



GRATA
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Pharmaceuticals & Healthcare

In terms of continuously evolving market and fast developing healthcare system of the country the pharmaceuticals and healthcare companies encounter numerous challenges such as adherence to government regulations, consideration of local and international tax and customs regulations, and all types of commercial issues including competition matters, parallel importation practice, disputes over intellectual property, anti-monopoly and other key issues.

We provide integrated legal advice to a range of companies in Pharmaceuticals & Healthcare sector in Kazakhstan and CIS countries.

Experience

Azerbaijan

- ▶ Assisting major global pharmaceutical company, in litigation concerning debt recovery. Judgment in favour of the client - AZN 712 000.

Belarus

- ▶ Advising members of the Association of International Drug Manufacturers of Belarus on drug pricing.
- ▶ Full activity support of the Tahat company (<http://www.tahat.by>) which develops, manufactures and supplies medical tools, medical equipment and medical products in the Republic of Belarus.
- ▶ Legal support of a US based company (clinical studies) in reorganization of the legal entity and advising on implementation of the project of conduction of clinical studies.
- ▶ Advising a Swiss pharmaceutical company on various legal issues of doing business in the pharmaceutical sphere in Belarus (investment and employment law, requirements of anti-corruption law, etc.). Performance of the comprehensive Due Diligence on employment relations, occupational safety, military registration.
- ▶ Advising an English supplier on participation in public procurement of medical equipment. Representing interests of the Client in the dispute in the International Arbitration Court at the Belarusian Chamber of Commerce and Industry. Signing an amicable agreement with our assistance.
- ▶ Representing interests of the Client, the largest state-owned pharmaceutical company in Belarus, in the dispute with the buyer, resident of the USA, which refused to pay for the drug products supplied by the Client.
- ▶ Legal support of the deal on sale of a network of pharmacies (representing the seller). Due to the proposed structure of the deal, the buyer received the required guarantees and the seller received the complete payment sooner.
- ▶ Advising a Slovenian pharmaceutical company on the issues of labor law and representing interests of this company in the process of recovering debts.
- ▶ Legal support of construction of medical centers, obtaining licenses and permits.

- ▶ Advising a major international drug manufacturer on the consequences of reorganization of the company, in particular, the need to obtain the consent of the antitrust authorities, as well as amending the drug master file.
- ▶ Comprehensive advising of the Client on the issues of regulating of manufacturing, registration, disposal, distribution of medical devices for diabetic patients.
- ▶ Advising a major Belarusian dental clinic named Del Company on the issues of reconstruction of the building, which is a joint property, to create additional facilities for medical activities.

Georgia

- ▶ Review of compliance with mandatory norms of Georgian legislation and making changes to the draft agreement on marketing, sales and distribution.
- ▶ Advising on advertising, promotion and placement of client orders for medical devices.

Kazakhstan

- ▶ Ethical promotion of the medicines
- ▶ Protection of IP rights
- ▶ Legal support on pricing
- ▶ Competition and compliance
- ▶ Localisation of drugs manufacturing
- ▶ Support with planning and negotiations on investments to Kazakhstan
- ▶ Counselling on private-public partnership structuring
- ▶ Legal due diligence
- ▶ Data protection
- ▶ Employment relations
- ▶ Anti-corruption matters
- ▶ Taxation
- ▶ Customs regulations
- ▶ Representation in courts

Kyrgyzstan

- ▶ Advising Fresenius C Deutschland GmbH on first PPP project in the Kyrgyz Republic “Organization and provision of haemodialysis services in Bishkek, Osh and Jalal-Abad” (Public partner – Ministry of Health of the Kyrgyz Republic). Assisting the client on realization of the PPP project, construction of four clinics and provision of haemodialysis services in the Kyrgyz Republic, including, but not limited: all questions related to realization of the project, labor, customs, licensing, healthcare regulation (ongoing, PPP Agreement was signed on 15 August 2017).
- ▶ Advising the leading US pharmaceutical corporation on advertising and promotion requirements of Non-Rx (OTC)

drugs, conducting and sponsoring of conferences and symposiums. Advising on provision of grants for research purposes.

Moldova

- ▶ Representing one of the largest Pharmaceutical distribution companies from Egypt in a complex fiscal litigation with the annulment of certain administrative acts for the establishment of financial obligations related to customs duties (customs taxes and VAT) in connection with some types of medicines.
- ▶ Advising a leading Dental Practice from Moldova in drafting and implementing the strategy for the restructuring of various companies within the group, assistance in acquisition of finance with Private Equity investors from EU.
- ▶ Assisting international consortium from Germany retained by the Ministry of Health for 25 years in a Public Private Partnership (PPP) Project to provide dialysis services in Moldova, including provision of legal assistance throughout the entire bid process and performing the Project Finance Documentation for the SPV and Sponsors. The total investment exceeded EUR 15 million.

Russia

- ▶ Advising a manufacturer of medical equipment on localisation of production in Russia.
- ▶ Providing legal support to a medical equipment manufacturer.
- ▶ Advising on the protection and processing of personal data and trade secrets.
- ▶ Advising pharmaceutical companies on labour law, trademark protection, as well as advertising and public procurement legislation.
- ▶ Advising an international group of companies on the business reorganisation in Russia.
- ▶ Advising on the relations with representatives in the CIS and Georgia in terms of legal and tax risks.
- ▶ Advising on the statutory requirements for securities market and joint-stock companies. Representing interests before federal authorities.

Ukraine

Complex accompaniment of the state program on public Purchases between CROWN AGENTS and Ministry of Healthcare of Ukraine.

Reorganization of activity of the pharmaceutical companies in Ukraine (MSD, Ipsen, Sandoz, Egis, Recordati and other).

Legal accompaniment of an entry into the market of the relevant branches of large IT-platforms (Liki 24, Accemedin).

Accompaniment of production technologies transfer

Accompaniment of clinical studies.

Legal advice and protection of the clients' interests in the AMCU investigation.

Representation of an international pharmaceutical company in a labour dispute connected with the director's dismissal.

Representation of a major logistics operator in a dispute with customs authorities in a court.

Provided comprehensive support for the Ukrainian pharmaceutical company on receipt of USD 25 million fund from EBRD.

Representation of an international pharmaceutical company in a labour dispute connected with the director's dismissal.

Representation of a major logistics operator in a dispute with customs authorities in a court.

Rendered comprehensive legal support in transformation of the representative offices of 10 pharmaceutical companies in Ukraine into a trading subsidiary undertaking (LLC).

Headed the transaction on acquisition of part of the corporate rights of leading Ukrainian chain of medical clinics.

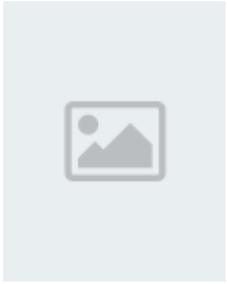
Complex legal support to one of the Ukrainian PJSCs in the procedure of gaining control on the agrarian LLC assets at all stages of the project, including a comprehensive audit of LLC assets.

Complex legal audit and structuring of the assets, of several agrarian companies, development and implementation of protection measures to counteract raider attacks.

Uzbekistan

- ▶ Due diligence of local representative office activities for Indian pharmaceutical company, advising on transfer of business issues.
- ▶ Representing the leading German pharmaceutical company at Uzbek antitrust authority and economic court against producers and retailers of counterfeit pharmaceutical products in Uzbekistan.
- ▶ Assisting the leading Serbian pharmaceutical company on trademark assignment, drafting and registration of the assignment of trademarks.
- ▶ Successfully defending a representative office of the Polish pharmaceutical company against a lawsuit brought by a former employee related to payment of damages and moral compensation for illegal termination of employment relations.

Key contacts



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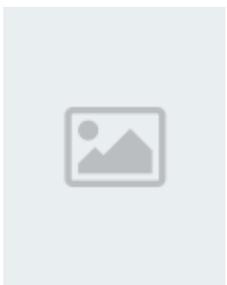
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