

Life Sciences – China and Hong Kong

Core strengths

Simmons & Simmons is recognised worldwide as a pre-eminent law firm for Life Sciences. Our international team advises many of the world's leading pharma, biotech, medical device and healthcare companies, including:

- Many of the largest global pharmaceutical companies
- Some of the world's fastest growing biotech
- Leading medical devices manufacturers
- Household names in consumer healthcare

We provide full service to Life Sciences companies operating or establishing in China covering IP, corporate, commercial, employment, compliance, regulatory and dispute resolution practices.

Our services

Our life sciences group focuses on the following core areas:

- Collaboration/outsourcing
- Technology assignment & license
- Patent filing and patent expiry strategy
- Corporate/commercial, including:
 - establishment of WO FE/joint ventures in China
 - M&A and foreign investment
 - tax/preferential treatment for high tech industries
 - planning/environmental approvals
 - labour law and employment issues
 - private equity investment in China

- Employee/inventor remuneration
- Clinical trials
- Product recall and related litigation
- Competition law
- Regulatory/Compliance
- Lobbying
- Anti-corruption and compliance (investigations, policies, training)
- IP portfolio management

Expertise in practice

R&D centres

- GlaxoSmithKline on the establishment of its multi million dollar R&D centre in Shanghai, one of the first and largest projects of its kind undertaken in China
- Novartis and Roche on a range of legal, IP and regulatory issues for their R&D centres in China

Patent litigation

- Bayer HealthCare on various cross-border patent litigation proceedings involving China
- IDEXX Laboratories, Inc. on a patent invalidation action and unfair competition action in China

Transactions

- advising Shaanxi Pharmaceutical Group on the establishment of distribution channels in the US
- advising Sinochem Group on the formation of a 50/50 global joint venture with Koninklijke DSM N.V. in relation to anti-infectives business, with complex IP licensing and R&D arrangements
- advising Topsun Group, a pharmaceutical company listed on

the Shanghai Stock Exchange, on its disposal of western OTC cough and cold medicine business to Bayer Healthcare for US\$200 million

- advising a US-listed medical device manufacturer in connection with the buyout of joint venture partner, as remedial measure based on substantiated allegations of corruption at joint venture's subsidiary

Compliance

- conducting investigation into sexual harassment and bribery allegations against a high level executive in China at a US-listed biotechnology company
- advising a global Fortune 200 company with 14 operating companies (largely life sciences companies) in China in connection with conversion of labour dispatch workers to direct hires
- assisting medical device manufacturer with response to dawn raid by China regulator and settlement of matter and avoidance of commercial bribery charges
- conducting investigation into suspicions of corruption by subsidiary of US-listed medical device manufacturer and implementing post-investigation remedial measures, along with corporate buy-out of joint venture partner
- investigating allegations lodged by compliance officer against US-listed global life sciences company that company's due diligence process on distributors was a sham
- supervising anti-corruption due diligence for global pharmaceutical company in connection with acquisition target in China

- advising a life sciences company in connection with investigation of misconduct allegations and subsequent termination of employee

Collaboration/outsourcing arrangements

- For more than 15 life sciences companies, including several top ten global companies

Inventorship/employee remuneration

- GSK, Novartis, Roche, Celanese and Sanofi on employee remuneration issues, including drafting an inventor/employee remuneration scheme for research personnel in China

Clinical trials

- Amgen, GSK, Roche, IPSEN and Lundbeck on clinical trial contracts in China

Disputes

- Advising an international pharmaceutical company in relation an adverse drug reaction litigation in China

Regulatory

- On cutting edge issues including: human tissue bank establishment; patent protection for Traditional Chinese Medicines, blood collection for R&D purposes and human stem cell R&D; customs investigation; marketing and promotion of medicines in Hong Kong, product recall and direct sales of medicines to patients in Hong Kong and related Department of Health investigations
- advising a pharmaceutical company in connection with the legal risks surrounding the distribution of certain cosmetic products under disputed mark in China
- advising a Canadian pharmaceutical company in connection with broad investigation into and advice on parallel trading and counterfeiting of an anti-aging pharmaceutical in three jurisdictions

- advising a multinational pharmaceutical company in connection with the defence of personal injury claim bought about by a subject of the clinical trial of an experimental drug

IP portfolio management

- Pharmedlink, a leading provider of pharmaceutical and healthcare marketing and sales services
- advising Vitagreen Health Products, a leading Hong Kong manufacturer of traditional Chinese medicine and healthcare products on the management of its IP portfolio
- advising Africa's largest pharmaceutical manufacturer in connection with worldwide watch program for more than 50 trademarks

“The greater China team counts some of the leading names in this field amongst its clients.”

Chambers Asia 2013

Key contacts

Key contact biographies can be viewed at simmons-simmons.com

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