

Your World First

C/M/S/

Law.Tax

Providing Product Liability expertise in Lifesciences

2016

Focusing on Product Liability in Lifesciences

CMS global Product Liability Team in Lifesciences

Our specialist Product Liability Team consists of over 40 lawyers across Europe, Russia and China, with in-depth knowledge of the Lifesciences industry (including their insurers). They have a proven track record of dealing with high-end (cross-border) product liability cases. These lawyers offer expert local insight on developments in product liability, emerging risks and policy issues impacting on product liability and group litigation within their respective jurisdictions. The team is well respected globally in the Lifesciences industry - a respect developed in part from the team's considerable commitment to sharing knowledge, including through seminars/webinars and through publishing in legal and industry publications. As one of the world's leading law firms, we can provide you with effective solutions to your most complex dispute resolution challenges. For us, building strong, trusted relationships with you and making a difference to Your World is our motivation and the measure of our success.

Trusted advisers with a strong reputation

We work with and have established long-term relationships with most of the top 100 Lifesciences companies in the areas of pharmaceutical, medical device, biotechnology and agriculture, including the top 20 global pharmaceutical companies and nine out of the top ten global medical device companies. This demonstrates our commitment to developing deep and trusted relationships with those in the sector, through drawing on our ability to deliver practical, technical and commercial legal solutions.

Working with the Lifesciences 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) and EUCOMED. Through these memberships, we not only share news and developments impacting the industry and business of our clients in a timely manner, but we also take a role in shaping and drafting policies to ensure these are in your best interests, as you operate in this highly regulated sector.

Having CMS on your side means:

- Quality and depth of resources. With the global Product Liability Team in lifesciences you are assured of expertise and capacity to handle the most complex disputes.
- Global reach with local insight. With lawyers in 34 countries, CMS is truly international and bridges cultural differences. Our lawyers think and act internationally while delivering local results.
- Proven high-stakes advisers. We handle disputes worth billions of euros on a daily basis. Clients trust us with their most sensitive, challenging and business-critical cases.
- Renowned top-tier expertise. CMS has earned a reputation for excellence among clients, peers and legal industry directories in the Lifesciences industry.

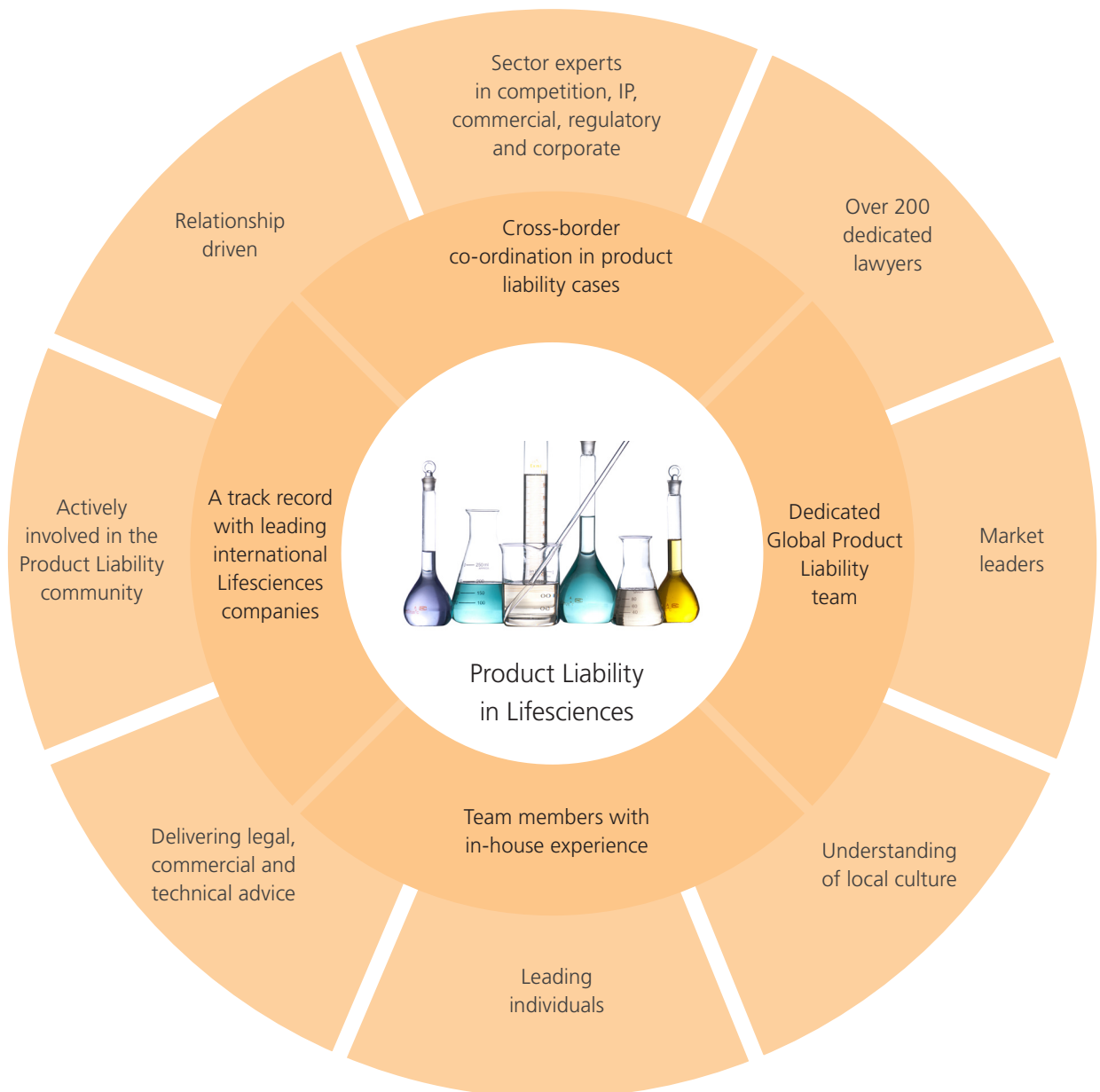


“CMS is my go-to firm for arbitration and litigation cases as it is prompt in answering, very solution-oriented, sharp and provides to-the-point advice. Moreover it is procedurally savvy and highly efficient. I like that it doesn't waste our time with dozens of pages of theoretical evaluations.”

Chambers Europe 2015 / Client quote

Your World First: a world of experience, knowledge and understanding

Disputes happen. Whatever business you are in, resolving disputes is a fact of life. Knowing you have experienced and proactive advisers on your side is the first step towards a successful resolution.



“CMS can cover all fields of law that our company needs.”

Chambers & Partners Europe / Client quote

Our geographical coverage: working with clients in their key markets





Facts and Figures

- 60 offices
- 54 cities
- 34 countries
- >800 partners
- >3,000 fee earners
- >5,500 total staff
- + Lifesciences
- Asia-Pacific network



A leading track record in Product Liability in Lifesciences

CMS handles many product liability cases across the world, covering the full spectrum of cross-border claims management, recall advice, policy issues and notifications to authorities.

Relevant experience includes:

- CMS The Netherlands, Germany, UK, Spain, Serbia and Croatia advised several medical devices manufacturers and their insurers in relation to both issued and unissued claims connected with metal-on-metal hip implants, as well as representing these clients in the litigation.
- CMS Spain, Germany, Italy and Switzerland have advised several global international pharmaceutical companies in the management of various claims related to adverse effects of vaccines in addition to providing product recall advice.
- CMS France and Algeria acted for a French laboratory in respect of a claim relating to the expiry date for medicinal products sold in Algeria.
- CMS France, UK and Italy advised a major actor of the optical industry in respect of the marketing of lenses.
- CMS The Netherlands, Germany and UK have advised various global pharmaceutical companies and their insurers on claims by patients related to alleged defective medicines.
- CMS Germany and Italy are assisting a German-based multinational company on the management of claims raised in relation to the alleged damages caused by the use of crop protection products in several European countries.
- CMS Austria acted on a product defects case concerning diagnosis devices (scanners and related IT) produced by a global supplier.
- CMS Belgium advised a German medical device manufacturer and its insurer in relation to a claim connected with femoral implants, and represented the manufacturer in the issued litigation.
- CMS Bulgaria advised an international pharmaceutical company on a potential product liability case regarding medical devices used during a surgical procedure and assisted the client during interviews with local authorities.
- CMS Czech Republic advised a European vaccine developer in respect of a liability claim concerning a defective medicinal product (vaccine).
- CMS France has been involved in French proceedings regarding medical devices which gave rise to a class action in the USA.
- CMS Spain assisted a leading laboratory in litigation with regard to an alleged defective veterinary vaccine.
- CMS The Netherlands advised a global consumer goods company in respect of notification to authorities with regard to a medical wash glove.
- CMS UK has undertaken a review for a major insurer of the wording for their policies covering clinical trials for medical devices and pharmaceuticals across a range of jurisdictions.
- CMS UK advised a global US-based manufacturer of implantable medical devices to defend a threatened Group Litigation Order by a group of almost 30 claimants following a medical device alert.



A one stop shop for the Lifesciences industry

Additional area of expertise:

- | | |
|--|---|
| Anti-corruption and bribery | Health and safety |
| Branding, trade dress and labelling | Insurance |
| Business restructuring | Lobbying |
| Collaboration and licensing | M&A / joint ventures |
| Competition law | Media issues |
| Contract research and drafting | Parallel import |
| Copyright | Patents, trademarks and other intellectual property rights |
| EU regulations on GMP, GCP and GLP | Data protection / privacy |
| Environment | Pricing and reimbursement |
| European and national procedures for trade licences | Public procurement |
| Financing / M & A stock option schemes | Regulations in the areas of consumer health, food and cosmetics |
| Funding of pharmaceutical and biotechnology projects | |

Relevant experience includes:

- DuPont on patent infringement and regulatory dispute work including co-ordinated advice across CMS' European network.
- Pfizer on the USD 16.6 billion disposal of its Consumer Healthcare business to Johnson & Johnson.
- A leading global producer of vaccines on more than 30 biopharmaceutical product liability cases with various local courts, hospitals and centres for disease control and prevention in various cities and provinces all over China, in an effort to coordinate and harmonise the implementation of unified product liability policies in China.
- A global pharmaceutical company on merger control law in respect of the acquisition of all licence rights for a leading medicine in 34 countries by another major pharmaceutical, including representation in the merger control proceedings before the national competition authorities.
- A major life sciences company on setting up and administering European border control measures with revenue and customs and dealing with seizure of counterfeits.
- A leading international pharmaceutical company on regional trademark portfolio management and clearance in Central and Eastern Europe.
- A major quoted pharmaceutical company in the divestment of a site in Belgium and the drafting of cooperation, R&D, supply and quality agreements with the purchaser of the site.



"A one-stop shop for us: its remarkable and successful mix of talent makes it stand out from the rest, and makes our lives much easier."

Chambers Europe 2015 / Client quote

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For more information on our services related to Product Liability in Lifesciences, please contact plls@cmslegal.com

Sharing knowledge

We have a number of value added services that we offer our clients. We look to identify these through feedback, transaction reviews and relationship meetings. Our approach is flexible and innovative, and we are always keen to develop services that provide value to our clients. At CMS the development of our people is crucial to our business. This is something we extend to our clients. We see it as our objective to keep them up-date-to with important legal developments and to support them in their roles, to help make their lives easier and deliver on their own business objectives. We offer our clients:

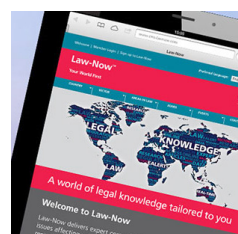
Publications

We produce a number of publications and updates (e-guides and printed material) for clients covering the latest legal and business developments. We also publish sector related e-newsletters containing recent legal updates affecting the industry.

Law-Now

Law-Now delivers expert commentary and updates on legal issues affecting your world. It is a comprehensive online resource and an email alert service. Law-Now offers:

- Content covers: 28 jurisdictions, 75 areas of law and 20 sectors
- Real time eAlerts: what you need to know 'hot off the press'
- Flexible delivery: receive content when you want to read it; real time, daily or weekly
- Extensive archive: access a wealth of legal information
- Zones: areas of in-depth analysis on particular topics
- Seminars and training from across CMS



Training Days

We recognise you are very short of time and that tailored short briefings on developments in the area of law that impact your business are likely to be of the most use. We suggest we discuss this with you and compile a programme that addresses your requirements. We offer those training sessions on all legal areas and in all CMS countries.

Webinars

On a CMS Webinar, you get interactive access to knowledge that is critical to your business without having to leave your office. During the online sessions, CMS lawyers from a range of jurisdictions share background on the latest regulations as well as the challenges and opportunities in your sector. Join our webinars and discuss your key issues in real-time with peers and experts.

Networking Opportunities

Where appropriate, we can introduce you to others within our CMS client network, giving you the opportunity to share ideas, look for opportunities and build relationships with your industry peers. We are glad to be in a position to help you and members of your legal team and senior management team at all levels to generate useful contacts. As part of our relationship management programme, your core team will seek to identify the kinds of organisations it would be most useful for you to build relationships with from a commercial and professional perspective.



Client choice 2015 –
Recognised for excellence
in client service



Kanzlei Monitor 2015
(Germany) Product Liability



M&A Today Global 2015
winner



Banking & Finance Germany
JUVE Awards 2014



Banking & Finance Legal
Practice of the year (Spain)
International Finance
Awards, Acquisition
International Magazine,
2014



Joint 3rd, Most Innovative Law
Firm on Social Responsibility
(International), FT Innovative
Lawyers Awards, 2014



M&A Legal Adviser
of the Year (CEE)
Mergermarket European
M&A Awards, 2014



Law Firm of the Year
Award (Hungary)
Chambers Europe Awards
for Excellence, 2014



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CMS locations:

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