developments are changing the way raw materials are sourced; how products are designed, manufactured, packaged, sold, reused or recycled; how waste and hazardous material is treated; and how wider environmental and social impacts relating to issues like emissions, plastics, water use, biodiversity loss, labor conditions and community impacts are managed.
- **Product safety and quality:** Fake or substandard medicines lead to hundreds of thousands of deaths each year. Drug safety, along with protecting health consumers from counterfeit medicines and drug diversion, are integral to ensuring public health and maintaining trust and confidence in the life sciences sector.
- **Business ethics:** There is increasing stakeholder attention, including from regulators and policymakers and also from providers of capital, on transparency and ethics in business dealings with healthcare providers and medical practitioners for the sale and use of products, as well as in relation to lobbying and advocacy activities. The way in which businesses respond to these expectations can have a direct impact upon their reputation and ultimately upon their license to operate.

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To discuss the implications of these issues for your business, please contact our ESG leaders.