

## life sciences, pharma and medical devices

### industry chair

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Carter Ledyard's Life Science, Pharmaceutical, and Medical Device Sector clients benefit from our lawyers' long experience handling varied matters across several practice areas. We deliver comprehensive, multidisciplinary legal services within these dynamic and highly regulated industries. We understand the unique challenges and opportunities these sectors present. Our clients include investors, innovators, startups, midsize companies seeking to grow, and established industry leaders and global conglomerates.

The range of engagements we handle for clients across this sector speaks to the extensive experience our lawyers have serving clients over the course of decades to meet their legal and business objectives.

#### **Transactional Corporate and Restructuring**

Our team has a well-established practice handling life sciences client work for both inbound and outbound domestic and cross-border transactions including joint ventures. We routinely assist overseas companies and individuals in establishing U.S. operations and entering into agreements with local partners and service providers. As a thoroughly global industry, Life Sciences companies operate across borders and the tightly regulated sector requires comprehensive understanding of these intricacies. Carter Ledyard's corporate lawyers are well-suited given the deep experience assisting companies meet their strategic business and legal objectives.

Our team of experienced Mergers and Acquisitions (M&A) attorneys specialize in transactions within the life sciences, pharmaceutical, and medical device industries. We assist clients in structuring, negotiating, and executing mergers, acquisitions, and divestitures, ensuring a smooth transition and maximizing value.

#### **Investments, Financing and Lending**

We offer comprehensive Capital Markets legal support for clients seeking to raise capital through public offerings, private placements, and debt and equity financings. Our deep industry knowledge ensures compliance with sector-specific regulations while achieving your capital-raising goals.

Our Bank Loans and Syndicated Lending lawyers are well-versed in the complexities of securing bank loans and syndicated lending deals for companies in the Life Sciences sector seeking growth and leverage.

We also help US and foreign companies navigate the intricacies of financing arrangements and debt restructuring.

## Intellectual Property

Safeguarding intellectual property is crucial in this sector.

**Patent Litigation and Invalidation Proceedings:** Our lawyers draw on extensive experience in all aspects of federal court actions at trial, and on appeal to the Federal Circuit, as well as patent invalidity proceedings before the United States Patent and Trademark Office (USPTO). These proceedings include *inter partes* reviews, post grant reviews, and *ex parte* reexamination proceedings. We have successfully litigated complex issues of infringement, invalidity, damages, and injunctions. Our team analyzes patents and renders opinions on patent validity and potential infringement. Our lawyers have deep experience in Hatch-Waxman Act issues and can navigate the complexities of the Biosimilars Act.

**Trademark and Copyright Enforcement and Litigation:** We pursue and defend trademark, trade dress, and copyright claims in state and federal courts and before government agencies throughout the United States. Our lawyers handle issues such as likelihood of confusion and reverse confusion, secondary meaning in product configurations, dilution, substantial similarity, first sale, and fair use. Our experience includes cases involving nutritional supplements and false advertising claims relating to FDA approval and label claims.

**Trade Secret Disputes:** We use our technical knowledge and experience to craft and execute strategies to prosecute, defend, and avoid trade secret disputes. Our team closely monitors developments in New York and federal law, including the Defend Trade Secrets Act. We also represent companies, officers and scientists accused of improperly using or disclosing another company's trade secrets.

**Licensing and Transfer:** We help clients sell or license their patents and technology or in-license technology developed by others. Our work extends to advising on all aspects of technology development or research licenses, including structuring. Our experience extends to software licensing and development conducted by companies in the Life Sciences area.

**Patent Prosecution:** We prepare and prosecute life sciences, medical device, chemical and biotechnology patent applications. We also coordinate the filing and prosecution of patent applications in virtually every country in the world with the help of our extensive network of trusted foreign associates.

**IP Due Diligence:** Our lawyers have handled IP due diligence in numerous substantial transactions involving the Life Science industries.

**Trademark Registration:** We efficiently perform clearance searches and provide registrability opinions for our clients' trade identifiers in the Life Sciences area. We file and prosecute trademark applications directly in the USPTO and through our trusted international agents, including appeals, and represent our clients in trademark opposition and cancellation proceedings.

## Tax

Our tax professionals understand the intricacies of the tax landscape in the life sciences industry. Given so many complexities, our transactional tax practitioners are adept at working with our deal teams on joint ventures, M&A engagements, and divestments. We provide strategic tax planning and compliance services to minimize tax liabilities and optimize your financial position.