



A Worldwide Network of Quality Law Firms

# SPECIALTY GROUP REPORT 2009

# SPECIALTY GROUP REPORT 2009

**TAGLaw® SPECIALTY GROUPS** play a significant role in communication among TAGLaw members throughout the year, both at and between conferences. From attending Specialty Group meetings at TAGLaw's international conferences, to sharing documents and best practices, and planning cooperative marketing efforts, TAGLaw lawyers consistently find ways to enhance their practices by collaborating with members practicing within the same practice groups or industries. Following is a summary of many TAGLaw specialty groups' activities over the past year.\*

## COMPETITION & ANTITRUST

### Co-chairs:

#### James M. Burns

jmburns@williamsmullen.com

Williams Mullen, Washington, DC, USA

#### Cees T. Dekker

c.t.dekker@nysingh.nl

Nysingh advocaten - notarissen NV, Zwolle, Netherlands

**Group Email Address:** taglaw-competition@taglaw.com

During the second half of 2008, the Competition and Antitrust Specialty Group (formerly known as EU & Competition) devised and began implementing a plan to raise the Group's profile with clients and prospects, and to demonstrate that the Group's members, working together, have the training, knowledge and experience necessary to provide seamless cross-border competition services throughout TAGLaw jurisdictions. Highlighting this team concept, and intent upon working closely with one another (to the extent permitted subject to any applicable ethical restraints), we hope to demonstrate to clients that the Group is well-positioned to provide competition law services more efficiently and effectively than firms affiliated with less coordinated legal networks, and less expensively, but equally as well, as the large international law firms.

To implement these objectives we have begun work on a Guide to Merger Control, which will provide an overview of the merger filings procedures throughout the TAGLaw jurisdictions. We subsequently intend to prepare a similar guide focusing on cartel investigations and leniency programs. We have also begun the preparation of a quarterly Global Competition Law Newsletter, which will feature competition law developments in the various TAGLaw jurisdictions (similar to the submissions currently being posted on the Group website). The guides and

newsletter will be prepared by the Group's competition law representatives, and will be suitable for sending to clients and potential clients in print or in digital form.

On June 10, 2009, the Group had its first live meeting, in Brussels. Group members from nine TAGLaw jurisdictions attended the meeting, and the members had an opportunity to discuss recent competition law developments in the various TAGLaw jurisdictions. The Group had the privilege of hearing from several guest speakers at the meeting: Sylvia van Es, vice-president and senior legal counsel of Philips International, discussed how to manage worldwide competition matters in an effective and efficient manner; Massimo De Luca, an official of the directorate general Competition of the European Commission, spoke about the role of lawyers during dawn raids; and Gülbahar Tezel, principal manager economics with PricewaterhouseCoopers Advisory N.V., discussed competition law issues relating to the health care and hospital services markets.

Thanks to the enthusiastic efforts of many members, the Group is off to an excellent start in meeting our objectives, and looks forward to having even more TAGLaw members join this effort. ■

*\*Please note that some Specialty Groups did not submit a report. Visit [www.TAGLaw.com](http://www.TAGLaw.com) for more information on each group.*



# SPECIALTY GROUP REPORT 2009

## CORPORATE LAW AND MERGERS & ACQUISITIONS

### Co-chairs:

**Enrique A. González Calvillo**

egonzalez@gcsc.com.mx  
González Calvillo, S.C., Mexico

**Bernhard Welten**

welten@hodler.ch  
Hodler & Emmenegger, Bern, Switzerland

**Alexander Lourie**

alexander.lourie@bfkn.com  
Barack Ferrazzano Kirschbaum & Nagelberg LLP, Chicago, Illinois, USA

**Group Email Address:** taglaw-corporate@taglaw.com

Over the past several years, members of the Corporate Law and Mergers and Acquisitions Specialty Group have attempted to foster communication among its members by sharing ideas, documents and informal advice.

During the TAGLaw international conference held in Berlin in May 2008, the Group examined the history, structure and emerging role of Societas Europaea (SE), as a form of entity to be considered in Europe. During the New York conference held in October 2008, representatives of J.P. Morgan and members of the Group discussed how American depository receipts could be used by non-U.S. issuers looking to expand the market for their securities in the United States. Most recently, during the

May 2009 conference held in Budapest, members of the Group joined together with members of the Insolvency and Secured Transactions and Real Estate specialty groups to discuss acquisitions of assets from distressed companies in various jurisdictions around the world.

In general, members of the Corporate Law and Mergers and Acquisitions Specialty Group have focused on establishing a good working relationship whereby we share best practices at formal sessions during regional and international conferences, and then also provide assistance to each other throughout the rest of the year through informal correspondence and cross referrals, as appropriate. ■

## EMPLOYMENT & LABOR LAW

### Co-chairs:

**Larry Drapkin**

lcd@msk.com  
Mitchell, Silberberg & Knupp LLP, Los Angeles, California, USA

**Group Email Address:** taglaw-employment@taglaw.com

**Michael Sippitt**

msippitt@clarkslegal.com  
Clarkslegal LLP, Reading, England

The Employment and Labor Law Specialty Group routinely share best practices at formal sessions during international conferences, and informally communicate throughout the year, sharing cross referrals as opportunities arise.

During the May 2009 TAGLaw international conference in Budapest, the Group discussed two issues: (1) the global recession and employer responses to it; and (2) the Obama

administration's labor policies focusing on the Employee Free Choice Act and the potential impact of this legislation if enacted. The meeting was a discussion-oriented session in which the group members shared with one another how employers in their respective countries are dealing with the economic crisis, the flexibilities of their respective workforces, and the issues faced by employers with respect to reducing work time or downsizing. Michael Sippitt (co-chair) of



# SPECIALTY GROUP REPORT 2009

Clarkslegal LLP (Reading, England) facilitated the discussion on employer responses to the present economic crisis and Larry Drapkin (co-chair) of Mitchell, Silberberg & Knupp LLP (Los Angeles, California, USA) discussed the Employee Free Choice Act and what it means for companies doing business in the

U.S. A copy of a substantial paper on employers' response to the present recession, presented by Michael Sippitt, can be found on the TAGLaw website on the Employment and Labor Law Specialty Group webpage. ■

## ENERGY

### Co-chairs:

#### Jens Brede

brede@kvaleco.no  
Kvale & Co., Oslo, Norway

#### Robin Clarkson

RMClarkson@paull-williamsons.co.uk  
Paull & Williamsons Solicitors, Aberdeen, Scotland

#### Robert L. Cables

rcables@millinglaw.com  
Milling Benson Woodward L.L.P., Lafayette, Louisiana, USA

**Group Email Address:** taglaw-energy@taglaw.com

The Energy Specialty Group has particularly focused on issues relating to oil and gas, both upstream and downstream activities.

The Energy Specialty Group has regularly held breakout sessions during the TAGLaw international conferences. In addition to discussing oil and gas during these sessions, issues relating to other energies, such as wind and solar energy, have been topics on the agendas.

The Group has members from many of the main oil producing jurisdictions, including Europe, the United States, South America, Asia and the Middle East.

Due to the typical multinational character of the oil and gas industry, the Group has exchanged views not only on legal issues, but also how to serve other member firms' clients when doing business in other jurisdictions. ■

## FIRM MARKETING & BUSINESS DEVELOPMENT

### Advisors:

#### Gregory L. Wolsky

gwolsky@lindquist.com  
Lindquist & Venum PLLP, Denver, Colorado, USA

#### Kim Doze

kdoze@martinpringle.com  
Martin, Pringle, Oliver, Wallace & Bauer, L.L.P., Wichita, Kansas, USA

### Chair:

#### Jennifer Allen

jallen@taglaw.com  
TAGLaw, St. Petersburg, Florida, USA

**Group Email Address:** taglaw-marketing@taglaw.com

In addition to Specialty Groups for lawyers, TAGLaw has formed the Firm Marketing and Business Development Specialty Group made up of marketing professionals from TAGLaw firms. This group was formed because often a member's marketing/business development professional serves, in addition to the

firm's primary contact(s), as a strong liaison between TAGLaw and the firm.

The Group shares ideas for marketing TAGLaw in and outside their firms, as well as legal marketing and business



# SPECIALTY GROUP REPORT 2009

development ideas in general. This is achieved through a number of activities, most notably through regularly scheduled quarterly conference calls. The first such call was held in July

2008, and a call has been held each quarter since that time. The calls have been successful and well-received, with up to 25 TAGLaw marketing professionals participating in each. ■

## HEALTH LAW

### Co-chairs:

#### Mary Chant

mary.chant@bllaw.co.uk

Blake Laphorn, Southampton, England

#### David J. Edquist

dedquist@vonbriesen.com

von Briesen & Roper, s.c., Milwaukee, Wisconsin, USA

**Group Email Address:** taglaw-health@taglaw.com

The Health Law Specialty Group saw some changes in early 2009, including the appointment of two new co-chairs, Mary Chant of Blake Laphorn (Southampton, England) and David Edquist of von Briesen & Roper (Milwaukee, Wisconsin, USA). The co-chairs hit the ground running and quickly distributed a survey to Group members via e-mail, soliciting input on topics such as attendance of Group members at regional, national and international TAGLaw and health law conferences, the use of the Group's TAGLaw website as an information resource as well

as a tool for referrals, telephone conferences and other means for Group interaction, and similar items. The co-chairs are still receiving responses, following which they will report back to the Group. Next steps will include enhancing the TAGLaw Health Law Specialty Group webpage to include member bulletins relating to health law topics, and a listing of upcoming conferences at which Group members may develop face-to-face contacts with their colleagues. ■

## HOTELS & LEISURE

### Co-chairs:

#### Paul Shapses

pshapses@herrick.com

Herrick, Feinstein LLP, New York, New York, USA

#### Victoria Symons

vsymons@boodlehatfield.com

Boodle Hatfield, London, England

**Group Email Address:** taglaw-hotels@taglaw.com

The Hotels & Leisure Group was set up last autumn at the request of members and in recognition of the number of firms who have an active practice group in this sector.

An inaugural Group meeting was held at the TAGLaw international conference in New York last October and was well attended. The Group used this opportunity for an open discussion of the type of practice area each Group member has, with a view to identifying synergies between members. A

further session was held in Budapest in May, when Martin Davies of Kuit Steinart Levy LLP (Manchester, England) kindly stepped in as co-chair; this session focused on the impact of the current financial markets on the sector generally.

The next session will be held at the upcoming international conference in Las Vegas, with the intention of moving the focus away from hotels and towards the restaurant industry—further details will follow nearer the time. ■



# SPECIALTY GROUP REPORT 2009

## INSOLVENCY & SECURED TRANSACTIONS

### Co-chairs:

#### Chris Laughton

chrislaughton@mercerhole.co.uk  
Mercer and Hole, London, England (TIAG)

#### Deborah D. Williamson

ddwilliamson@coxsmith.com  
Cox Smith Matthews Incorporated, San Antonio, Texas, USA

#### Michael R. Nestor

mnestor@ycst.com  
Young Conaway Stargatt & Taylor, LLP, Wilmington, Delaware, USA

**Group Email Address:** taglaw-insolvency@taglaw.com

Many of the Insolvency Specialty Group members are very busy at present, often to the delight of their partners in other practice areas! The Group's activities have therefore been less prominent of late.

The Insolvency Group regularly meets in some capacity at each TAGLaw international conference, and members were delighted that TIAG member Chris Laughton (co-chair) of Mercer & Hole (London, England) and Bavo König of Nysingh advocaten -

notarissen NV (Apeldoorn, Netherlands) spoke as panelists in the joint meeting of the Insolvency/Corporate and M&A/Real Estate specialty groups at the international conference in Budapest.

Referrals between group members continue as the cross-border aspects of the practice area increase alongside matters closer to home. ■

## INTELLECTUAL PROPERTY & INFORMATION TECHNOLOGY

### Co-chairs:

#### Gábor Germus

gabor.germus@germus.eu  
Germus and Partners, Budapest, Hungary

**Group Email Address:** taglaw-ipit@taglaw.com

#### Mark S. Thomas

mthomas@williamsmullen.com  
Williams Mullen, Raleigh, North Carolina, USA

The Intellectual Property and Information Technology Specialty Group, along with the Life Sciences Specialty Group, presented a joint roundtable discussion at TAGLaw's international conference in New York on October 21, 2008, on the topic of cross-border IP-deals, including such issues as the differences between European database rights and equivalents around the world.

The two groups met together again at TAGLaw's international conference in Budapest on May 5, 2009, presenting a joint roundtable discussion on the topic of advising licensors of intellectual property who encounter insolvent licensees in the current economic environment. Among the issues discussed were jurisdictional questions, termination rights and marketing authorization issues. Speakers covered the perspectives from the U. S., the U. K., Hungary and China. ■

# SPECIALTY GROUP REPORT 2009

## LIFE SCIENCES

### Co-chairs:

#### Barbara Lano Rummel

brummel@lindquist.com

Lindquist & Vennum PLLP, Minneapolis, Minnesota, USA

**Group Email Address:** taglaw-lifesciences@taglaw.com

#### Simon Smith

simon.smith@bllaw.co.uk

Blake Laphorn, Oxford, England

The TAGLaw Life Sciences Specialty Group is comprised of lawyers in TAGLaw firms around the world who have special expertise in one or more of the life sciences industries: pharmaceuticals, biotechnologicals, medical devices, nutritionals, and personal care.

TAGLaw member firms provide a variety of legal services relating to the research, product discovery, product development, manufacture, distribution, marketing and sale of products locally and across national borders. Our TAGLaw members have extensive legal and technical expertise in intellectual property law prosecution and litigation, as well as expertise relating to clinical development, licensing/collaborations, government and regulatory matters, manufacturing, pricing, regulation of marketing and sale of products, and government affairs. The Group includes members with competition/antitrust expertise and firms with extensive finance and M&A experience to help life sciences companies fund operations and growth, and achieve corporate objectives.

Members of the Group also offer related expertise in corporate organization/business structures, corporate compliance, dispute settlement, taxation, personnel/labor and related matters.

The Life Sciences Specialty Group has cooperated with the Intellectual Property and Information Technology Specialty Group for excellent programming at the last three TAGLaw international meetings. Those topics were:

- The TAGLaw Approach to Seeking Emergency Relief for IP Infringement Around the Globe
- Cross Border IP Deals: A case study of common provisions and pitfalls encountered when licensing complex, high-value intellectual property rights on an international basis
- Advising Licensors of Intellectual Property in Difficult Economic Times

TAGLaw firms that provide services to the life sciences industries are invited to submit firm profiles for the TAGLaw–Life Sciences webpage and to add individual lawyers to the member list. ■

## LITIGATION & ALTERNATIVE DISPUTE RESOLUTION

### Co-chairs:

#### Alex Lever

a.b.lever@nysingh.nl

Nysingh advocaten - notarissen NV, Apeldoorn, Netherlands

#### R. Willis Orton

worton@kmclaw.com

Kirton & McConkie, PC, Salt Lake City, Utah, USA

#### Michael J. Penman

mpenman@blaney.com

Blaney McMurtry LLP, Toronto, Ontario, Canada

**Group Email Address:** taglaw-litigation@taglaw.com

TAGLaw's Litigation and Alternative Dispute Resolution Specialty Group is comprised of lawyers around the world who help clients resolve disputes through either litigation or ADR.

In its early days, the Group focused on the connection between litigation and ADR and, in particular, on developing ways in which members might assist one another in providing



# SPECIALTY GROUP REPORT 2009

mediation or arbitration services to other firms in the network. As part of that exercise, the members of the Group grew to know more about the processes of litigation and ADR in various jurisdictions and the services that TAGLaw firms can offer in those areas.

As Group members developed relationships and began to rely upon each other's services and expertise, they adopted a more outward-looking focus. For example, they exchanged information on the enforcement of foreign judgments, as that was one of the most obvious ways in which one TAGLaw firm might require the litigation services of another.

From there, the Group began to concentrate on preparing materials that would enhance the ability of the various members to engage the litigation/ADR services of others. The first undertaking of that nature was the development of "litigation guides" for various jurisdictions. Those guides have two purposes: they serve as a useful introduction to any TAGLaw member whose client is considering undertaking litigation in a foreign jurisdiction; and they serve as an early and useful opportunity for the firm being considered to demonstrate its expertise. Several such guides have been

developed and are available on the Group's section of the TAGLaw website.

The economic difficulties of the fall of 2008 caused the Group to examine both the opportunities and the challenges, which those events presented to members of the Group and their clients in virtually all jurisdictions. As a result, Group members have been able to assist one another in numerous cross-border or out-of-state cases, particularly in the insolvency and bankruptcy areas. This has further enabled the Group and its members to collaborate on international litigation. Various members are now preparing materials that will allow us to take that collaboration to a higher level.

As the above demonstrates, the Group has broken out of the stage of mere "referrals" and now offers effective assistance and collaboration on litigation/ADR around the world. As always, clients and TAGLaw members who engage the services of members of the Group, whether for litigation or ADR, can be assured of receiving not only advice and work of the highest quality, but also service levels of which referring firms can be proud. ■

## REAL ESTATE

### Co-chair:

**Karen Mason**

[kmason@boodlehatfield.com](mailto:kmason@boodlehatfield.com)

Boodle Hatfield, London, England

**Group Email Address:** [taglaw-re@taglaw.com](mailto:taglaw-re@taglaw.com)

The TAGLaw Real Estate Specialty Group, also referred to as the TAG Property Group, had a very successful trip to MIPIIM in 2009, with four firms participating: Boodle Hatfield (London, England), DTE Group (TIAG, England), Herrick, Feinstein (New York, New York, USA), and Paull & Williamsons Solicitors (Aberdeen, Scotland). This year the group had a permanent base at the heart of the conference, providing a central location for Group meetings and meetings with clients and contacts. It also provided a location for the Group cocktail reception, which

was a real success. As a Group we were also able to attend and support our own events held at the venue and those provided by other hosts. This opportunity considerably extended our reach during our time at the conference. Keep an eye out for details on MIPIIM 2010.

The Group is currently developing the program for what will be its first TAG Property Group Conference, November 12-14, 2009 in London. The conference will include quality sessions, a





# SPECIALTY GROUP REPORT 2009

cocktail reception, social events, an optional night out and an optional event on the closing Saturday morning. The program will be sent to all Group members upon completion.

Visit the Group's webpage to see a full report on its most recent activities, by way of the TAG Property Group newsletter, submitted by Karen Mason of Boodle Hatfield (London, England) in May 2009. ■

## TAGLAW SPECIALTY GROUPS

Banking and Financial Services	Immigration Law
Competition and Antitrust	Insolvency
Construction	Insurance Law
Corporate & Mergers and Acquisitions	Intellectual Property & Information Technology
Employment and Labor Law	International Trade and Customs
Energy	Investment Management
Environmental Law	Life Sciences
Firm Marketing and Business Development	Litigation and ADR
Governmental Relations	Real Estate
Firm and Practice Management	Tax, Trusts and Succession
Health Law	White Collar Crime
Hotels and Leisure	

Participation in a Specialty Group provides TAGLaw members with resources to better serve clients, and to promote and grow their practices. Through participation members:

- Share knowledge and best practices with a worldwide network of similarly focused professionals
  - Cultivate relationships that lead to referrals and other client development opportunities
- Promote their practice/industry focus to members searching for an experienced practitioner within their industry
  - Provide a resource for member firms seeking to fill gaps in a practice area
- Develop multi-jurisdictional teams for the purpose of marketing to clients with needs worldwide

Specialty groups accomplish all of the above through a variety of avenues, including meetings held at and between TAGLaw conferences, specialty group web pages, email exchanges when common issues arise, as well as other activities.

## HOW TO PARTICIPATE IN A SPECIALTY GROUP

TAGLaw members interested in joining any of the Specialty Groups listed above should contact their firm's designated TAGLaw contact. The TAGLaw contact or designated TAGLaw web information administrator will sign them up through the TAGLaw website.





A Worldwide Network of Quality Law Firms

**TAGLaw®**

[www.TAGLaw.com](http://www.TAGLaw.com)

150 Second Avenue N, Suite 710

St. Petersburg, Florida 33701

Phone: +1 727-895-3720

Fax: +1 727-895-3722