



## Intellectual Property and Technology

DLA Piper is one of the most widely recognized providers of a full range of commercial, intellectual property law, privacy, sourcing and technology law services for leading businesses worldwide.

Our lawyers provide both litigation-related (contentious) and strategic commercial advice to a wide range of industry sectors, helping clients from emerging technology and pharmaceutical companies to established banks and financial institutions achieve their objectives wherever they do business.

Our IPT practice encompasses nearly 500 dedicated lawyers in more than 24 countries, with particular strength in key global markets. Intellectual property and technology law is at the core of any major business transaction or strategic dispute and has become one of the most critical legal areas as companies continue to expand and protect their technologies, brands, products, data and services around the globe.

Our group is recognized worldwide by legal directories and industry members as one of the leading groups of its kind, seamlessly combining multi-jurisdictional reach with local knowledge and experience.

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### Publications

#### Episode 4 – enforcement of UPC decisions

23 September 2022

#### [UPC ON THE GO – PRACTICAL ADVICE ON THE UNIFIED PATENT COURT](#)

Frank Valentin leads the DLA Piper Intellectual Property practice in France and has significant experience in the Tech and Life Sciences sectors. In this episode, Frank continues his conversation with Cédric Meiller, a senior IP lawyer also based in our Paris office, to discuss how judgments will be enforced in the UPC.

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#### [A new tech regulatory agency? Key senator calls for more enforcement “teeth”](#)

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- International Corporate Reorganizations
- Financial Services Regulation, Enforcement and Litigation
- Energy and Natural Resources
- Financial Services
- Life Sciences
- Media, Sport and Entertainment
- Technology
- Infrastructure, Construction and Transport

21 September 2022

Senator Lindsey Graham (R-SC) raised eyebrows around Washington last week when he suggested that he and colleagues are working on creating a “regulatory environment with teeth” to police, and perhaps license, social media companies.

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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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## SEC Chair Gensler continues to push broad SEC authority over digital assets

21 September 2022

Tokens generally meet the definition of a security under the Howey test because the investing public is expecting profits derived from the efforts of others in a common enterprise.

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## Spies among us: State-sponsored actors want to steal your sensitive information

21 September 2022

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

The joint statement is an implicit admission by both governments that they can no longer protect private businesses from state-sponsored intellectual property theft.

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## *Karyopharm* highlights practical considerations for life sciences companies’ disclosures about products in development

20 September 2022

The decision provides some practical guidance for life sciences companies’ decisions regarding statements about products in development.

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## Biden Executive Order directs a broader national security focus on foreign investments

20 September 2022

This marks the first time since CFIUS was established in 1975 that a president has publicly issued such direction.

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## The Ethereum Merge: what does the hard fork mean for my NFT licenses?

September 13, 2022

Some interesting questions arise in the event of a hard fork and the subsequent duplication of the then-existing Ethereum NFTs and their continuing co-existence on the divergent Ethereum blockchains.

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## FDA Regulatory News and Trends

12 September 2022

## FDA REGULATORY NEWS AND TRENDS

EUAs now permitted in monkeypox health emergency; FDA issues series of warning letters; user-fee reauthorization still not close.

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### Advertising Laws of the World

7 September 2022

We are delighted to announce the launch of the Advertising Laws of the World guide – a global comparative handbook for clients created by the DLA Piper global Advertising and Marketing Law team.

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### Federal agency reports on responsible development of digital assets are due this week

6 September 2022

An array of agency reports are due.

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### Tax and digital transformation in Latin America

30 August 2022

#### [PANORAMA](#)

As Latin American companies navigate new technologies, they must consider relevant jurisdiction-specific laws.

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### Episode 3 – how to choose the right court

26 August 2022

#### [UPC ON THE GO – PRACTICAL ADVICE ON THE UNIFIED PATENT COURT](#)

Frank Valentin leads the DLA Piper Intellectual Property practice in France and has significant experience in the Tech and Life Sciences sectors. In this episode, Frank is joined by Cédric Meiller, a senior IP lawyer who is also based in our Paris office, to discuss how to choose the right court for your dispute in the new system.

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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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### NFT projects reconsider their licensing strategies

22 August 2022

CC0 has a number of significant risks because the enforceability of the abandonment is uncertain in many jurisdictions.

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### Colombia's National Mining Authority is tracking contracts on the blockchain: What can other Latin American countries learn from this experience?

18 August 2022  
[PANORAMA](#)

The Agency registers each mining concession contract as a non-fungible token, making it a unique, encrypted digital asset.

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### Addressing potential FTC liability when your net-zero claims turn out to be false

17 August 2022  
[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

In striving to reach net zero, organizations are aiming for an even balance between the amount of GHG they produce and the amount they remove from the atmosphere.

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### How the Digital Commodities Consumer Protection Act of 2022 would broaden the CFTC's authority to regulate cryptocurrencies and other digital assets

17 August 2022  
The DCCPA would aim to close regulatory gaps between state and federal regulation of cryptocurrencies, but to varying degrees.

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### Episode 2 – the language issue

12 August 2022  
[UPC ON THE GO – PRACTICAL ADVICE ON THE UNIFIED PATENT COURT](#)

Gualtiero Dragotti, a partner in our Milan office and Co-Chair of DLA Piper's global patent group who specialises in Life Sciences, looks at the controversial topic of language in the new system.

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### FTC explores sweeping new rules on data privacy and protection

12 August 2022  
The FTC is soliciting comment on a wide range of concerns.

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### ULC approves important new amendments to the Uniform Commercial Code for state adoption

2 August 2022  
The Amendments are wide ranging and cover a variety of topics and issues.

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### Episode 1 – the basics

28 July 2022  
[UPC ON THE GO – PRACTICAL ADVICE ON THE UNIFIED PATENT COURT](#)

Markus Gampp, head of the firm's German patent practice and Co-Chair of DLA Piper's global patent group, who has a special interest in the Tech sector, begins our podcast series by introducing the concept of the UPC and explaining why you should care about it.

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## Bankruptcies begin for crypto firms as “crypto winter” settles in

25 July 2022

The crash in cryptocurrency prices has erased nearly \$2 trillion in market value and forced three large firms into bankruptcy proceedings.

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## Blockchain and Digital Assets News and Trends

25 July 2022

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

Bankruptcies begin for crypto firms as “crypto winter” settles in; two US states will tax income from NFT sales; agreement reached on EU’s new MICA regulation

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## China’s emerging data protection laws bring challenges for conducting investigations in China

25 July 2022

China has introduced a number of major data protection laws, including the Personal Information Protection Law and the Data Security Law. These new laws will pose significant challenges for companies when conducting or responding to investigations in China.

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## FDA issues final guidance on patient labeling for drugs and biologics

25 July 2022

FDA’s final guidance provides recommendations to maximize the clear presentation of IFU instructions and enhance patient understanding.

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## Pennsylvania and Washington enact rules explicitly bringing income from sales of non-fungible tokens within the states’ tax base

25 July 2022

The first US states to address taxation of NFTs.

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## M&A and private equity in LatAm in 2022: Driven by digitalization

21 July 2022

### [PANORAMA](#)

In the last two years, tech sector mergers and acquisitions (M&A) and private equity (PE) have seen continuous growth and show no signs of slowing down.

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## Coming EU legislation will change the AI regulatory environment for healthcare technology and life sciences companies

11 July 2022

### [AI OUTLOOK](#)

Organizations must consider the extraterritorial reach of the regulations and how they will affect the way business is carried out.

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## Trade dress protects your automobile's design

11 July 2022

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

Trade dress may be used to protect the unique, non-functional aspects of a car.

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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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## The rise of global telehealth

30 June 2022

### [AT THE INTERSECTION OF SCIENCE AND LAW PODCAST SERIES](#)

Partners Kristi Kung and Greg Bodulovic discuss the rise of telehealth amid the COVID-19 pandemic, as well as advancements in technology aiming to address disparate access to healthcare globally.

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## Data privacy bill in Congress would create federal enforcement over algorithms

29 June 2022

### [AI OUTLOOK](#)

Policymakers are paying ever more attention to algorithms and the growing role they play in our lives.

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## UK unveils Plan for Space Sustainability: top points

27 June 2022

Seeking to avoid a potential space debris crisis.

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## Exploring the metaverse: What laws will apply?

22 June 2022

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

For those intrigued by the metaverse, and for creators building metaverse projects, here are practical considerations.

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## Blockchain and Digital Assets News and Trends

16 June 2022

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

Responsible Financial Innovation Act, the new proposed crypto regulation bill, provides some clarity on tax issues.

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## Responsible Financial Innovation Act, the new proposed crypto regulation bill, provides some clarity on tax issues

16 June 2022

The proposed tax provisions would, if enacted, address at least a few of the industry's largest complaints.

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## Javier v. Assurance IQ, LLC et al.: Ninth Circuit issues ruling in session-replay case

14 June 2022

The ruling leaves open a host of questions about the viability of session-replay cases under state wiretapping statutes.

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## The meteoric rise of the data centre: Global data centre investment outlook

14 June 2022

Deal activity in data centre infrastructure has reached unprecedented levels. Our report, The meteoric rise of the data center: Global data center investment outlook, examines the reasons behind this surge in activity and the increasingly significant role ESG has to play when making investments.

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## Congressional leaders reach bipartisan compromise on potential federal privacy legislation

2 June 2022

The proposed bill would preempt most state privacy laws and include a limited private right of action.

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## Peru: Antitrust, consumer protection and data protection challenges on the way

31 May 2022

[PANORAMA](#)

The coming months will likely see significant changes and challenges for companies operating in Peru.

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## Biden Administration's Greenbook signals continued focus on taxation of cryptocurrency and digital assets

23 May 2022

The Greenbook outlines a number of tax proposals addressing trading and lending of cryptocurrency and digital assets.

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

23 May 2022

The proposed framework would provide for automatic exchange of tax-relevant information between tax administrations for cryptoasset transactions.

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### Protecting your IP in Russia: Best practices, action steps

18 May 2022

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

US companies may take action in Russia to protect their IP rights, notwithstanding US economic and trade sanctions.

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### eSignature and ePayment News and Trends

11 May 2022

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

Embracing the movement towards digital and ESG.

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### Connecticut poised to be fifth state with comprehensive privacy law

2 May 2022

Modeled after the Colorado Privacy Act and the Virginia Consumer Data Protection Act, CT SB6 uses many of the same definitions and provisions in an effort to be interoperable with these laws.

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### Michael Fluhr featured on *Hsu Untied* podcast

28 April 2022

Of Counsel Michael Fluhr was featured on Richard Hsu's podcast *Hsu Untied*.

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### Is the “transformative” use defense unfair?

28 April 2022

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

“Let’s Go Crazy” is not simply a song by Prince, but, potentially, the theme song for the Supreme Court’s willingness to explore the doctrine of copyright fair use.

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### List for Parallel Imports Issued

26 April 2022

A list of products and brands for which parallel import protections are suspended has been issued. The list came into force on 19 April 2022 in Order No. 1532 issued by the Ministry of Industry and Trade and establishes how new Russian rules are applied for parallel imports.

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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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### FDIC issues new crypto-asset guidance and notification requirements

19 April 2022

New requirements for FDIC-supervised institutions that engage, or intend to engage, in any crypto-related activities.

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### Mitigate the legal risks of influencer marketing with our updated and expanded Influencer Marketing Guide

11 April 2022

Influencer marketing continues to play an increasingly important role in marketing strategies. However, there are numerous legal challenges for influencers and the brands they cooperate with, and influencer marketing remains a focus for advertising regulators around the world.

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### California DFPI issues interpretive opinions regarding money transmission

31 March 2022

Key details.

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### Money laundering in trading works of art – US Treasury report addresses NFT marketplaces

31 March 2022

Regulators continue to grapple with how and whether to regulate various aspects of the digital asset economy.

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### Protecting your therapeutic assets: The value of method of use patent claims

31 March 2022

## INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS

MOU claims can offer robust protection throughout a small molecule's life cycle, from approval to the entry of a generic competitor.

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### eSignature and ePayment News and Trends

31 March 2022

## ESIGNATURE AND EPAYMENT NEWS AND TRENDS

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### CafePress to pay \$500,000 for FTC violations

22 March 2022

The FTC's action highlights government expectations that companies maintain robust cybersecurity programs and provide appropriate disclosures and reports regarding security breaches.

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## SEC proposes sweeping new public company cybersecurity disclosure and governance rules

16 March 2022

This rule proposal follows on the heels of several SEC enforcement actions against public companies related to cybersecurity disclosures.

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## Russian Government Assumes Broad Powers to Curtail IP Rights

14 March 2022

### [GLOBAL SANCTIONS ALERT](#)

These new rules give the Russian government broad, new powers over IP rights.

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## US Senate unanimously passes the Strengthening American Cybersecurity Act

14 March 2022

Prior versions of this and related legislation failed to win passage in recent years.

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## Enter the metaverse: Seeking patent protection for metaverse innovations

28 February 2022

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

Numerous companies are developing innovations for use in the metaverse, forging ahead with patent filings to protect this intellectual property.

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## How will the Unified Patent Court decide your case?

23 February 2022

The unitary patent and the Unified Patent Court (UPC) have moved another step closer since Austria's deposit of its ratification instrument triggered the start of the Provisional Application Period (PAP) on 19 January 2022.

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## Exploring the metaverse: What laws will apply?

22 February 2022

Like any new foundational technology, the metaverse remains confusing and unknown to many. Writing for *Chambers TMT 2022*, we explore key questions.

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## Blockchain and Digital Assets News and Trends

18 February 2022

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

Lawsuit tackles tax treatment of staking rewards; SEC settles with crypto lending platform; emergency measures in Canada affect financial services entities.

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## eSignature and ePayment News and Trends

31 January 2022

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

Recently enacted federal and state laws, federal and state regulatory activities, fresh judicial precedent and more.

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## Developing Africa's capital markets

08 February 2021

### [TECHLAW PODCAST](#)

Join Trudy Wamala Karugaba, a partner in DLA Piper Africa's Uganda office, as she continues her discussion with Gokul Mani, Head of Middle East, Africa & India from London Stock Exchange, this time with a focus on Africa's developing capital markets landscape and the opportunities for African Tech.

DLA Piper TechLaw Podcast Series · Part 2 Developing Africa's capital markets

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## California Attorney General issues non-compliance notices regarding loyalty program requirements under the CCPA

7 February 2022

The launch of the investigative sweep of businesses offering loyalty programs builds on recent enforcement efforts and signals the AG's latest CCPA enforcement priority.

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## The capital markets landscape for African Tech

01 February 2021

### [TECHLAW PODCAST](#)

In Part 1 of Episode 47 in our TechLaw Podcast Series, Gokul Mani, Head of Middle East, Africa & India from London Stock Exchange, joins Trudy Wamala Karugaba from DLA Piper Africa's Uganda office to discuss the global capital markets landscape for African Tech, explaining why London provides an attractive listing destination for companies seeking to grow and expand internationally.

DLA Piper TechLaw Podcast Series · Part 1: The capital markets landscape for African Tech

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## US Congress tries to decode algorithms

27 January 2022

### [AI OUTLOOK](#)

Many elected officials (and their staffers) are becoming more familiar with how social media companies operate as a business model.

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## When not to use the UDRP against domain name pirates

27 January 2022

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

*"Did any of you gentlemen want to have it out with ME?" Long John Silver, Treasure Island*

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## Blockchain and Digital Assets News and Trends

25 January 2022

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

The first major enforcement action in the blockchain space provides important insights for developers and operators of DeFi markets; IMF calls for global crypto regulation; FTC issues consumer alert on crypto payment scams.

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## DLA Piper GDPR fines and data breach survey: January 2022

18 January 2022

Data protection supervisory authorities across Europe have issued a total of nearly EUR1.1 billion (USD1.2 / GBP0.9 billion) in fines since 28 January 2021, according to international law firm DLA Piper.

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## Top 12 privacy and cyber steps to take in January

13 January 2022

Twelve action items to consider for 2022 that can help reduce the impact of a cyber event.

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## 2022 – a busy year for privacy legislation has already started

12 January 2022

Biometric privacy, cybersecurity standards and consumer protection are among the subjects of the bills.

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## Mark it: 4 big trademark, copyright and advertising trends we are watching for 2022

4 January 2022

The significance of these trends will only grow in the coming months.

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## Tenth Circuit ruling is victory for FISA Section 702 surveillance authority

3 January 2022

The Tenth Circuit now joins the Ninth and Second Circuits in holding that warrantless 702 surveillance of communications involving a person in the US does not violate the Fourth Amendment.

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## Blockchain and Digital Assets News and Trends

21 December 2021

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

Breaking legal news on cryptoassets and cryptocurrency, plus: Google sues to disrupt massive botnet

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## Apache Log4Shell: “greatest vulnerability seen in years”

14 December 2021

Log4Shell allows arbitrary remote code execution on unpatched servers – essentially giving unfettered access to threat actors.

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## **Brands and influencers in the spotlight as FTC focuses on civil penalties for deceptive advertising**

13 December 2021

More than 700 warning letters sent in just one month.

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## **Examiner interviews and subject matter eligibility: Constructive steps for practitioners**

13 December 2021

Examiner interviews allow a patent practitioner to have an ongoing dialogue with the examiners which may supplement official communications.

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## **Intellectual Property and Technology News (North America), Issue 52, Q4 2021**

13 December 2021

### **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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## **Letter from the editor**

13 December 2021

Looking ahead in a whirlwind year.

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## **Our latest podcasts**

13 December 2021

mRNA technology and the COVID vaccine; using AI for drug discovery; AIs and the human factor.

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## **The Pharmaceutical Corner**

13 December 2021

The “atomic bomb” of patent law.

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## **Two gifts, and a small lump of coal, from the USPTO to trademark owners**

13 December 2021

The gifts: two new actions; the lump of coal: half the time to respond to Office actions.

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## **With Civil Cyber-Fraud Initiative, government sharpens focus on cybersecurity obligations for government contractors**

13 December 2021

Deploying the False Claims Act to pursue cybersecurity-related fraud.

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## Google files groundbreaking civil suit to disrupt massive botnet with blockchain backup system

10 December 2021

Civil actions to take down botnets have been around for years, but the blockchain aspect adds a new twist.

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## eSignature and ePayment News and Trends

7 December 2021

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

Crypto broker rules become law; federal agencies release “policy sprint” on crypto-assets

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## UAE: Federal level data protection law enacted

6 December 2021

The United Arab Emirates (UAE) has enacted its long awaited federal level data protection law. This article examines some of its key features.

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## Animal welfare and the depiction of animals in advertising

29 November 2021

### [SUSTAINABILITY AND ESG ISSUES IN ADVERTISING](#)

In this vlog, Elena Varese discusses how brands should approach animal welfare claims in advertising from the perspective of Italian law.

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

22 November 2021

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

Infrastructure bill, including crypto "broker" rules, becomes law.

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## **Infrastructure bill, including crypto "broker" rules, becomes law**

22 November 2021

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## **Brands and influencers in the spotlight as FTC focuses on civil penalties for deceptive advertising**

4 November 2021

The FTC again sends the message that it is closely monitoring advertising on social media and will act to stop practices it views as deceptive and unfair.

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## **California Privacy Protection Agency begins an important rulemaking in an accelerated process that is likely to impose AI regulations**

2 November 2021

### **AI OUTLOOK**

The CPPA hopes to issue final rules in May 2022, with the rules taking effect in 2023.

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## eSignature and ePayment News and Trends

1 November 2021

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

NACHA creates a new type of consumer ACH debit authorization.

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## US and EU pledge to promote “innovative and trustworthy” AI

19 October 2021

### [AI OUTLOOK](#)

Key details and recommendations.

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## Blockchain and Digital Assets News and Trends

18 October 2021

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

Non-fungible tokens: What are the legal risks?

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## Understanding AI and its use in drug discovery

6 October 2021

### [AT THE INTERSECTION OF SCIENCE AND LAW PODCAST SERIES](#)

DLA Piper partners Ellen Scordino and Susan Krumplitsch are joined by Duane Valz, General Counsel of Insitro, to discuss how machine learning is being used to generate and leverage data for the development of better medicines.

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## Tech innovation for a happier future

28 September 2021

### [TECHLAW PODCAST](#)

Part two of Episode 46 in our TechLaw podcast series sees Mo Gawdat, former Chief Business Officer for Google X, bestselling author, serial entrepreneur and founder of the One Billion Happy movement, resume his conversation with DLA Piper partner and co-chair of the Technology Sector, Kit Burden. Following on from their discussion around AI, ethics and regulation, they also look at the relationship between innovation and technology when it comes to our happiness. Make sure you register to attend our fifth European Technology Summit on the 5th October 2021 to catch Mo's keynote speech. Register at our fifth European Technology Summit on the 5th October 2021.

[DLA Piper TechLaw Podcast Series · Part 2: Tech innovation for a happier future](#)

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## Can an AI system be named the inventor? In wake of EDVA decision, questions remain

23 September 2021

### [AI OUTLOOK](#)

Artificial intelligence is notable among the new technologies posing fundamental questions about the viability of the inventor's oath.



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## Part 1: Raising responsible AI

23 September 2021

### TECHLAW PODCAST

In part one of Episode 46 of our TechLaw podcast series, Mo Gawdat, former Chief Business Officer for Google X, serial entrepreneur, founder of the One Billion Happy movement and author of the new book Scary Smart: The Future of Artificial Intelligence and How You Can Save Our World, explains to our partner and co-chair of the Technology Sector, Kit Burden, how we as humans have a responsibility to educate and parent AI in order to raise responsible beings. Topics discussed include the extent to which we can maintain control over AI, regulation and its opportunity to solve some of humanity's biggest challenges. Mo will be a keynote speaker at our fifth European Technology Summit, taking place on the 5th October 2021. Register your interest at our fifth European Technology Summit on the 5th October 2021.

DLA Piper TechLaw Podcast Series · Part 1: Raising responsible AI

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## Blockchain and Digital Assets News and Trends

17 September 2021

### BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

Proposed infrastructure bill would subject cryptocurrencies to wash sale and constructive sale rules.

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## Man versus machine: Working together in the age of AI

21 September 2021

### TECHLAW PODCAST

Podcast 45 of our TechLaw podcast series sees award-winning presenter, best-selling author and Professor in the Mathematics of Cities at University College London, Hannah Fry, speak to Kit Burden, Partner and Global Co-Chair of the Technology Sector at DLA Piper. Focusing on AI, its strengths and flaws and the need for the human factor, their conversation touches on a variety of topics including algorithm bias, data, privacy as well as the opportunities for digital transformation post-pandemic. Hannah will also be a keynote speaker at our fifth European Technology Summit on the 5th October 2021.

DLA Piper TechLaw Podcast Series · Man versus machine: Working together in the age of AI

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## Enhancing the value of local products through collective marketing

20 September 2021

### SUSTAINABILITY AND ESG ISSUES IN ADVERTISING

In this vlog, Alexis Fierens discusses how collective marketing strategies can enhance the value of local products.

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## Proposed infrastructure bill would subject cryptocurrencies to wash sale and constructive sale rules

17 September 2021

The move comes as part of the Ways and Means Committee's attempt to raise revenue to finance infrastructure spending.

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## SESG: Building start-ups to fight climate emergency

16 September 2021

### [TECHLAW PODCAST](#)

In episode 44 of our TechLaw podcast series, Dylan Kennett, Senior Associate and member of the Emerging Growth and Venture Capital team, joins Dr. Chris Coleridge, Founder and CEO at Carbon13, a venture builder, in a revelatory discussion on the role start-ups can play in fighting the climate emergency. With a particular focus on the entrepreneurs' journey and ensuring a holistic approach to ESG factors. Dr. Chris Coleridge will be resuming these discussions at the SESG panel during our fifth European Technology Summit, being held virtually on the 5th October. Join us by registering at fifth European Technology Summit on the 5th October 2021.

[DLA Piper TechLaw Podcast Series · SESG Building start-ups to fight climate emergency](#)

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## Embracing Digital Evolution: Our new business report

14 September 2021

Our new report - *Embracing Digital Evolution* - shows how businesses can succeed in Industry 4.0, with contributions from digital revolutionaries such as Microsoft, Salesforce, Rolls-Royce and DocuSign.

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## Defending trademarks from non-use cancellations: Strategies for OEM manufacturers in China

September 2021

For many companies, China is an essential piece of their business, but they may never sell a single product to a Chinese company or consumer. Those businesses must answer the tricky question of how to protect their brand in a country where consumers never see it.

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### Duvdevani named *Law360* Intellectual Property MVP

September 2021

She is one of only six attorneys to be so honored this year.

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### Intellectual Property and Technology News (North America), Issue 51, Q3 2021

September 2021

#### 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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### Is the state lottery the new online casino?

September 2021

A turf war may be smoldering between state lotteries and the private-sector casino industry.

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### Please join us for these coming events

September 2021

We look forward to spending time with you virtually this fall.

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### Protecting your company from supply chain cyber attacks

September 2021

Today, virtually all companies rely on third-party technical solutions to manage their business. The downside is that incorporating new third-party technology into business operations creates new vectors for cyberattacks.

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### Supreme Court Corner

September 2021

The Court chose to enhance the Director's power to review PTAB decisions directly.

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### The Pharmaceutical Corner

September 2021

*Teva v. Amicus* is the first lawsuit to test the reach of the CREATES Act. Expect more.

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### Data privacy and security within smart cities

7 September 2021

## TECHLAW PODCAST

Episode 43 of our TechLaw podcast series features Principal Analyst for Thematic Research at GlobalData, David Bicknell, in discussion with our Amsterdam-based Senior Associate, Floris de Wit. Their conversation focuses on the delicate balance of keeping populations safe when it comes to data privacy and cyber security, but also adopting innovative measures that move smart cities forward to take advantage of new technology. Don't forget to join us on the 5th October 2021 at our fifth European Technology Summit where David will continue the conversation on the smart cities of tomorrow. Register your interest at our fifth European Technology Summit on the 5th October 2021.

DLA Piper TechLaw Podcast Series · Data privacy and security within smart cities

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### Framing patents as essential facilities in Chinese antitrust: *Ningbo Ketian Magnet Co., Ltd. v. Hitachi Metals*

7 September 2021

## ANTITRUST MATTERS

A Chinese court recently ruled in *Ningbo Ketian Magnet Co., Ltd. v. Hitachi Metals, Ltd.* that a patent-holder's refusal to license patents for producing rare-earth magnets to competitors constituted an abuse of dominance in violation of China's Antimonopoly Law (AML).

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### eSignature and ePayment News and Trends

7 September 2021

## ESIGNATURE AND EPAYMENT NEWS AND TRENDS

CFPB to study electronic disclosures on mobile devices.

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### Electronic disclosures on mobile devices: CFPB to study

30 August 2021

As mobile devices have become the platform of choice for many consumers, the effective delivery of disclosures on those devices has become a key consideration for financial service providers.

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### [UPDATED] Coronavirus: Federal and state governments work quickly to enable remote online notarization to meet global crisis

25 August 2021

Federal and state governments are moving quickly to enable fully electronic processes to keep businesses operating.

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### Smart Cities and the future of Real Estate

25 August 2021

## TECHLAW PODCAST

In podcast 42 of our TechLaw podcast series, Jeroen Lokerse, Head of the Netherlands at global real estate firm, Cushman & Wakefield, joins DLA Piper Partner, Daphne Bens, to talk about the population explosion and its impact on the creation of smart cities that provide habitable, sustainable and safe spaces to live and work. They also discuss the crucial role urban development and real estate plays in the transformation of these areas. Jeroen will be joining the smart cities panel at our fifth European Technology Summit, taking place on the 5th October 2021. Register your interest at our fifth European Technology Summit on the 5th October 2021.

DLA Piper TechLaw Podcast Series · Smart Cities and the future of Real Estate

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## Blockchain and Digital Assets News and Trends

23 August 2021

### BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

New information reporting requirements for cryptocurrency transactions; CFPB involvement in cryptocurrency oversight; NCUA seeks comments on use of DLT and DeFi by credit unions.

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## Cybersecurity considerations for executives and boards of directors: How recent cyberattack trends and developments inform strategies for reducing cyber-risk

23 August 2021

We review recent trends and costs associated with cyberattacks and analyze how organizations can implement strategies for reducing cyber-risk.

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## Infrastructure bill passed by the Senate would impose new information reporting requirements on cryptocurrency transactions

23 August 2021

If enacted, the bill would provide for significant investments in roads, bridges, ports, airports, electric grids, water systems and broadband.

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## Canada legalises single event sports betting, and Ontario is all in

16 August 2021

Global gaming revenue is expected to reach US\$525 billion by 2023. Online gaming and betting activities represent a significant portion of this revenue at an estimated market size of \$66.72 billion USD in 2020. Canadians have shown an incredible appetite for iGaming, despite the fact that regulatory roadblocks to private businesses looking to enter the iGaming industry in Canada leave Canadians with limited options.

This article discusses Bill C-218, *An Act to amend the Criminal Code (sports betting)*, which will come into force on August 27, 2021. While C-218 signals the legalisation of single sports betting in Canada is a significant step towards the liberalization of Canada's legal framework applicable to gaming, its impact on private businesses may be limited until provinces and the federal government solidify and clarify their approach to iGaming.

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## Plant-based meat alternatives and the state of advertising regulation in Australia

13 August 2021

### SUSTAINABILITY AND ESG ISSUES IN ADVERTISING

In this vlog, Jessie Buchan discusses the rise in plant-based meat alternatives and the related advertising and marketing issues emerging in Australia.

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## **LatAm: Tax authorities address negative effects of the pandemic on national coffers**

12 August 2021

The tax authorities' revenue-generating approaches vary from incentives to additional taxation.

---

## **GDPR Snapshot vlog series 2021: Romania**

9 August 2021

### **[GDPR SNAPSHOT VLOG SERIES 2021](#)**

In this vlog, Bucharest counsel Irina Macovei and managing associate Andrei Stoica explore the impact and challenges of GDPR in Romania.

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## Remote notarization is here to stay

4 August 2021  
Key developments.

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## eSignature and ePayment News and Trends

4 August 2021  
[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

Remote notarization is here to stay.

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## The state of HealthTech and future opportunities

03 August 2021  
[TECHLAW PODCAST](#)

Podcast 41 of our TechLaw podcast series sees David Bell, Director at Hambleton Partners, leading M&A and corporate finance consultancy for companies with technology at their core, and DLA Piper Partner, Mark O'Connor, engage in an exciting conversation on the current innovations in HealthTech, as well as a futuristic outlook on the industry. Key highlights include the benefits of software as a medical device, macro factors influencing innovation and investment opportunities. Join David and Mark at our fifth European Technology Summit on the 5th October 2021 where they will be resuming this conversation. Register at our fifth European Technology Summit on the 5th October 2021.

DLA Piper TechLaw Podcast Series · The state of HealthTech and future opportunities

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## Environmental claims in advertising - latest UK regulatory action

2 August 2021

## SUSTAINABILITY AND ESG ISSUES IN ADVERTISING

In this vlog, John Wilks discusses latest UK regulatory action in regards to environmental claims in advertising.

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### Sustainability claims - French perspective

22 July 2021

## SUSTAINABILITY AND ESG ISSUES IN ADVERTISING

In this vlog, Gregory Tulquois looks at sustainability claims in advertising under French law.



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### Third time lucky: Triple Point in the Supreme Court

20 July 2021

The Supreme Court has handed down its long awaited decision on the question of whether delay liquidated damages (LD) provisions survive termination. The case related to a dispute between the parties as to how delay LD provisions apply where an English law contract is terminated prior to its completion, and the interpretation of contractual wording seeking to limit liability.

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### Blockchain and Digital Assets News and Trends

19 July 2021

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

IRS says tax-deferred like-kind exchange is not available for cryptocurrency trades; copyright issues plague NFTs; crypto venture investments continue to accelerate.

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### SESG: Venture capital for good and software solutions with a purpose

08 July 2021

#### [TECHLAW PODCAST](#)

In episode 40 of our TechLaw podcast series Sunita Grote, Lead at UNICEF Ventures, and DLA Piper partner, Luca Gori, speak about emerging technologies and trends in the marketplace, as well as opportunities and outcomes from previous UNICEF Ventures' investments. Join Sunita and Luca at our fifth European Technology Summit on the 5th October 2021.

[DLA Piper TechLaw Podcast Series](#) · [SESG: Venture capital for good and software solutions with a purpose](#)

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## Mexico: IFT issues guidelines on net neutrality

7 July 2021

These Guidelines implement the "Net Neutrality" chapter included in the Federal Law of Telecommunications and Broadcasting.

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## EDPB's final Recommendations on Supplementary Measures confirm a subjective approach to assessing personal data transfer risks

2 July 2021

The Recommendations' detailed guidance will be useful to businesses and privacy practitioners as they conduct or update their transfer assessments, but the scope and detail of those assessments will require a sustained effort.

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## With Illinois's adoption of UETA, United States near full adoption

2 July 2021

The US has reached near-complete state-by-state adoption of the Uniform Electronic Transactions Act.

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## eSignature and ePayment News and Trends

2 July 2021

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

With Illinois's adoption of UETA, the US is near full adoption.

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## Digital infrastructure in a post-pandemic world

01 July 2021

### [TECHLAW PODCAST](#)

In episode 39 of our TechLaw podcast series Sean Williams, Chairman of London-based fibre networks, G.Network Communications and Grain Connect Limited, joins DLA Piper partner, Mike Conradi, to discuss the recent explosion in demand for fibre networks in light of the pandemic. This fascinating exchange sheds light on the ever growing need for stable and resilient broadband connectivity along with the investment opportunity it presents over the next five years. Join Sean and Mike as they continue the conversation at our fifth European Technology Summit on the 5th October 2021.

DLA Piper TechLaw Podcast Series · Digital infrastructure in a post-pandemic world

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## Austin and Washington, DC offices bolster patent litigation capabilities with new arrivals

June 2021

Jennifer Nall and Helena Kiepura have joined our Intellectual Property and Technology practice's patent litigation team.

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## Claim drafting strategies for artificial intelligence innovations

June 2021

Depending on your innovation, a variety of strategies are available.

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## Fending off phishing attacks: Some simple steps using trademark law

June 2021

We often think about how to respond once a breach has occurred, but rarely do we consider how to prevent a breach or scam entirely.

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## Highlighted as a leading IP and Technology firm by *Chambers USA*

June 2021

*Chambers USA's* 2021 edition names DLA Piper among the leading intellectual property and technology firms in United States.

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## Intellectual Property and Technology News (North America), Issue 50, Q2 2021

29 June 2021

### [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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## Supreme Court Corner

June 2021

The issue at hand in *Unicolors v. H&M* turns on a question of inaccuracies in the copyright registration certificate.

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## The Pharmaceutical Corner

June 2021

We look at the underlying decision in *Immunex v. Sandoz* and the potential implications on pharma patent licensing strategies.

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## Trial by eligibility

June 2021

In the history of the United States, every single jury trial on patent eligibility under 35 U.S.C. § 101 has resulted in a defense verdict.

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## What the Biden Cybersecurity Executive Order means for technology vendors and service providers in the federal ecosystem

June 2021

Steps technology vendors should consider as they prepare.

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## When will Washington regulate artificial intelligence?

June 2021

Seeking to ensure a leading global role for the US in AI development and implementation is a prime motivator for American policymakers.

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## **United States v. Arthrex: Where does the Supreme Court's decision leave the PTAB?**

23 June 2021

If the APJs' appointment is unconstitutional, what is the appropriate remedy?

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## **FCC proposes ban on electronic products and devices made by Huawei and other Chinese companies**

23 June 2021

Key details.

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## **SESG: Building back better through diversity**

22 June 2021

### **TECHLAW PODCAST**

Podcast 38 of our TechLaw podcast series sees Gary Stewart, Founder & CEO at FounderTribes, a platform connecting and empowering entrepreneurs, join Luca Gori, partner and Corporate M&A lawyer at DLA Piper, to discuss the role of diversity in global corporate venture capital investing. They discuss how to use strategic alliances, not just to help restart economies or build back to 'normal', but to use this opportunity to "build back better" than before. Join Gary Stewart at our fifth European Technology Summit on the 5th October 2021.

[DLA Piper TechLaw Podcast Series](#) · [SESG: Building back better through diversity](#)

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## **With the goal of countering China's tech ascendancy, the US Senate approves the US Innovation and Competition Act**

16 June 2021

### **AI OUTLOOK**

The comprehensive technology policy and funding legislation strives to fund incentives for semiconductor chips production, along with aggressive diplomatic, national security and trade measures to ensure American leadership.

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## **FinTech: Cashless societies and post-pandemic growth**

10 June 2021

### **TECHLAW PODCAST**

In podcast 37 of our TechLaw podcast series, Tom Hambrett, Group General Counsel & Company Secretary at FinTech banking app, Revolut, joins Bryony Widdup, partner at DLA Piper, in preparation for our European Technology Summit, taking place on the 5th October 2021. Together they discuss how Revolut and the wider FinTech, payment services and eCommerce industries will play an instrumental role in enabling growth post-pandemic while also mitigating against amplifying risk. Join Tom Hambrett at our fifth European Technology Summit on the 5th October 2021.

[DLA Piper TechLaw Podcast Series](#) · [FinTech: Cashless societies and post-pandemic growth \(Bryony Widdup And Tom Hambrett\)](#)

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

4 June 2021

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

A Texas Supreme Court decision reaffirms a long line of cases enforcing electronic signatures where a secure, reliable system, in

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compliance with UETA and the federal ESIGN Act, is used.

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### **Compare contract law around the world with our Global Contract Laws Guide**

1 June 2021

DLA Piper is pleased to announce the launch of our updated Global Contract Laws guide.

The guide has been updated to reflect the changes in legislation in over 45 countries and in response to significant geopolitical events such as Brexit.

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### **FDA solicits public comment on adding list of device materials to certain medical device labels**

26 May 2021

The proposed change would apply to all medical devices that may be in contact with a patient long term.

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### **Green IP: the interplay between IP law, sustainability and ESG in the EU**

20 May 2021

On 29 April 2021, the EU Commission announced that the initiative to update the EU rules on design protection is now open for public consultation until 22 July 2021. One of the main reasons for revision is to ensure that the design protection regime better supports the transition to the digital and green economy.

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### **Expedited examination now available for Canadian trademark applications**

18 May 2021

Trademark applications are generally examined in the order they are received by the Canadian Intellectual Property Office ("CIPO"). The rationale being that examining an application out of order creates a favourable position for one applicant at the expense of other applicants.

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### **Why I Lawyer: Q&A with Lisa Haile**

18 May 2021

#### **[WHY I LAWYER](#)**

Having so many years in the industry has given me a deep understanding of the business of biopharma and provides me with a different perspective when I advise clients on the value of a particular technology or the likelihood of success in the market relative to competitors.

---

### **President Biden issues broad-ranging Executive Order on cybersecurity**

13 May 2021

The EO sets forth new requirements for federal agencies and government service providers.

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### **Thailand postponed the implementation of the data protection act until 1 June 2022**

10 May 2021

The Personal Data Protection Act B.E. 2562 (2019) (PDPA) came into effect since 28 May 2019 with most provisions scheduled to take full

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effect on 27 May 2020. Previously, the enforcement of the PDPA for 22 types of businesses has been postponed to 31 May 2021.

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

30 April 2021

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

In a key ruling on the TCPA, the Supreme Court narrows the definition of ATDS.

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## **S 415, narrowing the scope of new chemical entities, is now law: Implications for innovator companies**

29 April 2021

The new law, signed by the President on April 23, narrows the scope of drug compounds that qualify as an NCE.

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## **FCC publishes new cost-based license application fee schedules, but new fees will not take effect quite yet**

26 April 2021

Information for companies seeking to take advantage of the lower applications fees.

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## **Latin America: FY2021 - a very active tax year**

26 April 2021

The global pandemic forced Latin American governments to focus on social welfare and plan vaccine deployment. The time to start covering these expenses has come, and governments are following various approaches to refill their coffers.

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## **New antidumping and countervailing duty petition: Walk-behind snow throwers and parts from China – consequences for exporters and US importers**

7 April 2021

The petition alleges that certain walk-behind snow throwers and parts from China are being sold in the US at less than fair value.

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## **Latest regulatory changes reduce burden for software and technology companies under US export controls**

6 April 2021

Revisions to the US Export Administration Regulations implement changes to Export Controls for Conventional Arms and Dual-Use Goods and Technologies.

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## **So you want to go digital...**

April 2021

This article assists businesses in identifying the core issues that must be addressed to ensure the legal sufficiency of transactions conducted on eSignature platforms.

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## eSignature and ePayment News and Trends

2 April 2021

### ESIGNATURE AND EPAYMENT NEWS AND TRENDS

Continuing the digital transformation into 2021.

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## Patent eligibility in bioinformatics: Federal Circuit affirms rejection of computerized haplotype phasing claims

31 March 2021

Yet another hurdle for inventors in the growing field of bioinformatics and computational biology.

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## Employee and independent contractor classification: Still the top legal issue in franchising

30 March 2021

Franchising rests on a basic premise that franchisees are independent contractors and not employees.

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## Intellectual Property and Technology News (North America), Issue 49, Q1 2021

30 March 2021

### 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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## Non-fungible tokens: Emerging issues in the emerging marketplace

30 March 2021

Any digital asset, or a right in an underlying asset, can be tokenized to make an NFT.

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## Recognized as a leading IP defense firm in the United States

30 March 2021

In its 2021 *Law Firms Activity Report*, Lex Machina has named DLA Piper among the leading intellectual property defense firms in the United States.

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## Supreme Court Corner

30 March 2021

Numerous amici in *American Axle* urge the Supreme Court to take the case; update on *USPTO v. Booking.com*.

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## **The Lanham Act's makeover – Congress gives new clarity and tools to trademark owners and applicants**

30 March 2021

The Trademark Modernization Act of 2020 gives new certainty for litigants and new tools for challenging current registrations.

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## **The Pharmaceutical Corner**

30 March 2021

The opinion may render functional claiming more difficult, but functional claims that follow its guidance may still have an important role to play in pharmaceutical patents.

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## **Understanding the USPTO guidance on patenting AI technologies**

30 March 2021

The USPTO guidance opens the door for applicants to obtain patent protection for their AI technologies.

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## **Washington, DC grows telecoms capabilities with a new arrival**

30 March 2021

Tony Lin has joined our Washington, DC office and award-winning Telecom group, bringing his vast experience in satellite and communications law.

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## **Episode 15: Comprehensive New E-Commerce Rules Introduced**

23 March 2021

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

Operators of e-commerce platforms, websites and apps in China, and those using third party e-commerce, social media or livestreaming platforms to sell their products and services in China, must update their operations, services and systems in advance of wide-ranging new rules.

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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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## **Out with the old, in with the new: Five members join California Privacy Protection Agency board; California AG Xavier Becerra moves to HHS**

22 March 2021

Recent days have seen significant changes in the lineup of officials responsible for important privacy rights oversight in California.

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## Wyoming takes a step ahead to clarify the legal status of decentralized autonomous organizations

22 March 2021

If the bill becomes official law, Wyoming will be the first US state to clarify the legal status of a DAO.

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## Technology, artificial intelligence in focus for the Biden Administration and the 117th Congress

18 March 2021

### [AI OUTLOOK](#)

Washington sees maintaining and extending US leadership in technological innovation as a vital national security imperative.

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## Peer-To-Peer File Sharing, Copyright Trolls And Fair Balancing Of Rights Key Take-Aways From The Opinion Of A-G Szpunar In The Cjeu Mircom V Telenet And Others Case

17 March 2021

On 17 December 2020, Advocate General (A-G) Szpunar delivered his opinion on the highly anticipated Mircom International Content Management v Telenet and others case (C-597/19) before the European Court of Justice (CJEU) thus shedding a first light on several current hot topics in copyright law.

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## Antidumping and countervailing duty petition against imports of certain Chinese mobile access equipment and subassemblies: Consequences for exporters and US importers

16 March 2021

Foreign producers, exporters and importers may consider having a strategy for addressing AD and CVD investigations, including possible participation.

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## US national security review of the semiconductor manufacturing supply chain presents critical opportunities for industry

15 March 2021

The review supports the CHIPS for America Act.

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## What the Virginia Consumer Data Protection Act means for your privacy program

9 March 2021

Already, privacy bills introduced and likely to receive serious consideration in several blue states resemble this Virginia law.

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## M&A and the Middle East digital economy

01 March 2021

### [TECHLAW PODCAST](#)

In Episode 36 of our TechLaw podcast series, Dubai-based partners and M&A lawyers at DLA Piper, Will Seivewright and Eamon Holley, are joined by Directors at Control Risks, Courtenay Smith and Will Brown, in an invigorating discussion on the latest M&A trends in the GCC. In this conversation, they analyse the recent impact and acceleration of technology trends derived from COVID-19, as well as the roll-out successions of M&A trends across the European Markets.

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## FinTech Middle East: Innovations in payments and beyond!

26 February 2021

### TECHLAW PODCAST

In Episode 35 of our TechLaw Podcast Series, Middle-East based DLA Piper partner, Paul Latto, joins an incredible panel of experts including Tony Chacko Joseph, from UAE's Ministry of Finance; Khalid Saad, Board Member at CoinMENA; and Phil Reynolds, Board Director and Co-founder at Pyypl, to discuss the rapid growth in mobile payments and platforms the UAE's FinTech has experienced. Other topics for discussion also include FinTech regulations, trends and innovations swiftly approaching the UAE.

DLA Piper TechLaw Podcast Series · FinTech: Innovations in payments, and beyond

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## Legislators and regulators continue to support digital transformation

26 February 2021

Endorsing the movement towards digital transformation.

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## eSignature and ePayment News and Trends

26 February 2021

### ESIGNATURE AND EPAYMENT NEWS AND TRENDS

How legislatures and regulators endorse the movement towards digital transformation.

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## Antitrust in the digital age: rethinking the regulation of big tech

25 February 2021

### TECHLAW PODCAST

In Episode 34 of our TechLaw Podcast Series, our partner, Alexandra Kamerling, talks about antitrust law in the digital age with Laura Petrone, Senior Analyst of Technology Thematic Research at GlobalData Plc. Their conversation delves into how traditional regulations are being evolved to allow for a fair playing field that also fosters innovation, as well as looking at how these regulations are being applied in numerous jurisdictions across the globe.

DLA Piper TechLaw Podcast Series · Antitrust in the digital age: rethinking the regulation of big tech

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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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## Gems, coins, bells and bottle caps: Canadian AML regime amendments affect some video game and social media virtual currencies

25 February 2021

Providers of video games and online entertainment that offer virtual currency as part of game play may be "money service businesses"

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under Canada's anti-money laundering rules.

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## **Outsourcing: A Practical Guide, Second Edition**

16 February 2021

We are proud to launch our latest publication, Outsourcing: A Practical Guide, Second Edition. This book is a fully updated edition of the key text on outsourcing, written by our market-leading Global Technology and Sourcing team.

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## **CFPB Taskforce on Federal Consumer Financial Law proposes changes to ESIGN**

5 February 2021

The CFPB looks at the consumer consent requirements triggered when information must be provided or made available to a consumer "in writing."

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

5 February 2021

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

The CFPB looks at "in writing" consumer consent requirements; plus reports on new federal and state laws and regulatory activities and fresh judicial precedent.

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## **New guidelines on examples regarding data breach notification**

4 February 2021

On 14 January 2021, the European Data Protection Board (EDPB) published a set of draft guidelines on examples regarding data breach notifications under Article 33 of the General Data Protection Regulation (GDPR) (the "Draft Guidelines").

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## **Part 2: Hybrid Future- shifting the workplace in a post-pandemic world**

28 January 2021

### **[TECHLAW PODCAST](#)**

The second part of Episode 33 of our TechLaw Podcast Series, features an insightful discussion between DLA Piper partner, Paul Allen, and author of Future Fit, Andrea Clarke. With Covid-19 having accelerated the shift from physical to virtual working, how do businesses connect its people to its strategy and motivate, educate and inspire them through this new hybrid model?

DLA Piper TechLaw Podcast Series · Part 2: Hybrid Future- shifting the workplace in a post-pandemic world

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## **Brexit and personal data**

25 January 2021

As the transition period came to an end on 31 December 2020, a new one began on 1 January 2021 for international data transfers.

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

22 January 2021

## BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

Looking at the OCC's guidance on stablecoins.

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### Consumer finance regulatory and litigation landscape for 2021

21 January 2021

In 2021, the sector may have to reckon with troubled assets while operating in a business environment that may never return to many pre-pandemic practices.

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### A COVID-19 fast-track for Canadian trademark applications

20 January 2021

Businesses seeking to protect brands for medical devices, protective equipment, medical services or medical research services relating to the prevention, diagnosis, treatment or cure of COVID-19 can now fast-track their Canadian trademark applications.

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### Part 1: Becoming Future Fit - Adapting for digital evolution

20 January 2021

#### [TECHLAW PODCAST](#)

Part one of Episode 33 in our TechLaw Podcast Series sees Andrea Clarke, author of Future Fit: How to Stay Relevant and Competitive in the Future of Work, draw on her fascinating life experience to advise on how to stay secure in the future of work and create value as we undergo a digital evolution. Creating a strong sense of self in the workplace through connecting employees with a business' purpose, strategy and leadership is critical to future success.

[DLA Piper TechLaw Podcast Series · Part 1: Becoming Future Fit – Adapting for digital evolution](#)

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### Founders Factory Africa Part 2: The power of collaboration for startups

14 January 2021

#### [TECHLAW PODCAST](#)

In part two of Episode 32 of our TechLaw Podcast Series, Alina Truhina, Chief Strategy Officer at Founders Factory Africa, resumes her conversation on business collaborations between corporates and startups with one of our partners, Chris Baird. Shifting the conversation to the challenges and opportunities for startups when joining with established corporate companies, Alina and Chris also discuss the areas of focus when working with entrepreneurs in Africa and what to expect in the next five years.

[DLA Piper TechLaw Podcast Series · Founders Factory Africa Part 2: The Power Of Collaboration For Startups](#)

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### Founders Factory Africa Part 1: Opportunities for corporate investments

11 January 2021

#### [TECHLAW PODCAST](#)

In part one of Episode 32 of our TechLaw Podcast Series, Alina Truhina, Chief Strategy Officer at Founders Factory Africa, talks business collaborations between corporates and startups with one of our partners, Chris Baird. Their conversation focuses on the impact of COVID-19 on FFA's portfolio investment strategy, fund flows in Africa and misconceptions of investing in Africa.

[DLA Piper TechLaw Podcast Series · Founders Factory Africa Part 1: Opportunities For Corporate Investments](#)

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## Mark it: A look back at 2020 trademark, copyright and media news

6 January 2021

Some of our most popular guidance.

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

31 December 2020

### [BOARDROOM BREXIT](#)

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

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

31 December 2020

### [BOARDROOM BREXIT](#)

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

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## Boardroom Brexit: What the deal means for 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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## eSignature and ePayment News and Trends

30 December 2020

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

CFPB finalizes additional requirements regarding debt collection – plus latest legal, regulatory and case law developments.

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## 26 DLA Piper lawyers in 9 countries ranked among the world's leading patent professionals

22 December 2020

*IAM Patent 1000: The World's Leading Patent Professionals 2020* has named 26 DLA Piper lawyers from 9 countries to its list of top patent professionals.

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## Blockchain and Digital Assets News and Trends

22 December 2020

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

New Jersey seeks to regulate digital asset business activity through a mandatory licensing framework.

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### Franchisor consolidations after COVID-19

22 December 2020

Consolidations will continue in an opportunistic way, but will be moderated by a recognition that consolidation can be risky.

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### Intellectual Property and Technology News (North America), Issue 48, Q4 2020

22 December 2020

#### [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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### Inventions behind the music: From Eddie Van Halen to Michael Jackson and beyond

22 December 2020

Music innovation offers fertile ground for patent protection.

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### New Jersey Senate considers crypto license bill

22 December 2020

The bill would regulate digital asset business activity through a mandatory licensing framework overseen by the New Jersey Department of Banking and Insurance.

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### Recognized as a top tier IP and Technology practice by *U.S. News & World Report*

22 December 2020

Recognition from *U.S. News & World Report*.

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### Substantial similarity in copyright: It matters where you sue

22 December 2020

Two circuits do not always interpret copyright law the same way.

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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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### Who's responsible for content posted on the Internet? Section 230, explained

22 December 2020

What the law does, what people are saying it should do, and what might happen next.

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### **Disputes & Distributed Ledger Technology: A contract, no matter how smart, still needs to be legal and enforceable in the real world**

21 December 2020

In September 2020, the Law Society of England & Wales published "Blockchain: Legal & Regulatory Guidance", providing technical guidance and suggestions on practice for legal practitioners dealing with blockchain and distributed ledger technology.

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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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### **Landmark artificial intelligence legislation advances toward becoming law**

16 December 2020

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

An overview of the key AI initiatives and funding set out in the defense bill.

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### **Navigating risk and compliance in government contracts M&A**

14 December 2020

Webinar now available: government contracts and pre-closing diligence.

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

11 December 2020

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

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

3 December 2020

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

CFPB finalizes debt collection rules, addressing use of electronic communications; court finds no private right of action under ESIGN; plus latest legal, regulatory and case law developments.

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### **FCC agenda meeting to evaluate items of interest for manufacturers and operators of radiofrequency equipment**

1 December 2020

Key details of agenda items.

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## AI Trends Part 2: Security compliance, 5G and the war for talent

25 November 2020

### TECHLAW PODCAST

In part two of Episode 31 of our TechLaw Podcast Series, Santeri Kangas and Jeremy Otis from CUJO AI, resume their conversation on artificial intelligence trends with one of our partners, Mathias Schulze Steinen. Using findings from our recent European Technology Index 2020, the discussion focuses on topics including security compliance and standardization, data processing, robotics and 5G. The group also debates whether there is a war for talent in the AI arena.

DLA Piper TechLaw Podcast Series · AI Trends Part 2 Security Compliance, 5G And The War For Talent

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## AI Trends Part 1: IoT privacy and security risks

23 November 2020

### TECHLAW PODCAST

Part one of Episode 31 of our TechLaw Podcast Series features Chief Technology Officer at CUJO AI, Santeri Kangas, along with General Counsel, Jeremy Otis, discussing the latest trends in artificial intelligence with one of our partners, Mathias Schulze Steinen. The changing digital landscape forms the basis of this conversation in relation to the security of connected devices, user privacy and data collection.

DLA Piper TechLaw Podcast Series · AI Trends Part 1 IoT Privacy And Security Risks

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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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## SEC invites feedback on application of Custody Rule to digital assets

23 November 2020

Specifically, Staff is asking whether non-depository firms such as state-chartered trust companies can act as qualified custodians for digital assets.

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## Going global: How reputation can boost brand protection prospects

20 November 2020

A generic term – the commonly used name of a class of products or services – is ineligible for federal trademark registration in the US. But a generic term combined with “.com” can create a federally protectable trademark, even if the generic term alone could not.

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## Law à la Mode

20 November 2020

### LAW À LA MODE

Retail has had to adapt to COVID-19 with speed, ingenuity and resilience. But even bigger disruptions may be around the corner.

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## New York's enhanced anti-SLAPP laws take effect, adding protections and remedies to deter speech-chilling



## **litigation**

19 November 2020

This development is expected to have an immediate impact on New York litigation, particularly in the defense of libel claims.

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## **UK Tech Startups Part 2: ESG, talent acquisition and AI in the future of tech**

17 November 2020

### **TECHLAW PODCAST**

In part two of Episode 30 of our TechLaw Podcast Series the discussion continues between Transaction Services Partner at Deloitte, Duncan Down, Chief Strategy Officer and Founder of StarLeaf, Will MacDonald, and the Managing Partner from our London Office, Tom Heylen. As well as insights from our European Technology Index 2020 and mention of the upcoming Deloitte UK Technology Fast 50, the conversation focuses on the integral importance of ESG in all aspects of business, the challenges of acquiring talent remotely and some of the opportunities presented by AI.

DLA Piper TechLaw Podcast Series · UK Tech Startups Part 2: ESG, talent acquisition and AI in the future of tech

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## **UK Tech Startups Part 1: The impact of COVID-19 and the challenges facing M&A and 5G**

11 November 2020

### **TECHLAW PODCAST**

In the first part of Episode 30 of our TechLaw Podcast Series Transaction Services Partner at Deloitte, Duncan Down, and Chief Strategy Officer and Founder of StarLeaf, Will MacDonald, discuss the impact of COVID-19 on the UK tech startup scene with the Managing Partner from our London Office, Tom Heylen. The conversation includes insights from our European Technology Index 2020, the upcoming Deloitte UK Technology Fast 50 and the current challenges facing M&A, whilst also addressing the question of whether the adoption of 5G will really make that much difference to the consumer experience.

DLA Piper TechLaw Podcast Series · UK Tech Startups Part 1: The impact of COVID-19 and the challenges facing M&A and 5G

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## ***Valeant v. Mylan*: What venues are left for Hatch-Waxman cases?**

10 November 2020

The decision substantially limits the number of venues where Hatch-Waxman cases may be brought.

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## **As expected, California ballot initiative passes, significantly altering the California Consumer Privacy Act**

5 November 2020

The California Privacy Rights Act adds new obligations on both businesses and service providers, adds some important new definitions and creates new liability risks.

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

2 November 2020

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

Electronic signature hygiene – does your electronic signature process allow you to enforce a disputed signature? Plus latest legal, regulatory and case law developments.

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## ***Edwards Lifesciences v. Meril Life Sciences: Another ripple in the Safe Harbor?***

26 October 2020

Navigating the contours of the Safe Harbor provision in view of recent Federal Circuit decisions will be a complicated, uncertain process.

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## **Americas Arbitration Roundup**

26 October 2020

In this first edition of *Americas Arbitration Roundup*, our thought leaders across the region provide updates on recent key developments in international arbitration in the Americas.

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## **Navigating China Episode 14: New draft national, harmonised data protection law for Mainland China**

23 October 2020

### **[NAVIGATING CHINA: THE DIGITAL JOURNEY](#)**

A first national level personal information protection law for Mainland China has been published, reinforcing and heightening existing data protection compliance obligations for organisations doing business in China.

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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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## **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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## **State of Play: What's next for the billion-dollar esports industry**

21 October 2020

Tom Ara speaks with Mike Sepso, co-founder and CEO of Vindex, and Sarah Needleman, reporter for the *Wall Street Journal*, about the history and evolution of esports and ways the pandemic has affected the industry.

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## **Fintech in Africa Part 2: The role of regulation in problem solving and cybersecurity**

20 October 2020

### **[TECHLAW PODCAST](#)**

Part two of Episode 29 of our TechLaw Podcast Series concludes this discussion on Fintech in Africa between Professor Olayinka David-West, Academic Director at Lagos Business School, and Sandra Oyewole, a partner at DLA Piper Africa, Nigeria. Their conversation

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looks at the role of regulation in problem solving and the critical importance of focusing on data protection and cybersecurity as we continue to respond to the challenges set by COVID-19.

DLA Piper TechLaw Podcast Series · Fintech in Africa Part 2: The role of regulation in problem solving and cybersecurity

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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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## Fintech in Africa Part 1: The impact of COVID-19 and the issue of gender imbalance

16 October 2020

### TECHLAW PODCAST

Part one of Episode 29 of our TechLaw Podcast Series features a fascinating discussion on Fintech in Africa between Professor Olayinka David-West, Academic Director at Lagos Business School, and Sandra Oyewole, a partner at DLA Piper Africa, Nigeria. Their conversation focuses on the recent impact of COVID-19 as well as the ongoing issue of gender imbalance in Fintech in Africa.

DLA Piper TechLaw Podcast Series · Fintech in Africa Part 1: The impact of COVID-19 and the issue of gender imbalance

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## New OFAC guidance for ransomware payments

16 October 2020

On October 1, 2020, the OFAC issued an advisory to companies providing services to victims of ransomware attacks, informing them of the potential "sanctions risks" for facilitating ransomware payments.

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## Unpacking the DOJ's cryptocurrency guidance: Enforcement priorities and industry implications

15 October 2020

A warning to offshore cryptocurrency exchanges and other money services businesses operating outside of the reach of US authorities.

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## Fintech: Surviving a pandemic, technology drivers and fostering innovation

5 October 2020

### TECHLAW PODCAST

Episode 28 of our TechLaw Podcast Series features Executive Co-Chair at Global Digital Finance, Lawrence Wintermeyer, discussing the Fintech sector with one of our partners, Martin Bartlam. The recent findings from our European Technology Index 2020 focus the discussion on the key drivers to success in this space and the importance of regulatory collaboration.

DLA Piper TechLaw Podcast Series · Fintech: Surviving a pandemic, technology drivers and fostering innovation

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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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## Intellectual Property and Technology News (North America), Issue 47, Q3 2020

30 September 2020

### 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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#### Inventiveness+? Divergent theories of the "inventive concept" in patent-eligible subject matter

30 September 2020

What qualifies as an inventive concept? Even the Federal Circuit doesn't know for sure.

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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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#### Recognized as a top outsourcing advisor and for excellence in strategic partnerships

30 September 2020

Recognition from the International Association of Outsourcing Professionals (IAOP).

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#### Sports betting and the protections of "enhanced" sports data in the US

30 September 2020

A supply of reliable, available data is the fuel needed for sportsbooks to create and compile odds, bet types, and risk management products.

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#### Supreme Court Corner

30 September 2020

A quick look at two cases - *USPTO v. Booking.com* and *American Axle & Manufacturing v. Neapco Holdings*.

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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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#### eSignature and ePayment News and Trends

30 September 2020

## ESIGNATURE AND EPAYMENT NEWS AND TRENDS

CFPB seeks to promote innovation by giving financial firms more opportunities and compliance flexibility to try new technologies, practices and methods – plus latest legal, regulatory and case law developments.

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### Smart cars, cities and 5G - what does the future hold for the IoT and connectivity

28 September 2020

#### TECHLAW PODCAST

Episode 27 of our TechLaw Podcast Series features CEO and Co-Founder of Transatel, Jacques Bonifay, discussing the IoT and connectivity with one of our partners, Mathias Schulze Steinen. Insights from our European Technology Index 2020 inform the conversation around the future of connected cars, smart cities and 5G.

DLA Piper TechLaw Podcast Series · Smart Cars, Cities And 5G – What Does The Future Hold For The IoT And Connectivity

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### Intellectual Property and Technology News (North America), Issue 46, Q2 2020

30 June 2020

#### 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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### Intellectual Property and Technology News (North America), Issue 45, Q1 2020

30 March 2020

#### 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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### Intellectual Property and Technology News (North America), Issue 44, Q4 2019

19 December 2019

#### 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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### Intellectual Property and Technology News (North America), Issue 43, Q3 2019

30 Sep 2019

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

20 MAY 2019

## LAW À LA MODE

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

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

26 NOV 2018

## LAW À LA MODE

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

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**Law à la Mode: Social Media Influencers & Effective Disclosures, IP and E-Commerce: Your basic checklist, Longchamp's Handbag Copyright Saga, IP Protection of Fashion Shows in Italy and more**

21 MAY 2018

## LAW À LA MODE

The UK editorial team is delighted to bring you this special edition of Law à la Mode, produced by DLA Piper's Retail Sector group for distribution to clients and contacts of the firm worldwide and marking the 140th Annual Meeting of INTA in Seattle.

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**Law à la Mode: Social Media Influencers & Effective Disclosures, IP and E-Commerce: Your basic checklist, Longchamp's Handbag Copyright Saga, IP Protection of Fashion Shows in Italy and more**

21 MAY 2018

## LAW À LA MODE

The UK editorial team is delighted to bring you this special edition of Law à la Mode, produced by DLA Piper's Retail Sector group for distribution to clients and contacts of the firm worldwide and marking the 140th Annual Meeting of INTA in Seattle.

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## Blockchain: background, challenges and legal issues

2 FEB 2018

Blockchain and distributed ledger technology offers significant and scalable processing power, high accuracy rates, and apparently unbreakable security at a significantly reduced cost compared to the traditional systems the technology could replace, such as settlement, trading or accounting systems. Like all new technology however, it poses challenges for suppliers and customers. So what are the key issues in relation to blockchain and distributed ledger technology?

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## Text, blood and rock 'n' roll

27 DEC 2017

You are not a "free bird" – the duty to preserve text messages may extend to third parties.

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**Law à la Mode: Virtual Reality and Augmented Reality; Insta-worthy or Insta-infringement; E-commerce in Poland; Harnessing hidden advertising; and more**

20 DEC 2017

**LAW À LA MODE**

The Asia Pacific editorial team is delighted to bring you the 24th edition of Law à la Mode, the quarterly legal magazine published by DLA Piper's Retail Sector group for clients and contacts of the firm worldwide.

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**Patent venue: a significant shift may be coming**

30 MAR 2017

A case before the Supreme Court has the potential to change forum shopping in patent cases in an immediate and dramatic way.

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**Top franchise cases of 2016**

30 MAR 2017

Joint employer and employee misclassification claims remained hot in franchising throughout 2016.

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**Supreme Court Corner: Q1 2017**

30 MAR 2017

Key Supreme Court decisions in the copyright and patent areas.

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**Women in IP Law: panel examines divided infringement, cyber-risk**

20 DEC 2016

High points from a CLE panel discussion about cutting-edge issues in the IPT space.

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**Supreme Court Corner - Q4 2016**

20 DEC 2016

Two patent cases, two copyright cases

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**Best practices in defending patent litigation**

20 DEC 2016

Key issues for companies that engage in patent litigation.

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**Precarious steps: patent eligibility for healthcare IT**

26 SEP 2016

Three recent Federal Circuit decisions, along with new updates from the USPTO, offer guidance on which steps to take in patenting healthcare IT-related inventions.

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### **Stop them in their tracks: key points in seeking a preliminary injunction against medical device infringers**

22 SEP 2016

Three considerations to bear in mind when bringing or defending a preliminary injunction motion in a medical device infringement case.

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### **Supreme Court Corner: Q3 2016**

26 SEP 2016

Does the Lanham Act's disparagement clause violate the First Amendment or is it impermissibly vague? And does the equitable defense of laches bar a claim for monetary remedies for patent infringement?

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### **Intellectual Property and Technology News (North America), Issue 30, Q2 2016**

28 JUN 2016

#### **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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### **Is your cybersecurity upgrade FDA reportable?**

28 SEP 2016

Draft guidance lends insight into the way the FDA may apply existing postmarket regulatory requirements to evolving cybersecurity-related technological issues.

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### **Cybersecurity: past is prologue**

29 MAR 2016

During 2016, we will likely see another increase in cyberattacks, and we will see cybersecurity being taken more seriously by its potential victims.

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### **Intellectual Property and Technology News (North America), Issue 29, Q1 2016**

29 MAR 2016

#### **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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## Supreme Court Corner: Q1 2016

29 MAR 2016

Two cases to watch.

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## The role of evidence in inter partes review

29 MAR 2016

Explaining some evidentiary issues that have decided PTAB proceedings.

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## Top franchise decisions: two standouts from 2015

29 MAR 2016

What is a joint employer? Two significant cases.

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## Intellectual Property and Technology News (North America), Issue 28, Q4 2015

2 DEC 2015

### [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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## Supreme Court Corner: Q4 2015

2 DEC 2015

A recent fair use decision, plus three significant cases to watch

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## US companies: EU data regulation means new oversight

2 DEC 2015

Many US companies are about to experience new regulatory oversight.

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## Intellectual Property and Technology News (North America), Issue 27, Q3 2015

25 AUG 2015

### [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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## Are IPRs impacting the pharmaceutical industry?

9 JUN 2015

Choosing between IPRs and district court litigation

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## Intellectual Property and Technology News (North America), Issue 26, Q2 2015

9 JUN 2015

### [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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## Supreme Court Corner: Q2 2015

9 JUN 2015

Recent decisions and cases to watch

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## Intellectual Property and Technology News (United States), Issue 25, Q1 2015

24 MAR 2015

### [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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## Supreme Court Corner - Q1 2015

24 MAR 2015

Recent decisions and cases to watch

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## Top franchise matters of 2014

24 MAR 2015

Summarizing three of the year's most significant matters

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## Intellectual Property and Technology News (United States), Issue 24, Q4 2014

18 DEC 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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## 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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#### Patent wars: can the energy industry avoid them?

10 SEP 2014

Proactively navigating the challenges of protecting energy IP

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#### Substitution allowed? State biosimilars laws are evolving

10 SEP 2014

Biosimilar products have not yet reached the US market, but debates on the laws and regulations that will govern them have been raging for some time

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#### Supreme Court Corner - Q3 2014

10 SEP 2014

A review of cases relevant to IPT decided or argued before the Court during Q3

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#### Surviving a trademark opposition challenge: do you have a true "intent-to-use"? 5 key tips

10 SEP 2014

Two precedential decisions from the TTAB

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#### Celebrity endorsements on social media: 7 tips for navigating the right of publicity

26 JUN 2014

How far can you leverage the names and images of celebrities when promoting your brand online?

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## Intellectual Property and Technology News (United States) Issue 22, Q2 2014

26 JUN 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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#### Landmark privacy ruling in Europe on the right to be forgotten

26 JUN 2014

European Court of Justice: search engines must remove the link between search results and a web page if it contains information an individual deems should be “forgotten”

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### Supreme Court Corner - Q2 2014

26 JUN 2014

Key IPT cases before the United States Supreme Court

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### US Congress may act again on patent reform

26 JUN 2014

Recent activity regarding patent trolls

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### DLA Piper launches annual Global Patent Symposium in Tokyo

26 MAR 2014

On November 6, 2013, DLA Piper launched its first Annual Global Patent Symposium in Tokyo, attended by 120 guests, including intellectual property and technology decision-makers from top Japanese companies.

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### Patent litigation heats up in the Southern District of Florida: practical implications for brand owners

26 MAR 2014

Patent litigation is on the rise nationally, with a record number of cases being filed every year. In 2013, over 6,800 cases were filed in the United States, the highest number ever and about a 10 percent increase from 2012.

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### Intellectual Property and Technology News (United States) Issue 21, Q1 2014

26 MAR 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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### Stays pending inter partes review: the first year

26 MAR 2014

Since IPRs became available in September 2012, more than 800 have been requested. What can we learn from looking at use of the new procedures?

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## Supreme Court Corner Q1 2014

26 MAR 2014

A review of cases relevant to intellectual property and technology.

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### Intellectual Property and Technology News (United States) Issue 20, Q4 2013

5 DEC 2013

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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### Intellectual Property and Technology News (United States) Issue 19, Q3 2013

4 SEP 2013

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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### Intellectual Property and Technology News (United States) Issue 18, Q2 2013

4 JUN 2013

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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### Intellectual Property and Technology News (United States) Issue 16, Q4 2012

10 Dec 2012

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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### Intellectual Property and Technology News (United States) Issue 15, Q3 2012

5 Sep 2012

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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### Intellectual Property and Technology News (United States) Issue 14, Q2 2012

26 Jun 2012

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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**Intellectual Property and Technology News (United States)**  
Issue 13, Q1 2012

30 Mar 2012

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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**Intellectual Property and Technology News (United States)**  
Issue 12, Q4 2011

20 Dec 2011

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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**Intellectual Property and Technology News (United States)**  
Issue 11, Q3 2011

12 Sep 2011

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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**Intellectual Property and Technology News**  
Issue 10, Q2 2011

28 Jun 2011

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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**Intellectual Property and Technology News**  
Issue 9, Q1 2011

22 Mar 2011

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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**Intellectual Property and Technology News**  
Issue 8, Q4 2010

9 Dec 2010

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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**Intellectual Property and Technology News**  
Issue 7, Q3 2010

6 Oct 2010

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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Intellectual Property and Technology News  
Issue 6, Q2 2010

18 Jun 2010

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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Intellectual Property and Technology News  
Issue 5, Q1 2010

10 Mar 2010

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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Intellectual Property and Technology News  
Issue 4, Q4 2009

3 Dec 2009

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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Intellectual Property and Technology News  
Issue 3, Q3 2009

11 Sep 2009

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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Intellectual Property and Technology News  
Issue 2, Q2 2009

1 Jun 2009

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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Intellectual Property and Technology News  
Issue 1, Q1 2009

17 Feb 2009

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

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**Patents on the blockchain - Bitcoin and beyond**

29 MAY 2017

Disruptive technologies have transformed the global economy, and will continue to do so at exponential rates. Innovators at the cutting edge of these technologies should carefully review their patenting strategy, or risk being pushed out of emerging market opportunities.

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**Law à la Mode: The dangers of unused trademarks; demonstrating reputation; lowering the cost of retail rent in**

## **Hong Kong; Brexit update; and more**

22 MAY 2017

### **LAW À LA MODE**

The Belgian editorial team is delighted to bring you this special edition of Law à la Mode, marking the 139th INTA Annual Meeting in Barcelona.

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## **Law à la Mode: The future of retail; Green fashion; E-commerce in China; Brexit update: trademarks and design; and more**

3 APR 2017

### **LAW À LA MODE**

The UK editorial team is delighted to bring you the 22nd edition of Law à la Mode, the quarterly legal magazine published by DLA Piper's Retail Sector group for clients and contacts of the firm worldwide.

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## **Artificial intelligence: patentability of an interface between the human brain and a computer**

30 MAR 2017

Drafted appropriately, inventions that allow interaction between the human brain and a computer can indeed be patent-eligible.

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## **NYDFS announces final cybersecurity rules for financial services sector: key takeaways**

22 FEB 2017

The Final Rule's reach is very broad and presents operational challenges. It may prompt other states to enact their own rules.

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## **UAE Central Bank regulations targeting digital currencies**

23 JAN 2017

Paul Allen, Middle East Head of Intellectual Property and Technology, was live on breakfast radio this morning with Dubai Eye discussing the UAE Central Bank's new security requirements for digital payments and virtual currencies.

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## **Central Bank of UAE issues new security requirements for digital payments and prohibits virtual currencies**

16 JAN 2017

Digital payment service providers in the UAE must now comply with a range of new rules including those relating to licensing, data protection and outsourcing

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## **EU: new obligations for digital services providers and operators of essential services**

28 JUN 2016

In line with the EU's broader Cyber Security Strategy, the NIS Directive is a significant step towards a more secure cross-border cyberspace with a high shared level of network and information system security.

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## Law à la Mode: 10 tips when licensing a brand; a new provision for trademark parody; and more

23 May 2016

### [LAW À LA MODE](#)

The French editorial team is delighted to bring you this special edition of Law à la Mode, marking the 138th INTA Annual Meeting in Orlando.

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## China's launch of its own digital currency will shake up the payments industry

1 FEB 2016

On 21 January 2016, the People's Bank of China issued a statement announcing its plan to launch its own digital currency.

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## Ten tips for generating a life sciences brand name

19 NOV 2015

The proliferation of brands, combined with the PR and financial consequences of a potential rebrand in the event of infringement, has made selecting a trademark trickier than ever. Christina Martini and Virginia Wolk Marino report.

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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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## Plan now to use off-band communications during an incident response: key points

27 OCT 2015

A robust IR plan should include communications techniques that operate outside regular company communication methods.

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## Law à la Mode: Co-branding of wearable technologies; Internet of Things and the retail sector; 3D printing and more

9 JUN 2015

### [LAW À LA MODE](#)

The US editorial team is delighted to bring you the sixteenth edition of Law à la Mode, the quarterly legal magazine produced by DLA Piper's Fashion, Retail and Design Group.

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## FTC updates Q&A on Endorsement Guides – changes affect all types of media and endorsement: 5 takeaways

3 JUN 2015

The Endorsement Guides apply equally to all types of media and forms of endorsement

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**Law à la Mode - INTA special edition: Dubai's d3; combating counterfeit goods online; our top 10 tips on IP protection for fashion items; and more**

4 MAY 2015

**[LAW À LA MODE](#)**

DLA Piper's Fashion, Retail and Design group is pleased to bring you this special edition of Law à la Mode, marking the 137th INTA Annual Meeting in San Diego.

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**Law à la Mode: Falling foul of China's trademark system; Retailers need to prepare for the new EU Data Protection Regulation; and New developments in the framework of the copyright protection of handbags**

2 FEB 2015

**[LAW À LA MODE](#)**

A quarterly e-magazine from our Fashion, Retail and Design Group with the latest industry news, comment and legal updates. This edition has been edited by our Italian colleagues.

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**Law à la Mode - Edition 14**

24 OCT 2014

**[LAW À LA MODE](#)**

A quarterly e-magazine from our Fashion, Retail & Design Group with the latest industry news, comment and legal updates, with a particular focus on technology in this edition.

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**Bitcoin: Bringing you up to speed on a digital currency**

7 JUL 2014

While the use of Bitcoin may not presently be widely accepted like cash or electronic funds transfers, it is undeniable that the interest and market opportunities for Bitcoin are rapidly increasing.

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

4 JUL 2014

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

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**Law à la Mode**

13 MAY 2014

## [LAW À LA MODE](#)

A quarterly e-magazine from our Fashion, Retail & Design Group with the latest industry news, comment and legal updates, with a particular focus on technology in this edition.

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### **Law à la Mode Edition 12 - Winter 2013/14**

13 JAN 2014

## [LAW À LA MODE](#)

The Middle East editorial team is delighted to bring you the Winter edition of Law à la Mode, the quarterly legal magazine from our global Fashion, Retail, and design group.

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### **China amends trademark law: practical implications for brand owners**

5 DEC 2013

China's eagerly anticipated amendments to its Trademark Law will come into force on May 1, 2014. Brand owners must move quickly to come to grips with the practical implications.

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### **Is Delaware the new Texas? A neck-and-neck race to the finish**

5 DEC 2013

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### **Supreme Court Corner: Q4 2013**

5 DEC 2013

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### **Trade Dress Watch: A case for counterfeit trade dress**

5 December 2013

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### **Law à la Mode**

14 OCT 2013

## [LAW À LA MODE](#)

An e-magazine from our Fashion, Retail & Design Group with the latest industry news, comment and legal updates.

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

12 SEP 2013

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## Supreme Court corner - Q3 2013

4 SEP 2013

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## The future of DNA patents

4 SEP 2013

The US Supreme Court rules on the patentability of a test for breast cancer related genes - a decision that, we find, is a partial victory for all involved.

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## The impact of inter partes review on patent litigation

4 SEP 2013

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## The right of publicity in college sports

4 SEP 2013

College athletes' right-of- publicity claims have the potential to dramatically alter current business models.

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## Trade Dress Watch - the value of trade dress litigation is on the rise

4 September 2013

Do you need an enforcement strategy to protect your trade dress?

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## Law à la Mode

31 JUL 2013

### [LAW À LA MODE](#)

An e-magazine from our Fashion, Retail & Design Group with the latest industry news, comment and legal updates.

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

11 JUL 2013

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## *In the ITC*: ITC or district court? Look at the math

4 JUN 2013

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***In the ITC: The public interest factors – newest patent troll countermeasure?***

4 JUN 2013

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**Supreme Court Corner: Q2 2013**

4 JUN 2013

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**The new gTLDs and the Trademark Clearinghouse: four tips for brand owners**

4 JUN 2013

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**Law á la Mode**

26 APR 2013

**LAW À LA MODE**

An e-magazine from our Fashion, Retail & Design Group with the latest industry news, comment and legal updates.

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

11 MAR 2013

Practical considerations for US federal contractors

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**Corporate governance also means protecting your technology and information**

7 MAR 2013

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**Intellectual Property and Technology News (United States)**

Issue 17, Q1 2013

7 MAR 2013

**INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS**

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**Supreme Court Corner: Q1 2013**

7 MAR 2013

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**The AIA's one-year grace period - a trap for the unwary?**

7 MAR 2013

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## Top franchise cases of 2012

7 MAR 2013

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## Trade dress watch

7 MAR 2013

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## EU releases cybersecurity strategy

15 FEB 2013

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

14 FEB 2013

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## Law à la Mode Edition 8 - Winter 2012/2013

11 JAN 2013

### [LAW À LA MODE](#)

An e-magazine from our Fashion, Retail & Design Group with the latest industry news, comment and legal updates.

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## Auditing Colombia's agriculture IP

10 Dec 2012

A DLA Piper team audits Colombia's agriculture-related IP and sought to identify Colombian agricultural innovations which are not protected by patents and may have export value.

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## Colombia: gateway to South America's Patent Prosecution Highway

10 Dec 2012

Understanding the need for more robust patent laws, the Colombian government is aggressively reshaping its IP system.

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## **Divided court revives divided infringement**

10 Dec 2012

A recent Federal Circuit decision restores a type of patent infringement claim that it had extinguished five years earlier. The issue is: can a defendant be liable for infringement of a method claim when no single actor commits all the acts that constitute direct infringement?

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## **Trademark or certification mark? The standards body's dilemma**

10 Dec 2012

When standards bodies look to protect the marks associated with their standards, they are faced with a dilemma: should they use trademarks or certification marks? One may think the answer is obvious: "certification" seems to be what standards bodies do, and therefore a standards body should always use certification marks. But the obvious answer is not always the right one. Some standards bodies find that trademarks better fit their needs.

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## **China's patent litigation landscape shifts**

5 Sep 2012

China bested the United States to become the No. 1 patent filing country in the world in 2011 by obtaining 526,412 invention patent applications, compared to 503,582 utility patent applications in the US. Of these, 79 percent went to domestic Chinese entities, as compared to 49.2 percent to domestic entities in the US.

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## **Ongoing royalties: a new development in patent damage awards**

5 Sep 2012

Following the Supreme Court decision in *eBay, Inc. v. MercExchange, LLC*,<sup>1</sup> injunctions do not automatically follow from a finding that a patent is infringed and not invalid. In cases where an injunction is denied, in lieu of the injunction the district court has the power to award what are called "ongoing royalties," a relatively new development in patent damages.

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## **Privacy and your business**

5 Sep 2012

Privacy has become an issue that 21st century business leaders and GCs cannot ignore or leave to the engineers. In the information age, personal data is a key asset for many businesses and a centerpiece of business opportunities.

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## **An interview with the Honorable Arthur J. Gajarsa, Senior Judge of the US Court of Appeals for the Federal Circuit, on uniform patent law, pro bono work and fine Italian spirits**

26 June 2012

As the Federal Circuit heads into an era of transition, Judge Gajarsa sat down with his former clerk, DLA Piper's Aaron Fountain, to share his observations

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## **IP industries spur US economy**

26 Jun 2012

IP-related industries support at least 40 million jobs and contribute more than US\$5 trillion of the US gross domestic product – that is, about 35 percent of the GDP.<sup>1</sup>

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## **Uncertain future: patentability of gene-based inventions in the US**

26 Jun 2012

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## **Your patent portfolio: how much is it worth and what are you going to do about it?**

26 Jun 2012

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## **Trade Dress Watch: protecting a color**

4 June 2013

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## **Law à la Mode**

1 MAY 2012

[LAW À LA MODE](#)

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## **A new breed of damages trial**

30 Mar 2012

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## **America Invents Act: will the joinder provisions save time and money?**

30 Mar 2012

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## **Commit an IP crime - do the time**

30 Mar 2012

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## **Top franchise cases of 2011**

30 Mar 2012

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## Federal agencies, Congress accelerate defense against cyber attacks – every private company will be affected

21 Mar 2012

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## Whose followers are they, and how much are they worth?

3 JAN 2012

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## An Interview with The Honorable Donald F. Parsons, Jr. Vice Chancellor of the Delaware Court of Chancery

20 Dec 2011

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## Embryonic stem cell derivations are not patentable in the EU

20 Dec 2011

The Court of Justice of the European Union (CJEU)<sup>1</sup> ruled in *Brüstle v Greenpeace*,<sup>2</sup> that processes involving derivation of stem cells from a human embryo at the blastocyst stage, entailing the destruction of that embryo, cannot be patented.

*Brüstle* concerns a patent for isolated and purified neural precursor cells derived from human blastocysts. Central to the case was the interpretation of Article 6(2)(c) of Directive 98/44/EC (the Biotech Directive),<sup>3</sup> which excludes patentability of inventions involving “the use of human embryos for industrial or commercial purposes.”

The CJEU decision followed Advocate General Yves Bot’s March 2011 opinion that neither totipotent nor pluripotent stem cells from an embryo that has been modified or destroyed are patentable. In reaching its decision, the CJEU held that the definition of an “embryo” should be read broadly, to include any fertilized ovum whether created by transfer of a nucleus from another mature cell or stimulated to cell division by parthenogenesis. Further, the CJEU decided that processes involving a human embryo are only patentable if therapeutic or diagnostic purposes are applied to and are useful to the human embryo.

### The CJEU decision

The CJEU determined that the intent and purpose of the Biotech Directive was to remove any possibility of patentability where human dignity could thereby be harmed. Thus, the concept of “human embryo” must be understood broadly. Accordingly, the CJEU ruled:

- Any human ovum after fertilization, any non-fertilized human ovum into which the cell nucleus from a mature human cell had been transplanted and any non-fertilized human ovum whose division and further development have been stimulated by parthenogenesis constitute a “human embryo.”
- The referring court should ascertain whether a stem cell obtained from a human embryo at the blastocyst stage constitutes a “human embryo” within the Directive’s meaning. However, it was clear from the CJEU’s ruling that such a cell line would not be patentable.
- The use of a human embryo for therapeutic or diagnostic purposes which were applied to the human embryo and were useful to it are *prima facie* patentable.
- If an invention does not itself “use” human embryos, but relates to a product necessitating prior destruction of a human embryo or a process requiring a base material obtained from such destruction, then that invention would not be patentable.

Some research has shown that human embryonic stem cells offer advantages in cellular therapies over other cell lines. By holding that inventions relating to processes for deriving cells from human embryos, or cell lines derived from those processes, are not patentable, the CJEU has reduced the scope within the EU of proprietary protection for inventions relating to embryonic stem cells. Its decision that the

definition of embryo should encompass cells derived from parthenogenesis as well as any fertilized ova may also affect those with rights in cell lines and processes covering cell lines derived from fetal tissue.

The decision does not mean such processes or cell lines are not valuable or protectable. Research and innovation will go on and will likely be protected as trade secrets. This could mean that discoveries may be held closely, rather than shared in the scientific community.

There is concern in the industry that in the absence of patent protection, European companies and universities may find it harder to obtain funding for research, and investment may shift to markets that afford patent protection. Because Europe retains a significant knowledge base, it is likely research funding will go on; indeed, because of the *Brüstle* decision, activities enabling stem cell technologies, adult stem cells and iPS cell technologies may grow. In the race toward cellular therapies, companies with pioneering processes using human embryonic stem cell lines will have to decide whether to apply for patent protection in such countries, with no prohibition on others reproducing their work in Europe, or decide not to file for patent protection anywhere, keeping their knowledge confidential and thereby keeping a competitive edge.

The CJEU decision has firmly placed protection of commercial rights in embryonic cell lines, the processes to derive such stem cells and the application of those lines in cellular therapy into the realm of contractual rights. It remains to be seen whether the *Brüstle* decision will affect stem cell research toward therapeutic applications in the EU.

For more information about the CJEU's decision, please contact:

**Philippa Montgomerie**

**Grant Strachan**

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1. Formerly the European Court of Justice (ECJ).

2. Case C-34/10 *Oliver Brüstle v Greenpeace e.V.*

3. Directive 98/44/EC of the European Parliament and of the Council of 6 July 1998 on the legal protection of biotechnological inventions.

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## Federal Circuit rules that gene patents are valid

20 Dec 2011

In a decision of landmark importance for the biotechnology industry, the Federal Circuit recently held that isolated genes remain patentable subject matter.

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## Law à la Mode

1 DEC 2011

[LAW À LA MODE](#)

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## Cloud computing and how to use it

12 Sep 2011

The use of cloud computing technology has grown significantly as IT departments have sought to extend their existing capabilities without investing significantly in new infrastructure or training new personnel.

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## One size does not fit all: protecting trade secrets when drafting employment agreements

12 Sep 2011

In this competitive, potentially litigious environment, companies should consider customizing employment agreements for each position, and in some cases, for each individual employee, especially those in executive and leadership roles.

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### **UK: The real risk of cyber attack**

1 AUG 2011

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### **An interview with The Honorable Paul J. Luckern, Chief Administrative Law Judge of the US International Trade Commission**

28 Jun 2011

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### **Commissioner for Patents speaks at DLA Piper**

28 Jun 2011

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### **EDTX closely scrutinizes nuisance value settlement strategy**

28 Jun 2011

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### **Franchising and IP: joined at the hip, all over the world**

28 Jun 2011

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### **IPT in the world's emerging markets: Our top ten predictions**

28 Jun 2011

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### **A review of 2010's patent litigation trends at the United States International Trade Commission**

22 Mar 2011

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### **Current developments in the trilateral patent offices**

22 Mar 2011

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### **Implementing the Biologics Price Competition and Innovation Act?**

22 Mar 2011

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**Patent litigation forum shopping in the EU**

22 Mar 2011

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**Reprocessing and resale of single use medical devices: a multinational view**

22 Mar 2011

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**Your own dot com: ICANN announces new GTLD rollout**

22 Mar 2011

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**An interview with the honorable Randall R. Rader, Chief Judge of the US Court of Appeal for the Federal Circuit**

9 Dec 2010

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**Claim to standard: simplifying patent infringement analysis?**

9 Dec 2010

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**Patents down under**

9 Dec 2010

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**Protecting your brand on a global scale**

9 Dec 2010

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***Bilski's* impact on software patents**

6 Oct 2010

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***Bilski's* impact on finance industry patents**

6 Oct 2010

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***Bilski's* impact on life science patents**

6 Oct 2010

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**Building strong relationships: former US Secretary of Defense William S. Cohen speaks in Tokyo**

6 Oct 2010

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**Supreme Court issues *Bilski* decision**

6 Oct 2010

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**The ITC rolls out the red carpet for patent trolls**

6 Oct 2010

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**Update: False patent marking cases**

6 Oct 2010

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**An interview with David Kappos, Under Secretary of Commerce for Intellectual Property and Director of the USPTO**

18 Jun 2010

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**China: Patent protection is alive and well**

10 Mar 2010

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**EPO tightens patent prosecution timeline**

10 Mar 2010

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**FTC's new guidelines could change how testimonials are used in social media**

10 Mar 2010

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**Ordering online: good for customer... and for plaintiffs**

10 Mar 2010

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**Patent litigation in the ITC: the year in review**

10 Mar 2010

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**Spiders, bots and other creepy crawlers: protecting your company website**

10 Mar 2010

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**Will Bon Tool open the floodgates to patent marking trolls?**

10 Mar 2010

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***Prometheus v. Mayo*: A win for personalized medicine**

3 Dec 2009

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**IP in bankruptcy: protecting your interests and taking advantage of buy-side opportunities**

3 Dec 2009

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**Licensing essential patents in Germany: when the compulsory license defense applies**

3 Dec 2009

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**Microsoft petitions for lower burden of proof on patent invalidity**

3 Dec 2009

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**Supreme strategies in IP cases**

3 Dec 2009

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**Change is here: finding fraud at the TTAB**

11 Sep 2009

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**Reexamination: a cost-effective alternative**

11 Sep 2009

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**Will less control over licensing mean more litigation?**

11 Sep 2009

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## Events

### Upcoming

#### **Spies among us: Protecting your company from the rise in trade secret theft**

October 5, 2022 | 1:00 - 2:00 pm EST  
Webinar

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### Previous

#### **NFTs and the metaverse in retail**

September 20, 2022 | 2:00 - 3:00 pm ET  
Consumer Goods and Retail speaker series  
Webinar

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#### **The meteoric rise of the data centre: Key drivers behind global demand**

14 June 2022  
Webinar

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#### **A fireside chat with Holly Etlin, Managing Director at AlixPartners: The current state of the retail industry**

27 April 2022  
Consumer Goods and Retail speaker series  
Webinar

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#### **Mitigating your risk in a time of growing consumer protection enforcement and litigation**

23 March 2022  
Consumer Goods and Retail speaker series  
Webinar

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#### **Considerations for China Inbound IP-related Transactions**

3 March 2022 | 12:00 pm EST  
Webinar

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#### **DLA Piper GDPR Fines and Data Breach Survey 2022 - webinar**

20 January 2022  
Webinar

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### **A fireside chat with Nicole Gates, Senior Corporate Counsel at Dr. Seuss Enterprises: Coming trends in consumer goods and retail**

16 December 2021  
Consumer Goods and Retail speaker series  
Webinar

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### **Software and technology licenses in LatAm and Cross-Border Deals**

18 November 2021 | 11:30 am EST - 12:30 pm EST  
Webinar

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### **US employment laws and updates**

17 November 2021  
Consumer Goods and Retail speaker series  
Webinar

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### **China law, trade and IP 2021**

10 November 2021 | 4:30 - 6:30 PT  
Webinar

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### **GSK v. Teva: Induced Infringement Liability the Fate of Section VIII Carve-Outs**

9 November 2021 | 9:30 am - 10:30 am ET  
New York

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### **Trade dress and unconventional trademarks**

20 October 2021 | 2:00 - 3:00 ET  
Consumer Goods and Retail speaker series  
Webinar

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### **False advertising 101**

15 September 2021 | 2:00 - 3:00 ET  
Consumer Goods and Retail speaker series  
Webinar

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### **Everything you wanted to know about NFTs**



15 September 2021 | 10:00 PT  
Webinar

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## **Embracing Digital Evolution**

15 September 2021  
Webinar

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## **PIPL has finally arrived - changes to China's data privacy framework**

2 September 2021  
Webinar

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## **EDPB, SCCs and Brexit: The future of global data transfers**

8 July 2021  
Webinar

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## **How the future of blockchain will impact the boardroom**

24 June 2021 | 1:30 - 2:45 PDT  
Webinar

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## **Security Event: "Can I Pay the Ransom?"**

23 June 2021 | 12:30 – 1:30 EDT  
Webinar

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## **New EU Standard Contractual Clauses (SCC's)**

21 June 2021  
Webinar

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## **Global SEP licensing and litigation: A fresh look at strategies to manage risk**

26 May 2021 | 4:00 p.m. BST | 5:00 p.m. CEST | 8:00 a.m. PDT | 10:00 a.m. CDT | 11:00 a.m. EDT | 11:00 p.m. CST (Shanghai)  
Webinar

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## **IP strategies and litigation for life sciences companies**

25 May 2021 | 12:00 - 1:00 ET  
Webinar

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## **Non-fungible tokens: Understanding the complex legal issues in this revolution for copyright holders**

12 April 2021 | 1:00 - 2:00 ET

Webinar

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## **Outsourcing: A Practical Guide, Second Edition**

24 March 2021

Webinar

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## **Transforming UK Public Procurement: The Good, the Bad and the Ugly?**

2 March 2021

Webinar

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## **Virtual currency in unclaimed property**

19 February 2021 | 2:00 – 3:00 ET

Webinar

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## **Data and evidence challenges in cross-border IP disputes and investigations: Key developments and practical tips**

20 January 2021 | 10:00 - 11:00 ET

Data and evidence challenges in cross-border IP disputes and investigations: Key developments and practical tips

Webinar

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## **Data and evidence challenges in cross-border IP disputes and investigations: Key developments and practical tips**

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

Data and evidence challenges in cross-border IP disputes and investigations: Key developments and practical tips

Webinar

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## **Tech for Execs: Blockchain for Business**

8 December 2020 | 12:00 - 1:00 CST

Webinar

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## **The New Dutch Franchise Act: A paradigm shift for franchise in the Netherlands**

3 December 2020

Webinar

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

19 November 2020  
Webinar

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## **14th annual Women in IP Law program**

17 November 2020 | 1:00 - 2:00 ET  
Webinar

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## **Planning for an Uncertain World**

16 November 2020  
TechLaw Event Series  
Webinar

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## **Trials in the time of COVID-19**

12 November 2020 | 3:00 - 4:00 p.m. ET  
Webinar

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## **Policy expectations and risk management considerations**

13 October 2020 | 2:00 - 3:00 ET  
Webinar

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## **The new European Electronic Communications Code and technology companies**

1 October 2020 | 9:00 – 10:00 PDT  
Webinar

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## **NEWS**

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### **DLA Piper advises Nearmap on its acquisition by Thoma Bravo**

23 August 2022

Global law firm DLA Piper is advising ASX-listed tech company Nearmap on its AUD1.05 billion acquisition by US private equity firm Thoma Bravo.

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### **Jason Lueddeke named to the *Daily Journals* 2022 Top 40 Under 40 list**

4 August 2022

DLA Piper is pleased to announce that Jason Lueddeke has been named to the *Daily Journals* 2022 Top 40 Under 40 list.

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### **DLA Piper announces new firm, practice and office leadership**

18 July 2022

DLA Piper is pleased to announce a number of leadership changes across the firm.

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### **Global investment in data centres more than doubled in 2021 with similar trajectory this year**

13 June 2022

A survey by global law firm DLA Piper has found that the value of investment in global data centres more than doubled in 2021 to USD53.8 billion, while the number of transactions reached 113 in 2021, a 64% annual increase.

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### **Angela Agrusa named to the *Los Angeles Business Journal's* 2022 Top 100 Lawyers list**

17 May 2022

DLA Piper is pleased to announce that Angela Agrusa, managing partner of the firm's Los Angeles offices, was named to the *Los Angeles Business Journal's* 2022 Top 100 Lawyers list.

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### **DLA Piper expands Intellectual Property and Technology group with the addition of J. Kevin Fee in Washington, DC**

16 May 2022

DLA Piper has added nationally regarded Intellectual Property and Technology partner J. Kevin Fee to its Washington, DC office. Fee will be part of the Trademark, Copyright & Media subgroup.

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### **DLA Piper expands its Intellectual Property & Technology practice with the addition of Melissa Harwood, Ph.D. in Seattle**

4 May 2022

DLA Piper is expanding its Intellectual Property & Technology practice with the arrival of Melissa Harwood as partner in the firm's Seattle office. Harwood will be part of the Intellectual Property & Technology practice's Patent Prosecution subgroup.

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### **Jason Lueddeke named to the *Daily Journal's* 2022 Top Intellectual Property Lawyers list**

21 April 2022

DLA Piper is pleased to announce that Jason Lueddeke has been named to the *Daily Journals* 2022 Top Intellectual Property Lawyers list.

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### **DLA Piper advises Fyllo on the acquisition of Semasio**

19 April 2022

DLA Piper has advised Fylo, a compliance-first platform providing data-driven marketing and regulatory solutions for high-growth industries, on the signing of a Stock Purchase Agreement with Semasio, a pioneer in unified targeting for digital marketing.

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### **DLA Piper's Deborah Meshulam and Michael Fluhr co-edit ABA book on Cryptocurrency and Digital Asset Regulation**

12 April 2022

DLA Piper is proud to announce that Deborah Meshulam and Michael Fluhr have co-edited the book *Cryptocurrency and Digital Asset Regulation: A Practical Guide for Multinational Counsel and Transactional Lawyers*.

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### **DLA Piper appoints Helena Kiepura to Vice Chair of the firm's International Trade Commission practice**

3 March 2022

DLA Piper is pleased to announce the appointment of Washington, D.C. partner Helena Kiepura to Vice Chair of the firm's International Trade Commission practice.

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### **The World's Leading Trademark Professionals recognizes 40 DLA Piper lawyers**

2 March 2022

DLA Piper continues to be widely recognized by *World Trademark Review 1000: The World's Leading Trademark Professionals*, which has named 40 DLA Piper lawyers to its 2022 list of top trademark professionals. The list of DLA Piper trademark experts includes 9 lawyers in multiple key United States jurisdictions, reflecting the practice's deep bench and strategic national reach. These individuals are **Ryan Compton, Andrew Deutsch, Gina Durham, Tamar Duvdevani, Ann Ford, Michael Geller, David Kramer, Keith Medansky** and **Thomas Zutic**. In addition to individual accolades, DLA Piper is ranked as a top national trademark firm with additional nods for the firm's Illinois and Washington, DC departments.

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### **DLA Piper advises StreetLight Data in its acquisition by Jacobs**

10 February 2022

DLA Piper represented StreetLight Data, Inc., a leader in mobility analytics, in its recent acquisition by Jacobs, a professional services company offering consulting, technical, scientific and project delivery services for the government and private sector.

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### **Leading IP strategists and renowned patent lawyers Raymond Miller, Nicole Endejann and Joseph Helmsen join DLA Piper's award-winning Intellectual Property and Technology practice and Life Sciences sector**

24 January 2022

DLA Piper announced today that Raymond Miller, Nicole Endejann and Joseph Helmsen have joined the firm's industry-renowned Intellectual Property and Technology (IPT) practice and Life Sciences sector as partners. The team has worked together for nearly 20 years and has been recognized in the industry as among the 300 World Leading IP Strategists and among the World's 1000 best patent practitioners by IAM Media, the definitive resource that identifies world-class, private practice patent expertise.

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### **Andrew Serwin named a 2022 Top Cyber Lawyer by the *Daily Journal***

20 January 2022

DLA Piper is pleased to announce that Andrew Serwin, US chair and global co-chair of the firm's Cybersecurity and Data Protection,

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Privacy and Security practices, has been named to the *Daily Journals* 2022 Top Cyber Lawyers list recognizing top-tier cybersecurity lawyers practicing in California.

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### **DLA Piper receives 2021 Intellectual Property Practice Group of the Year award from *Law360***

20 January 2022

DLA Piper is pleased to announce that *Law360* has named the firm's Intellectual Property and Technology practice a Practice Group of the Year for 2021.

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### **Christopher Halliday joins DLA Piper's Patent Prosecution practice and Life Sciences sector in Philadelphia**

18 January 2022

DLA Piper announced today that Christopher Halliday has joined the firm's Patent Prosecution practice and Life Sciences sector as a partner in Philadelphia.

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### **Tom Ara named to *Variety500* list recognizing the most influential business leaders shaping the global media industry**

5 January 2022

DLA Piper is pleased to announce that Tom Ara, co-chair of the firm's Entertainment Transactions and Entertainment Finance practices, has been named to the *Variety500*, an annual list by *Variety* of the 500 most influential business leaders shaping the global media industry.

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### **William "Skip" Fisher joins DLA Piper's Intellectual Property and Technology practice in Seattle**

3 January 2022

DLA Piper announced today that William "Skip" Fisher has joined the firm's Seattle office as a partner in the Intellectual Property and Technology practice. Fisher was previously a partner in DLA Piper's Shanghai office.

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### **DLA Piper lawyers ranked in *Chambers FinTech 2022***

13 December 2021

DLA Piper is pleased to announce that the firm received 19 firm rankings and 14 individual lawyer rankings in the *Chambers FinTech 2022* guide.

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### **DLA Piper partner Keith Medansky honored by Kaplan Educational Foundation as a Champion of Equity and Inclusion**

17 November 2021

DLA Piper is pleased to announce that Keith Medansky, a partner in the firm's Chicago office and co-chair of the Chicago Intellectual Property practice, was recently honored by the Kaplan Educational Foundation (KEF) as a Champion of Equity and Inclusion.

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### **Campos Mello Advogados ranked in *Chambers Brazil* guides**

29 October 2021

DLA Piper today announced that Campos Mello Advogados (CMA), which has a cooperation agreement with DLA Piper, received multiple accolades in the *Chambers Brazil: Industries, Sectors and Regions*, *Chambers Brazil: Contentious* and *Chambers Brazil: Transactional* 2021 guides.

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### **Ardith Bronson, Isabel De Obaldia and Rebecca Jones McKnight named to The American Lawyer's list of 2021 South Trailblazers**

4 October 2021

DLA Piper is pleased to announce that Ardith Bronson, Irma Isabel De Obaldia and Rebecca Jones McKnight have been named to *The American Lawyer's* inaugural list of South Trailblazers. The list recognizes professionals in the South "who have moved the needle in the legal industry."

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### **Mike Peacock named to Emerging Leaders of Gaming 40 Under 40 list**

23 September 2021

DLA Piper is pleased to announce that Mike Peacock, an associate in the firm's Intellectual Property and Technology practice, has been named by Emerging Leaders of Gaming and *Global Gaming Business* magazine as a member of the Emerging Leaders of Gaming 40 Under 40 Class of 2022. The list recognizes young professionals making significant impacts in the casino gaming industry.

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### **DLA Piper partner Tamar Duvdevani named a Law360 Intellectual Property MVP**

14 September 2021

DLA Piper is pleased to announce that New York Chair of Intellectual Property and Technology Tamar Duvdevani has been named a 2021 *Law360* Intellectual Property MVP.

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### **Licia Vaughn named to the San Diego Business Journal's 2021 Women of Influence List**

9 August 2021

DLA Piper is pleased to announce that Licia Vaughn has been named to the *San Diego Business Journal's* 2021 Women of Influence: 50 Over 50 list recognizing the accomplishments of local female trailblazers.

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### **DLA Piper team wins preliminary injunction blocking Florida's social media "deplatforming" law**

1 July 2021

DLA Piper obtained a preliminary injunction yesterday blocking enforcement of Florida's social media "deplatforming" law.

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### **Jennifer Librach Nall and Helena Kiepura join DLA Piper's Intellectual Property and Technology practice**

3 June 2021

DLA Piper announced today that Jennifer Librach Nall and Helena Kiepura have joined the Patent Litigation subgroup of the firm's Intellectual Property and Technology practice.

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### **DLA Piper lawyers and practices ranked in latest Chambers edition**

1 June 2021

DLA Piper today announced that the firm received 216 lawyer rankings and 94 firm rankings in *Chambers USA's* 2021 guide.

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### **Angela Agrusa named to the *Los Angeles Business Journal's* 2021 Women of Influence list**

28 April 2021

DLA Piper is pleased to announce that Angela Agrusa was named to the *Los Angeles Business Journal's* 2021 Women of Influence: Attorneys list honoring Los Angeles's most influential women attorneys.

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### **DLA Piper LLP (US) announces new firm and practice leadership positions**

8 March 2021

DLA Piper LLP (US) is pleased to announce a number of firm and practice leadership changes.

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### **DLA Piper's Luxembourg team enters World Trademark Review ranking**

25 February 2021

Our Luxembourg office is pleased to announce that we have been ranked as a recommended law firm in the World Trademark Review.

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### **36 DLA Piper lawyers in 11 countries ranked among *The World's Leading Trademark Professionals***

24 February 2021

*World Trademark Review 1000: The World's Leading Trademark Professionals* has named 36 DLA Piper lawyers from 11 countries to its 2021 list of top trademark professionals.

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### **Retired Judge Andrew Peck appointed as Judicial Emeritus member of Sedona Conference Working Group 1 Steering Committee**

5 January 2021

DLA Piper is pleased to announce that former United States Magistrate Judge Andrew J. Peck has been appointed by The Sedona Conference as a Judicial Emeritus member of the Steering Committee of Working Group 1 (WG1), effective January 2021.

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### **Nine DLA Piper lawyers recognized by BTI Consulting Group for superior client service**

10 December 2020

DLA Piper is pleased to announce that BTI Consulting Group has recognized nine of its lawyers for providing superior service to clients.

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### **Tamar Duvdevani named a *Hollywood Reporter* Top 20 New York Power Lawyer**

9 December 2020

DLA Piper is pleased to announce that partner Tamar Duvdevani, the Intellectual Property and Technology chair of the New York office, has been named to *The Hollywood Reporter's* inaugural Power Lawyers list of Top 20 New York Entertainment Attorneys.

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### **DLA Piper shortlisted by the *Financial Times* for five FT North America Innovative Lawyers awards**



8 December 2020

DLA Piper is pleased to announce it has been shortlisted by the *Financial Times* for five FT North America Innovative Lawyers 2020 awards.

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### **DLA Piper advises The Shrink Space in its acquisition by ProtoCall Services**

30 November 2020

DLA Piper represented The Shrink Space, a referral management software platform widely used by university counseling centers, students and behavioral health providers, in its recent acquisition by ProtoCall Services, a leading provider of telephonic crisis intervention and behavioral health assessment services.

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