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# Life Sciences & Healthcare

September 2019



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CMS is a global law firm offering you sector strength and depth of expertise in all of the key areas of interest to your business. Our dedicated team of more than 300 lawyers, patent attorneys, scientists and academics around the world, work with the global top 20 pharmaceutical companies, the global top 10 medical device companies, the largest biotechnology company and start-ups and the most significant health and social care providers. We bring you practical and commercial legal solutions for both your everyday matters and strategic projects.



## Global footprint

CMS is a top 10 global law firm by headcount and the largest law firm in Europe, delivering seamless coordination and collaboration to you in Europe, Africa, Asia-Pacific, Middle East, and South America. We also bring together leading law firms in Asia-Pacific through the Lifesciences Asia-Pacific Network (LAN). We truly understand the sector's legal and regulatory markets around the world and are ready to help you with your legal needs.



## Full sector offering

We advise on the complex regulatory, product liability, competition, procurement, commercial, real estate, clinical and IP issues including patent prosecution, EPO opposition and regulatory exclusivity product life extension. We also deal with more exceptional matters such as disputes, M&A and financing. All of this enabling us to deliver a one-stop solution to you and your business.



## Working with the local and global community

Many of our partners are active members of key industry bodies including the Association of the British Healthcare Industries (ABHI), Association of the British Pharmaceutical Industry (ABPI), MedTech Europe, AvaMed, Young Excellence in Healthcare (YEH) and EUCOMED. Through these memberships, we not only share news and developments impacting the industry and business of our clients in a timely manner, we also help shape and draft policies. This ensuring the needs of our clients are met in this highly regulated and governed sector.



# Awards and Rankings



**Highly distinguished sector group** recognised by the **legal directories and leading industry press**, including Chambers Global, the local Chambers & Partners guides, Legal 500, LMG Life Sciences Europe and mergermarket



#1 in Legal 500 in China, France, Switzerland and UK (London and Scotland)

## 4 top awards



- 'CEE M&A Legal Adviser of the Year (2018)' by Mergermarket Europe M&A
- 'CEE Deal of the Year (2018)' by CEE Legal Matters
- 'Healthcare Law Firm of the Year (2018)' in Germany by JuVe
- 'Legal Advisors of the Year (2018) – Private' in the UK by HealthInvestor



A 'global powerhouse with deep expertise in the healthcare and life sciences sector', CMS earns a top position thanks to its genuine dedication to the field. Delivering 'strong knowledge of the applicable law', 'significant practical experience' and a 'consistently thorough approach'.

*Legal 500*



# How we help you

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By putting your legal needs first, we provide you with a one-stop shop:

- Advertising and promotion of medicines
- Anti-bribery and corruption
- Anti-Trust/Competition
- Banking and finance
- Branding, trade dress and labelling
- Business development transactions
- Business restructuring
- Clinical risk management
- Clinical trials
- Collaboration and licensing
- Contracts
- Copyright
- Dispute resolution
- EC regulations on GMP, GCP and GLP
- Employee incentives
- Employment
- Environment
- European and national procedures for trade licences
- Financing (equity and debt)
- Funding of pharmaceutical and biotechnology projects
- Health and safety
- Healthcare regulatory
- Immigration
- Information technology
- Insurance
- International arbitration
- Lobbying
- M&A/Joint Ventures
- Media and reputational issues
- Outsourcing
- Parallel import
- Patents, trademarks and other intellectual property rights
- Personal data protection
- Pricing and reimbursement
- Product liability
- Public procurement
- R&D agreements
- Real estate
- Regulations in the area of medical aid, food and cosmetics
- Supply chain and logistics
- Toll manufacturing
- Taxation



This firm bristles with the talent and experience necessary for a comprehensive life sciences practice, and excels accordingly. Core areas of strength include product liability and patent litigation, competition law, regulatory advice, commercial and corporate support.

*Chambers & Partners*



# Leading the way

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Together we regularly produce thought leadership reports and host events on the issues impacting the sector.



**AI in Life Sciences** – A report looking at the types of AI that are being developed and how they are being put to use in the life sciences industry; the difficult legal issues that lawyers and clients are facing, including a look at the increasingly

important Chinese legal landscape; and provide a review of “ethical AI” and what AI developers need to take into account to ensure that their products are trusted by consumers. Download the report: <https://cms.law/en/INT/Publication/Al-in-Life-Sciences>



**Vital Signs** – In 2017, Professor Sir John Bell published the well-received ‘Life Sciences Industrial Strategy’. Our launched thought leadership survey explored which of Sir John’s many recommendations have the greatest potential to create

long-term growth and which of its objectives stand most chance of success. The report is based on findings from over 100 senior life sciences executives from private sector companies, academia, charities and investment institutions and shows that the industry is sceptical about some elements of Sir John Bell’s Strategy. Download the report here: <https://cms.law/en/GBR/Publication/Vital-Signs>



**Top developments and predictions for the Life Sciences & Healthcare Sector in China** – In 2018, we saw the Chinese government focus on establishing policies and measures to promote faster avenues for the development

and registration of urgently-needed drugs and innovative medical devices, as well as cracking-down on increasing drug prices, misleading advertising and product liability. We expect to see stricter regulations this coming year that fortify existing intellectual property rights protection and data protection regulations as the sector continues to develop its digital health initiatives. Download the report: <https://cms.law/en/INT/Publication/Top-developments-and-predictions-for-the-Life-Sciences-Healthcare-Sector-in-China>



**Transforming health and social care** – At a roundtable event in London in September 2018, CMS assembled a selection of healthcare operators, industry experts, healthtech companies and CMS Partners to discuss the potential impact of artificial

intelligence (AI) and other related technologies on the UK health and social care sector. In this report, we capture the future direction of technology in the industry and how it might overcome the inherent hurdles preventing much-needed modernisation. Download the report here: <https://cms.law/en/GBR/Publication/Transforming-health-and-social-care>

**Global Life Sciences & Healthcare Forum** – Annually host a Forum focused on the key issues impacting the sector. Please contact us for more details.

**Training and webinars** – We offer a range of tailored training sessions for our clients, as well as a programme of seminars and webinars for the life sciences & healthcare sector. We host a webinar series which focuses on hot topics in the sector. For information on how to sign up, please contact us.



# Highlights of our recent experience

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## Advent International

on the Czech, Romanian, Polish, Slovak and Swiss aspects of the EUR 1.9bn acquisition of Prague-headquartered Zentiva from Sanofi Pasteur – awarded 2018 CEE Deal of the Year.

## An Australian medical device company

on anti-bribery and regulatory risks across multiple jurisdictions in Europe and Asia.

## Boehringer Ingelheim

on a number of substantial matters concerning healthcare-advertising and unfair competition law.

## Welltower, Inc.

on its entry into the UK market via the USD 4.3bn acquisition of Sunrise Senior Living and subsequently on acquisitions of over USD 500m of care home assets and the GBP 226m sale and leaseback of four acute care hospitals.

## A medicinal cannabis start-up company

on the possibility of selling medicinal cannabis, that it produces in California, in multiple European countries including the cultivation, import, sale, supply and marketing of medicinal cannabis in the EU.

## Eli Lilly

before the European patent office in contested proceedings relating to CGPR monoclonal antibodies in pain treatments.

## Bayer

on an antitrust case concerning price recommendations for erectile dysfunction medications.

## A major international life sciences company

on a multinational product liability matter involving crop protection products.

## Realm Therapeutics

on a placing of new shares and warrants in the UK and the US with new and existing investors, including several healthcare specialist funds.

## Johnson & Johnson

on a successful infringement litigation case regarding imitations of medical devices across multiple jurisdictions, including Austria, the Netherlands, Slovenia, Germany, Belgium, Croatia, Italy and France.

## A Singapore based biotechnology company

on the validity of certain patents, including the insufficient disclosure issue identified in the patent and its potential influence on other patents in China.

## A global US manufacturer

on implantable medical devices to defend a threatened Group Litigation Order by a group of almost 30 claimants following a medical device alert.



Solid across the full cycle of life sciences matters, with respected teams in Asia and a spread of offices across Europe. Well versed in regulatory, transactional, product liability and IP work.

*Chambers & Partners*



## Get in touch

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