



# Global Governance and Compliance

## Who we are

DLA Piper has unparalleled experience helping clients throughout the business lifecycle meet the evolving – and sometimes conflicting – expectations of regulatory and enforcement agencies. Our Compliance team consists of skilled attorneys in more than 40 countries, including former general counsels and chief compliance officers and business leaders who ensure we provide practical and results-oriented advice. Former regulators, senior policy officials and experienced trial attorneys around the globe offer the knowledge and experience necessary to address client needs in a way that will meet regulators' expectations.

## What we do

We have the global breadth, local knowledge and industry experience to guide clients in all aspects of compliance issues.



Designing, implementing &  
monitoring compliance programs



Assessing and mitigating risk

## KEY CONTACTS

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Detecting and investigating  
potential misconduct



Remediating compliance issues

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## How we do it

Using cross-functional teams to establish a seamless, integrated approach, as well as leveraging local and industry-specific experts, DLA Piper's Global Governance and Compliance team provides real-time local insight and strategic analysis to help our clients navigate the compliance intricacies and risks associated with their businesses.

The Global Governance and Compliance team additionally provides innovative, value-added tools, such as our compliance films, our CLE webinar series targeted towards the modern compliance officer and a free, abbreviated version of COMPASS, a compliance risk assessment, to help your team and company stay on top of its evolving compliance program.

Compliance Survey  
Website

Compliance  
Films

COMPASS

## Modern Compliance Officer Series

## Global Bribery Offenses Guide

### CAPABILITES

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Our service offering is multifaceted and tailored to each client's unique needs. Subject-matter-specific advice, including anti-bribery and anticorruption, anti-money laundering, antitrust and competition, trade compliance, environmental compliance, food and product safety, data privacy and cybersecurity, political contributions/lobbying, trade and sanctions, among others. Other services include:

Assessments of risks factors  
as balanced against the  
strategic plan and  
go-to-market strategy



Process mapping to  
determine control  
architecture



Development of statistical  
models to judge the health of  
the client's reporting system  
and provide insights



Communication strategies  
for setting the right tone



Management of structured  
and unstructured data to  
provide statistical inferences  
of risk-profiled behaviors



Creation and/or review of  
tailored policies and  
procedures



Deployment of client-owned  
mobile applications to place  
the policies and procedures  
at the point of impact



Monitoring and testing  
compliance program control  
strategy and metrics



Design and implementation  
of targeted training programs  
mapped against employee  
roles and responsibilities



Development of hotline procedures, escalation protocols and investigation procedures



Offering intelligence on - and insight into - regulatory developments



Management of regulatory and commercial crises



## EXPERIENCE

- Represented the audit committee of a multinational technology company in an internal investigation focused on whether certain payments made by the company's India operations were made improperly and in possible violation of the FCPA and other applicable laws. As part of the engagement, we coordinate with local counsel and the company's local and global financial auditors. We advised the client on remediation to its global compliance and ethics program. The scope of the remediation not only included the anticorruption compliance program, but also advice on strengthening the core ethics component of its global corporate compliance program.
- Assisting a major multi-national cosmetics company to design, manage and implement a series of compliance initiatives in its APAC, EMEA, LATAM and North American markets. We worked together to update a pre-existing global compliance risk assessment, designed and implemented a compliance monitoring program, worked with internal audit to improve the auditing of the compliance management function, revised investigation protocols to improve efficiency and protect the applicable privileges, drafted or revised numerous compliance policies (including anti-corruption, gift-giving/hosting, trade sanctions, conflict of interest, social media, free merchandise, cash advance, direct government engagements and third-party vendor due diligence), and developed a global training plan. We also conducted an objective risk assessment on third-party vendors, designed an effective due diligence program for the vendor base, and administered the due diligence process on those vendors that presented the highest risk.
- Undertaking a comprehensive review of data privacy laws in 67 jurisdictions for a leading global bank. This brought together advice from across the globe on key data privacy issues including: basic data privacy requirements in each jurisdiction; banking secrecy, the interaction of data privacy and HR; CCTV and employee monitoring; IT organization, management and security; the use of personal data in marketing; the use of personal data on the internet and organizations' intranet; and cross-border transfers .
- Advising Hyundai and Kia in relation to global compliance work relating to ABC. As part of this process, lawyers from our offices in Seoul, Germany and Brazil, have conducted multiple anti-bribery and anti-trust compliance training sessions at Hyundai Motor and KIA Motors' plant locations around the world.
- Acting as the Compliance Officer for a multi-billion dollar energy transportation company. This role involved conducting anti-bribery

due diligence on numerous bidding entities and advising on the associated risk, advising on policies and procedures, training the Board and third parties and advising on measures required of contractors to ensure bribery risks were minimized as far as possible.

- Advising an international insurance company, following a full scale and intensive review of the client's compliance framework and suite of policy documentation, on developing its Australian whistle-blower policy and to work with and train all of the key stakeholders (including the company's board and senior executives) on their obligations under the policy.
- Continuing to provide a major pharmaceutical company with compliance counsel and assistance in further developing and honing the company's global compliance programs and processes - including as compliance counsel in an ongoing monitorship with the SEC.
- Conducting a multi-jurisdictional compliance risk assessment and 'health check' for a FTSE 250 gambling company which covered: Anti-Bribery & Corruption, Anti-Money Laundering, Ethics, the Criminal Finances Act 2017, Responsible Gambling, and Human & Labour Rights. The risk assessment included a review of existing policies and procedures, multiple interviews across the business, and a compliance questionnaire. Our findings were then analyzed to produce a risk matrix, a heat map and a findings report. A multi-jurisdictional training program was then rolled out across the business which factored in the key learning points.
- Assisting a leading Italian based multinational group in the oil, gas and power industry in updating the ex post (after the perpetration of a crime) organizational, management and control model, with a specific focus on safety rules, following legal issues relating to the kidnapping of four employees of the company in Libya.

## INSIGHTS

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### Publications

#### **An end to snow-washing? Canada considers its money laundering problem**

27 September 2022

Canada may have a reputation as a law-abiding and democratic nation, but it is also notorious as a place where it is easy to engage in money laundering.

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#### **Anticorruption and AML in Mexico: Trends and developments**

27 September 2022

A look at the status of Mexico's fight against corruption and new forms of money laundering.

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#### **Argentina moves to modernize its AML legislation**

27 September 2022

There is a broad consensus in Argentina that it is essential to remedy any AML deficiencies and move forward into the global economy.

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#### **Colombia addresses the problem of money laundering in virtual assets and the blockchain**

27 September 2022

The regulators are seeking to incentivize legitimate use of crypto-assets and lower money laundering risks.

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

21 September 2022

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

IRS releases draft Form 1040 with new cryptocurrency question; lawsuit may expand liability exposure of blockchain software developers.

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### **Harnessing the power of data analytics to drive compliance**

19 September 2022

## [PRACTICAL COMPLIANCE](#)

The age of data analytics in corporate compliance programs and regulatory enforcement is here.

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### **Episode 4 : The impact of modern slavery legislation on global organisations**

6 September 2022

## [GLOBAL COMPLIANCE AND INVESTIGATIONS PODCAST](#)

In this episode we discuss the key features of modern slavery legislation across the UK, AsiaPac and Australia. We specifically cover the requirements that organisations must meet across these regions, what the key differences are, and more.

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

22 August 2022

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

Proposed legislation aims to strengthen CFTC oversight of crypto marketplace; SEC imposes automatic penalties for failure to comply with a consent order; NFT projects reconsider licensing strategies

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### **The Sri Lanka Crisis - A Compliance Wake-Up Call for Regional Operators?**

3 August 2022

The recent crisis in Sri Lanka has created exposure for corporate investors – most obviously in terms of capital and return, but also in terms of regulatory compliance and business ethics. Read our insights on mitigating issues should a similar situation arise in other emerging economies in Asia.

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### **EU Whistleblower Directive: Implementation Tracker - Whistleblowing Laws in Europe: An international guide**

Updated: July 2022

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### **Committing to measurable ESG initiatives in the Food and Beverage Sector: Doing well by doing good**

6 July 2022

## [ESG HANDBOOKS AND GUIDES](#)

At least 73 percent of the world's largest companies in the food and beverage sector have a sustainable development target, but only a quarter of these are setting time-bound targets and the remaining 27 percent have no sustainability strategy, according to the World Benchmarking Alliance.

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## **Anti-money laundering: Global perspectives and updates**

30 June 2022

Governments around the world are more determined now than ever to curb illicit financing in all forms.

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## **France strengthens its whistleblowing regime: Focus on 3 key changes**

30 June 2022

The law not only transposes the EU whistleblowing directive into French law, strengthening the country's previous regime, but actually goes beyond the directive's requirements.

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## **Germany: five key aspects multinationals should know about the Anti-Bribery and Anti-Corruption law**

30 June 2022

While Germany's Anti-Bribery and Corruption Law resembles its UK and US counterparts, it also poses unique risks.

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## **Morocco: 5 hot compliance topics**

30 June 2022

In Morocco, the sanitary crisis has shaped the actions of regulators, who are paying particular attention to economic actors' compliance in five key areas.

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## **Real estate transactions are FinCEN targets: far-reaching impact of two proposed rules**

30 June 2022

The proposed rules are a reminder of this Administration's commitment to the fight against corruption and illicit finance in the US real estate market.

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## **Understanding how Thai law looks at bribery, gift-giving and appropriate controls**

30 June 2022

Thailand's National Anti-Corruption Commission has issued guidelines for companies on internal control measures appropriate to prevent bribery; the country also regulates the giving of gifts or benefits to public officials.

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## ***Dobbs v. Jackson Women's Health* : Implications for business of a post-Roe landscape**

23 June 2022

*Dobbs* raises a number of important questions for companies and entities.

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



23 May 2022

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

OECD releases public consultation document on crypto tax reporting in effort to increase transparency.

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### **10 considerations for companies on the path to sustainability**

11 May 2022

For boards of directors and management teams as they discuss measuring, disclosing and reducing the company's climate impact.

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

19 April 2022

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

Treasury report on money laundering and terrorist finance in the art trade looks at NFT marketplaces; FDIC issues new crypto-asset guidance and notification requirements.

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### **US continues to escalate sanctions against Russia and Belarus**

4 March 2022

## [GLOBAL SANCTIONS ALERT](#)

White House announces new sanctions while putting in place extensive new export control measures against Russia and Belarus; DOJ announces Task Force KleptoCapture; OFAC closes some loopholes.

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### **New US sanctions in response to Russia's actions against Ukraine**

23 February 2022

## [GLOBAL SANCTIONS ALERT](#)

Additional sanctions are expected that will target Russia's financial, technology, and defense sectors.

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### **A whole new world: What Alibaba's record antitrust fine means for retailers**

7 February 2022

Arrangements between retailers and online platforms are currently subject to enhanced scrutiny by global competition authorities. Regulators are focusing in part on the extent to which retailers use online platforms to coordinate activities with competitors. But how do you ensure your business is compliant?

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### **The global landscape of data privacy: Important points about new laws in three key jurisdictions**

21 September 2021

## [PRACTICAL COMPLIANCE](#)

New data privacy requirements in three important jurisdictions – the European Union, China, and Brazil – with an emphasis on action steps for compliance officers.

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## The challenges of compliance in a modern world: The changing landscape of cartel enforcement

7 September 2021

### [ANTITRUST MATTERS](#)

With the rise of technological developments, we also have seen increased risks. In this new digital world, we are creating more data year on year. Data storage, ease of communications (including the use of email and chat), along with the ease of photos and videos means that data volumes are increasing exponentially.

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## *US v. Bescond* addresses "fugitive disentitlement": Potential game changer for foreign-based defendants facing US charges

30 August 2021

The Second Circuit found that a French citizen who had been in France throughout the period of the alleged crimes was not a "fugitive" and that the district court abused its discretion by applying the fugitive disentitlement doctrine.

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## Blockchain and Digital Assets News and Trends

21 June 2021

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

Biden tax plan spotlights cryptocurrency transactions; FTC announces spike in cryptocurrency investment scams; El Salvador is first country to adopt bitcoin as legal tender.

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## EU Whistleblower Directive: Key provisions, SOX comparison and Actions for business

June 2022

Recent scandals such as the Luxembourg Leaks financial scandal and the Panama Papers have highlighted the important role that whistleblowers can play in exposing breaches of EU law.

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## Blockchain and Digital Assets News and Trends

20 May 2021

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

SEC issues Staff Statement on investments in the bitcoin futures market, plus latest legal developments governing the use and acceptance of blockchain technology, smart contracts and digital assets.

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## New medical device regulations in China likely to lead to increased regulatory enforcement

3 May 2021

The Chinese State Council has passed the eagerly anticipated revisions to the PRC's Regulations for Supervision and Administration of Medical Devices, which will come into effect on 1 June 2021. The Regulations will significantly increase the range and size of penalties that may be imposed for regulatory violations.

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## Blockchain and Digital Assets News and Trends

23 April 2021

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

SEC revises token safe harbor proposal; UK updates tax treatment of cryptoassets.

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## SEC Commissioner Peirce issues revised token safe harbor proposal

23 April 2021

The proposed rule provides two paths to an exit that would allow the company to keep operating without registration of the tokens.

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## Locking down market abuse

14 April 2021

The FCA has recently taken action against a number of individuals for market manipulation and insider dealing. This is a clear sign of the regulator re-focusing its attention on these offences, and is something that readers need be aware of to ensure they stay on the right side of the rules.

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## China's Expanding Economic Sanctions Regime

31 March 2021

On March 22, 2021, the European Union (EU) and the governments of the US, Canada, and the UK concurrently imposed sanctions on individual Chinese officials and a Chinese entity based on findings of human rights violations in Xinjiang.

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## Representing individuals in interviews – the US perspective

30 March 2021

Determining whether to consent to an interview, and any interview itself, can be pivotal.

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## SEC interim final amendments signal stricter regulation on Chinese and other emerging market companies

29 March 2021

Under the new requirements, certain companies must establish that they are not owned or controlled by a foreign government entity and must disclose any foreign government influence.

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## Blockchain and Digital Assets News and Trends

22 March 2021

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

Wyoming moves to clarify legal status of DAOs; court dismisses class action against a cryptocurrency exchange.

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## Blockchain and Digital Assets News and Trends

25 February 2021

### BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

Canada's AML regime amendments: is your interactive entertainment service or platform operating a "money service business"?

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## 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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## Something to Report: DLA Piper's latest film

28 January 2021

*Something to Report* is a 45-minute fictional corporate drama created as a training tool for directors, legal departments and management at companies around the world.

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## DLA Piper launches Compliance App

28 January 2021

DLA Piper has launched the Compliance Atlas app, a mobile solution built to meet the policy needs of modern-day companies.

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## Disputes, Issue 2

28 January 2021

### DISPUTES

In this issue, we look at the split among the federal circuits over what it means to "exceed authorized access" in violation of the Computer Fraud and Abuse Act; the ways in which the federal courts apply the Supreme Court's recent limitations on equitable disgorgement; ways to mitigate liability risk in unauthorized financial transfers; considerations for employers as they develop policies regarding use of cannabis in their workforce; and the critical importance of escalation protocols in corporate whistleblower programs.

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## Six months after *Liu*: The SEC and disgorgement

28 January 2021

In the wake of *Liu*, several open questions are only now starting to work their way through the courts.

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## The missing link in whistleblower programs – the escalation protocols

28 January 2021

A fixed set of escalation protocols helps ensure that a whistleblower program functions efficiently.

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### **Unauthorized financial transaction fraud: Mitigating liability risks**

28 January 2021

Prudent financial institutions are seeking to protect themselves against liability for third-party fraud and accountholder carelessness.

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### **When a threat actor strikes: Legal considerations and challenges in a ransomware attack**

21 December 2020

Evidence suggests that having employees working remotely significantly increases the risk of a successful ransomware attack.

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### **Practical Compliance**

8 December 2020

#### **[PRACTICAL COMPLIANCE](#)**

Q4 2020: Spotlight on real estate COVID-19 compliance.

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

23 November 2020

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

IMF issues report on regulatory framework for CBDs and GSCs, SEC invites feedback on application of custody rule to digital assets.

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### **SFO clarifies guidance on DPAs: Is the DPA model ready for take-off?**

4 November 2020

On 23 October 2020, the Serious Fraud Office published a new chapter from its Operational Handbook which provides further guidance on the SFO's approach to Deferred Prosecution Agreements. Whilst the guidance does not introduce any major changes, it does provide clarity on the SFO's expectations of companies wishing to avoid prosecution.

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

21 October 2020

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

SDNY finds Kin token is a security; unpacking the DOJ's cryptocurrency guidance – plus latest legal, regulatory and case law developments.

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### **DLA Piper's 2016 Compliance & Risk Report: What CCOs need to know**

19 APR 2016

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

20 JUL 2015

Constitutional reform regarding the creation of the National Anticorruption System

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## Third parties: 4 FCPA takeaways for working with distributors

24 SEP 2014

Four key challenges and related "cures"

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## NEWS

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### DLA Piper further strengthens global Government Affairs offering with Phil Hogan appointment

16 September 2021

DLA Piper has appointed the former European Commissioner, Minister and Member of the Irish Parliament, Phil Hogan, as a senior strategic and political advisor to the firm.

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### DLA Piper launches Aiscension to help detect and prevent cartel activity in collaboration with Reveal

15 March 2021

- New offering delivers cutting-edge technology from *Reveal* alongside DLA Piper's first-class legal know-how
  - Time and cost savings allow for companies to focus on detection
  - Faster, more effective and better value than traditional technology assisted and manual reviews
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