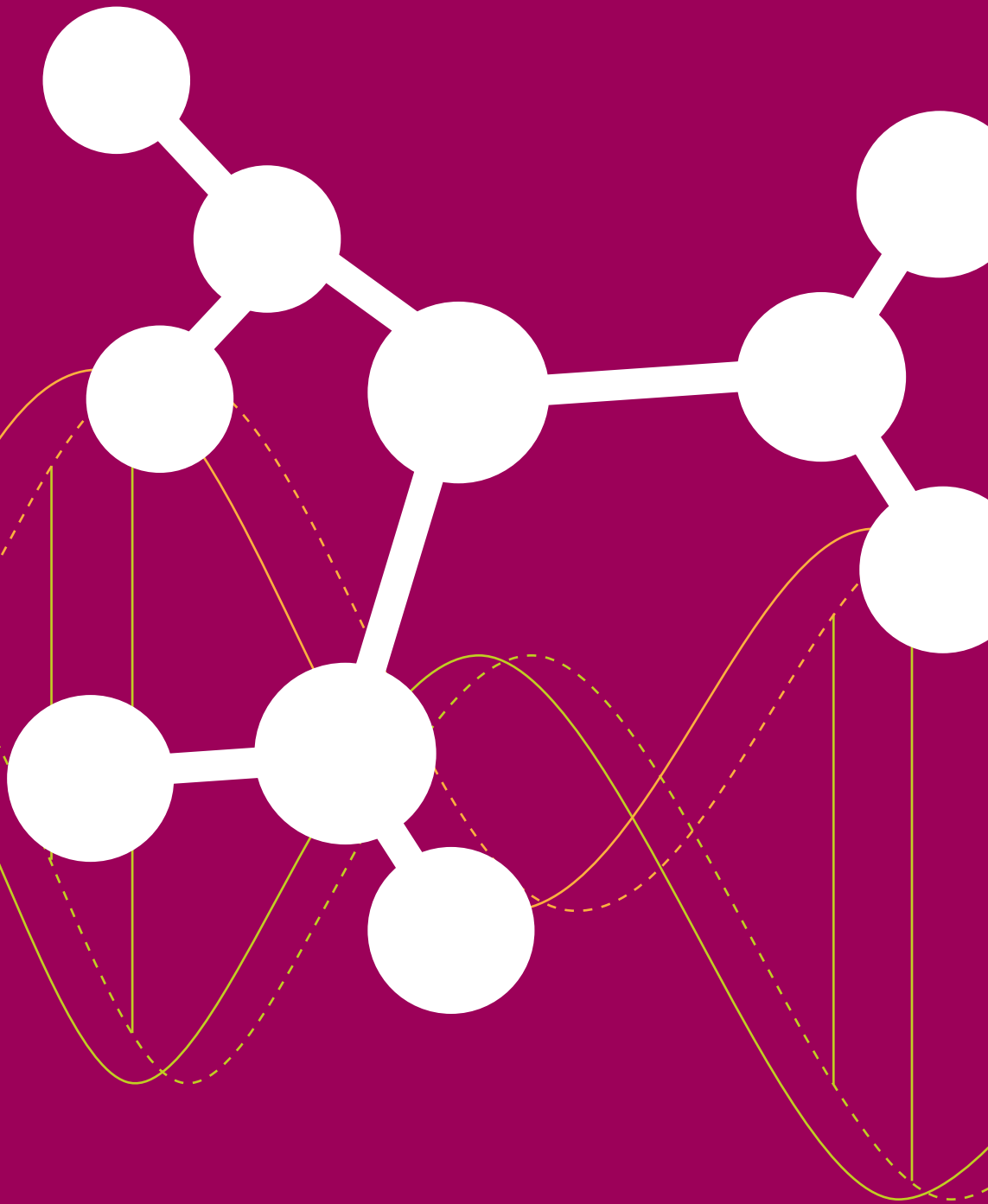
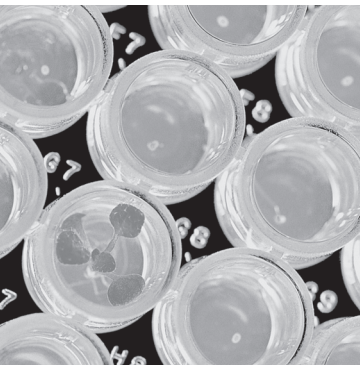


# Life Sciences



# How We Can Help

Organizations succeeding in today's global life sciences marketplace work hard to **develop and introduce new products and technologies**. Competitive, regulatory and litigation challenges can arise at any point and Foley Hoag lawyers are ready to guide companies in overcoming these obstacles. From initial conception to commercial viability, from market success to expansion, we provide our clients with **strategic and practical legal advice**.

We are former scientists, engineers, researchers, physicians, and political advisors. We bring a **diversity and depth of knowledge** to clients ranging from manufacturers of medical devices and biotech or pharmaceutical products to leading research institutions and major industry advocacy organizations. We can help you **focus on your priorities** including:

- Protection and Enforcement of Intellectual Property
- Corporate Finance and Partnering Arrangements
- Regulatory and Government Strategies
- Product Liability Defense

## Representative Clients



## Our Services

### Patent Litigation, Prosecution and Strategy

We work with clients to develop and execute patent strategies covering a wide range of technologies, including recombinant DNA, monoclonal antibodies, medical devices and diagnostics and novel business methods. As we partner with our clients' in-house scientists and patent specialists, we rely on our own scientific, medical and engineering backgrounds. Our lawyers develop strong patent portfolios, draft infringement, validity and patentability opinions, and perform patent due diligence in connection with public or private financings, acquisitions and joint ventures, providing our clients with marketplace advantages. And if patent disputes arise our litigators combine extensive trial experience with technical and scientific expertise.

### Corporate Finance and Securities

We counsel life sciences companies in all aspects of their founding, financing, growth and development. Our lawyers provide services covering corporate organization and structuring, intellectual property acquisitions and protection, technology development and joint ventures, licensing and distribution, executive compensation, raising capital and other private debt and equity financings, initial public offerings and follow-on offerings and mergers and acquisitions. Frequently we structure creative partnering arrangements that are unique to the biotechnology, pharmaceutical, and medical device sectors.

### Government Strategies

Our lawyers know the legislative and regulatory process well, having drafted such key legislation as the Medicare Prescription Drug, Improvement and Modernization Act of 2003, the 1997 Food and Drug Administration reform law, the Orphan Drug Act and the Health Insurance Portability and Accountability Act of 1996, and changes to Medicare and Medicaid law. We have drafted legislation and analyzed legislative proposals for clients, worked with members of Congress and their staffs to prepare Congressional testimony and counseled clients in connection with committee and subcommittee hearings. We also advise industry trade associations regarding the reauthorization of the Prescription Drug User Fee Act and the Public, Health, Security and Bioterrorism Preparedness and Response Act.

### Mergers, Acquisitions and Strategic Alliances

Foley Hoag represents acquirers and target companies providing comprehensive counseling for negotiated transactions. We assist with purchases and sales of public and private corporations, asset sales, divisional and product line acquisitions and divestitures, management buy-outs, corporate restructurings, and leveraged acquisitions and related acquisition financings. For clients seeking strategic alliances we handle transactions ranging from simple license agreements to complex, multi-party, international joint ventures. When appropriate we prepare research agreements between life sciences and other companies and universities and other not-for-profit institutions in the U.S. and overseas.

### Venture Capital and Emerging Enterprises

Foley Hoag represents venture capital investors in transactions ranging from small seed rounds to larger later stage investments and provides cutting edge advice on all aspects of these transactions. We advise our clients on all matters important to their investments such as protection of intellectual property, employment issues, duties of investor appointed directors and issues related to the sale or other disposition of portfolio companies. Because our lawyers have such a wide range of experience we often act as general counsel to emerging life sciences companies.

### FDA and Medicare Reimbursement

Federal funding is at the core of nearly one-half of the nation's health care expenditures. Our lawyers know how to obtain appropriate coverage and payment for a wide range of health care products and services despite a shifting policy landscape. We regularly represent clients before the Centers for Medicare & Medicaid Services (CMS). We also advise companies regulated by the Food and Drug Administration (FDA), often working with senior agency managers, congressional staff and members of Congress to play key roles in the enactment of laws and the implementation of regulations and policies affecting product development schedules, regulatory compliance, and timely product approvals.

### Product Liability and Complex Tort

We defend life sciences companies against product liability and complex tort claims throughout the country, working closely with in-house physicians, scientists and engineers. Our firm represents Fortune 100 and smaller manufacturers, handling both individual cases and mass torts needing coordinating counsel.

