There in a heartbeat
Our Health and Life Sciences services
There in a heartbeat
Our Health and Life Sciences services
Introducing our Health and Life Sciences team

Eversheds Sutherland provides full-service, global legal support for the Health and Life Sciences sector and we act for a range of organizations, including pharmaceuticals, biotech, medical devices, healthcare logistics, nutraceuticals, medical diagnostics, digital health, consumer health and healthcare providers. We act for both development-stage companies facing regulatory issues for the first time as well as fully integrated multinationals.

The sector know-how of our global Health and Life Sciences team goes way beyond the law firm experience; in our ranks, we have many lawyers with in-house experience in pharmaceutical companies, who have worked as scientists in the biotech sector, as a pharmacist, or for the regulatory bodies and who have university degrees in biochemistry, chemistry, physics and other sciences.

With our global reach, we are also able to provide a range of other services to our Health and Life Sciences clients such as consulting, legal operations and technological solutions, supply of interim legal professionals and support for high/low volume risk business as usual work.

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We represent **50%** of all Health and Life Sciences clients in the Fortune 500

As a firm we work with **70** of the Fortune 100

Nominated for Life Sciences Team of the Year by the British Legal Awards 2020.

With offices in Cambridge, San Francisco and San Diego, we have lawyers situated in the world’s premier Health and Life Sciences and biotech industry hubs.

Consistently ranked in Chambers & Partners, Legal 500, Iberian Lawyer and Leaders League for Health and Life Sciences.

Many of our Health and Life Sciences lawyers have advanced technical degrees and experience as research scientists and working in-house for life sciences companies.

Acknowledgement in The Lawyer: one of the Top 10 most active firms in the sector.
Our award-winning Commercial Contracting Group delivers effective contracting arrangements, ensuring contracts deliver the value and benefits you need across the full range of your contracting needs. Our commercial lawyers have extensive Health and Life Sciences industry experience and seamlessly partner with our Competition, Regulatory, Intellectual Property, Information Technology, Employment and Data Privacy lawyers on a broad range of commercial transactions. We have extensive experience advising on complex, multi-jurisdictional and strategically important commercial contracting arrangements, and, through our contract process review program, can help you put in place systems that address your business as usual relationships and higher volume needs.

We have advised:

- a German pharmaceutical manufacturer in its bulk supply as well as fill and finish processing arrangements in China
- an American medical technology company in connection with agency, distribution, consignment, equipment, HCO and HCP and other commercial agreements
- Owens & Minor in relation to distribution agreements for logistics services across a range of global jurisdictions
- a medical health app manufacturer on supply and distribution agreements
- a pharmaceutical company on a bundle of three-party agreements with a Russian and a German pharmaceutical company on the purchase, supply and distribution of a medicinal product through Europe to Russia
- a US multinational pharmaceutical giant in the context of the demerger of its business unit in the transfer of a set of commercial agreements (distribution, manufacturing, supply)
- a US multinational medical devices manufacturer in relation to and multinational exclusive distribution agreement entered into with a Spanish multinational Health and Life Sciences group
- a Jordanian pharmaceutical company in relation to a licensing and supply agreement with an Indian generics company

‘Eversheds Sutherland has a very strong team. They systematically impress with their technical knowledge and legal skill. They are well positioned; they are a go-to firm due to their quality.’

Chambers and Partners
Competition, trade and pricing

Our Competition, EU and Trade team is recognized as one of the world’s leading competition and antitrust groups. Our lawyers have spent time working in EU Directorate-General (DG) for Competition and national competition authorities, including sector regulators, giving us a real insight into procedure and practice.

With pricing becoming an increasingly important issue for pharmaceutical compliance, even before COVID-19, our international team can advise you in relation to your pricing strategies and to what extent they may be exposed to competition and consumer protection enforcement.

We have advised:
- a global supplier of pharmaceutical products on compliance with Falsified Medicines Directive and trading between Great Britain and Northern Ireland after the expiry of the transition period
- an Italian hearing aid manufacturer in connection with launching its new hearing aid device and associated phone application under MDR in the UK, including advice on the classification of products, MDR vs. current regulatory regime, QMS, pharmacovigilance, GDPR, competition law and Brexit
- a global manufacturer of OTC-medicines in an unfair competition matter concerning Russian manufacturer of food supplements copying client’s designs
- a multinational healthcare company on the successful defense of a significant claim alleging parallel importing
- a multinational pharmaceutical company in Spain following the grant of marketing authorization to a generics company, 11 months before the expiry of the patent protection period

‘They are able to give us really commercial advice. It’s never a textbook answer; it’s always tailored to our business.’

Chambers and Partners

investigatory antitrust pricing trade and export Our services merger control compliance national and global matters competition litigation

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Since 2017, we have worked on M&A transactions across all regions for more than 150 clients in the Health and Life Sciences sector. Our sector experience enables us to add real value to any transaction process by understanding the issues likely to arise and their potential impact on your business operations.

Our Corporate team is well-versed in advising you on all types of projects, driven by a few common factors – strong, deep rooted client relationships and a desire to assist you in delivering on your strategic objectives.

We have advised:
- a NASDAQ-listed biotechnology company in equity investment and in setting up WFOE and JV companies in China for manufacturing of COVID-19 vaccine and commercialization of other products
- Owens & Minor on the sale of its European logistics business, Movianto, to EHDH Holding Group (EHDH), one of Europe’s leading providers of healthcare logistics
- a German-based biotech company on several corporate matters, including on AGM topics
- EuroEyes (German-based medical services provider) on its IPO in Hong Kong
- on several transactions on the acquisitions of MedTech/medical devices manufacturers
- Archer Daniels Midland (ADM) on acquisition of Ziegler Group, a leading European provider of natural citrus flavor ingredients
- a UK-based manufacturer of medical devices on providing corporate services in opening an office in Russia and launching direct marketing and distribution operations on the local market
- Sinclair Pharma, a global aesthetics company fully-owned subsidiary of Huadong Medicine Company Limited, on its acquisition of the group of companies forming the Cocoon Medical business
- a medical equipment supply business on a joint venture with Philips Medical Systems, involving the establishment of a sales and distribution arm based in the Kingdom of Saudi Arabia

‘Eversheds Sutherland speaks the client’s language’: the corporate team ‘not only has extensive knowledge of the market and industry, but also of internal processes, mechanisms and particularities on the client side.’

Legal 500 (Germany)
Our Data Privacy, Cyber and Information Law team has huge experience in the Health and Life Sciences sector, and can support you with your data related needs.

We work very closely with our colleagues in competition, and anti-bribery and corruption to provide support arrangements, including risk reviews and recommendations, compliance programs, tools and related training to help you with your improved risk-based compliance and risk mitigation. We also work closely with our corporate colleagues on all types of transactions, supporting with due diligence, warranties and related advice, both in respect of staff and other data relationships and risks to help you with risk mitigation strategies and understanding the value of the data involved, limitations on its planned use and related risks.

We have advised:

- a large pharmaceutical business with its group data protection officer appointments, notification of representatives for non-EU entities subject to GDPR and lead authority notifications accommodating Brexit strategy planning and arrangements
- a leading medical device manufacturing company with strategic and legal crisis responses on any issues the client has faced including in relation to multiple, distinct data breaches and a separate ransomware attack which crippled its global manufacturing capabilities
- a bioscience research institute regarding international transfers of biological data
- multinational pharmaceutical groups concerning data protection matters connected to the performance of agreements for drugs’ clinical trials
- a global life sciences company on their personal data protection practices in China, including ensuring they remained compliant with PRC legislation after initially being prepared under GDPR

‘The Eversheds Sutherland team is phenomenal to work with. Their attorneys have blown me away. While they have brilliant minds they set themselves apart by understanding the business and more importantly the culture of [our company].’

Fortune 50 Global Client Feedback
Dispute resolution

Our experience extends to high value, complex and cross border disputes, patent litigation and legal proceedings across the Health and Life Sciences sector. We can also advise you on challenges to regulatory decisions by national regulators and public authorities. Areas in which we may represent you include litigation, arbitration and alternative dispute resolution, risk management, renegotiation and termination of contracts, reputation and media issues, and judicial review applications.

We have advised:
- a US medical devices and PPE distributor against the EU importer of masks due to missing CE certification
- a global aesthetics healthcare company on defending advertising claims against its competitor in the field of hyalorone injections in several European countries
- a medical devices manufacturer against a notified body on the suspension and withdrawal of CE certificates
- a leading Chinese manufacturer of medical devices throughout a dawn raid and governmental inspection of their Russian office
- a major pharmaceutical company in its successful defense of a pan-European injunction application in relation to the client’s launch of a new product, including advertising material
- a US medical device manufacturer in disputes before the French Courts in connection with the awarding of public procurement contracts with hospitals
- a major global manufacturer of pharmaceuticals on a potential contentious matter against a local manufacturer/distributor of food supplements
- MSD España on a claim for infringement of the Losartan patent, achieving in first instance a damages award of €28m, which represents the largest pharmaceutical patent infringement award in Spanish judicial history
- and defending at court a leading international pharmaceutical group in patent revocation, infringement, injunction and Anton pillar disputes.

Chambers and Partners

‘International knowledge and heavyweight ability combined with a friendly and welcoming approach.’

There in a heartbeat | Our Health and Life Sciences services and market overview

alternative dispute resolution
renegotiation and termination of contracts
arbitration
Our services
litigation
reputation and media issues
outsourcing agreements
judicial review applications

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Our International Employment and Pensions Law team is one of the largest and most experienced in the world, with over 400 employment lawyers delivering consistent, high quality, cross-jurisdictional advice across all areas of employment law. The Health and Life Sciences team is proud to provide you with a genuine offering that has consistently delivered effective people solutions for HR and legal departments.

We advise employers on the full range of global employment issues, including hiring and retention of talent, global mobility and immigration, compensation and benefits, litigation and contingent workers.

We have advised:

- a European-based multinational biotechnology company in preparing its first employee invention compensation and IP policy and employee handbook for China
- multiple employers around the globe and across a range of sector on the role that vaccination can play in returning workers to the workplace, including whether employers can require or encourage staff to be vaccinated. Our advice has covered employment duties, health and safety law, data privacy, and potential discrimination and consultation issues
- Owens & Minor, a global fortune 500 healthcare company, on the international legal aspects of its $710m acquisition of Halyard Health’s Surgical & Infection Prevention business
- a global healthcare client with urgent advice and assistance to set up a staff support service to help with educational entertainment occupation for 5-11 years olds to facilitate staff working during the COVID-19 pandemic
- a multinational pharmaceutical and biopharmaceutical company on its day-to-day employment law related matters including a review of payment of end of service benefits and the implementation of changes to its payment structure which would affect employees’ entitlement
- one of the world’s largest pharmaceutical companies on a variety of employment issues and projects
- a global pharmaceutical research organization in relation to an offer to its employees in 21 jurisdictions of shares and share options

‘I cannot say enough great things about the team; they are guides through the most stressful employment matters and give advice in understandable terms allowing the company to make informed decisions, offering great value for their expertise.’

Chambers and Partners

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Chambers and Partners
From research to commercialization, from patent applications to licensing, Eversheds Sutherland provides comprehensive IP counsel to clients within the Health and Life Sciences sector. Our lawyers have been integrating legal strategy with the commercial interests of our pharmaceutical clients for more than three decades.

Acting for development stage companies facing regulatory issues for the first time, as well as fully integrated Big Pharma, our global IP practice covers all relevant areas, from research to commercialization, from patent applications to monitoring, licensing and cooperation as well as enforcement, including litigation if need be. Our knowledge of both sides ensures broader perspectives and better outcomes.

We can provide you with comprehensive IP-related services in the area of biotechnology, pharmaceutical and medical technologies including immunology, therapeutics, molecular biology, medical diagnostics, genetic engineering, agricultural biotechnology, chemistry and genomics.

We work often with therapeutic companies such as small molecules (pharmaceuticals), biologics (antibodies, cytokines), specialty pharma (505(b)(2) repurposed drugs), platform companies, med-tech, and health IT.

We have advised:

- a leading biotechnology innovator in various mRNA technology licensing, collaborative R&D arrangements in China
- an Ireland-based generics manufacturer on its marketing authorizations being challenged due to alleged IP infringement in the generics MA application
- INEOS, a global chemicals manufacturer, on the production and supply of millions of bottles of hand sanitizer, to be distributed across Europe
- a German-based biotech company on IP collaborations and licensing agreements
- a US-based medical device manufacturers on various IP topics related to R&D and collaborations with other economic players
- Otsuka Novel Products GmbH on a strategic global collaboration to develop transformative treatment regimens for tuberculosis with the Bill & Melinda Gates Medical Research Institute and the Bill & Melinda Gates Foundation and Evotec, GSK, Johnson & Johnson and Otsuka Pharmaceutical Co., Ltd.

Chambers and Partners
Our experience includes:

- strategic patent advice (preparation and prosecution, consulting, etc.)
- freedom to operate and IP diligence
- FDA diligence
- diligence on licenses and agreements
- corporate diligence
- R&D integrated IP strategy
- support seed to Series A counsel
- full legal representation at every stage of the timeline, from early consulting with inventors and founder, quick freedom to operate, company financing, and representation into the full growth with the company (licensing, corporate, regulatory)
- representation of European and non-US companies and venture capitalists who are focused on US market entry
- IP enforcement and litigation

A rigorous team that is very well coordinated and goes deeply into matters.

Chambers and Partners
Our experience includes:

- freedom to operate and IP diligence
- strategic patent advice (preparation and prosecution, consulting, etc.)

Our services
- anti-counterfeiting
- patent & trademark prosecution
- brand and trademark clearance
- labelling, advertising & marketing

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We deal with many regulatory issues as part of our advisory and transactional work. We can guide you through the complex interaction between the systems of marketing authorization, data exclusivity and availability, scope and duration of supplementary protection certificates and due diligence support in relation to product acquisitions. This can relate to both active ingredients authorized centrally by the European Medicines Agency and by national authorities via the decentralized procedure, orphan drug market exclusivity and issues arising under the EU Paediatric Regulation.

We have advised:
- AstraZeneca on the use of Artificial Intelligence in drug discovery
- A prominent German-based pharmaceutical group in the context of an intragroup transfer of a series of marketing authorizations ("MA") for ophthalmic drugs and the related 'dossiers' from the Italian branch to its parent company
- A leading global water technology company willing to produce and supply components for a visor mask during the COVID-19 outbreak on emergency legislation concerning the compliance of personal protective equipment with essential health and safety requirements and possibility to place them on the Union market even without the CE-marking for use limited to health care workers for the duration of the health crisis
- A major European pharmaceutical company on compliance issues such as grant agreements, product donations to hospitals and compliance with promotional and advertising issues
- A Japan-based app manufacturer on health apps under the EU medical device regime

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Key contacts:
Any research or development of new technologies and products, together with a partner or in cooperation with a research institute, raises various legal questions prior, during and after the implementation of the project. Our lawyers combine sector experience and legal know-how when advising you on multinational and local technology transfer projects as well as on licensing and commercializing projects.

We also have extensive experience advising on the technology driven parts of projects in the Health and Life Sciences sector and work with both public and private sector companies on a full service basis. Some of the core issues we can help you with include artificial intelligence and robotics and the legal challenges this technology brings; from patents and copyright, to liability. Drone technology and smart warehousing is another area we can advise you on so that you deliver increased efficiencies. We can also advise you on technology procurement including data centers, networks, e-commerce integration and core IT infrastructure as well as on consumer facing business practices and models, including on the interaction and use of digital content and platforms.

We have advised:
- a US medical device company on contract negotiations with research companies and research public and private institutes.
- Otsuka on the international cooperation with the pharmaceutical group Mylan regarding market access and commercialization of pharmaceuticals; project support, negotiations and design of license agreements.
- an International supplier concerning a high-volume cooperation with another supplier in the areas of R&D and licensing.
- a US company, a US medical devices manufacturer and others on employee invention compensation.
- various pharmaceutical companies and medical device companies in the area of clinical trials as well as on non-interventional studies.
- various Health and Life Sciences clients on IP due diligence in M&A transactions.

‘They have a significant international presence and also a good regional footprint,” adding: “Technology is a fast-paced environment, but they are always up to speed.’

Chambers and Partners, Global
There in a heartbeat | Our Health and Life Sciences services and market overview

Global footprint

Europe
- Austria: Vienna
- Belgium: Brussels
- Bulgaria: Sofia
- Czech Republic: Prague
- Estonia: Tallinn
- Finland: Helsinki
- France: Paris
- Germany: Berlin
- Hungary: Budapest
- Ireland: Dublin
- Italy: Milan
- Latvia: Riga
- Lithuania: Vilnius
- Luxembourg: Luxembourg City
- Netherlands: Amsterdam
- Poland: Warsaw
- Portugal: Porto
- Romania: Bucharest
- Saudi Arabia: Riyadh
- South Africa: Durban
- Switzerland: Berne, Geneva, Zug, Zurich

US
- Atlanta
- Austin
- Chicago
- Houston
- New York
- Sacramento
- San Diego
- San Francisco
- Washington DC

Africa
- Angola: Luanda
- Mozambique: Maputo
- South Africa: Durban, Johannesburg

Middle East
- Iraq: Erbil
- Jordan: Amman
- Qatar: Doha
- Saudi Arabia: Riyadh
- United Arab Emirates: Abu Dhabi, Dubai

Asia
- China: Beijing, Hong Kong, Shanghai

Introducing our Life Sciences team
Services and experience
Global footprint
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