



Life Sciences

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OVERVIEW

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Adler Pollock & Sheehan's Life Sciences Group provides a broad range of sophisticated intellectual property counseling, as well as business counseling and transactional services, to domestic and international life science and pharmaceutical companies of all sizes. Our attorneys have many years of experience representing life science companies ranging from start-ups to established, multinational public companies, as well as those who invest in such companies. We also represent universities and not-for-profit research organizations. Our experienced team focuses first on understanding your technology and then learning your business objectives. We next provide quick, effective turnaround and conscientious follow-through. We are passionately committed to working in partnership with our clients to achieve their goals.

Adler's Life Sciences Group has represented and continues to represent clients in all sectors of the life science technologies including biotechnology, pharmaceuticals, diagnostics, medical tools and devices, as well as digital healthcare. Our team's legal experience spans across numerous technologies including neuroscience, stem cell and transgenic technologies, immunology, and vaccine technologies, novel antibiotics, anti-viral therapeutics, cancer therapeutics, tissue and organ regeneration, blood cells and blood products, drug delivery, drug discovery, gene therapy, genomics, proteomics, nanotechnologies, antioxidants, and nutraceuticals and dietary supplement technologies.

Representative patents/published applications related to biotechnology, pharmaceuticals, diagnostics, medical tools and devices, digital healthcare, and neurosciences can be viewed by clicking the appropriate button below:

[BIOTECH](#)

[PHARMA](#)

[DIAGNOSTICS](#)

[MED TECH](#)

[DIGITAL HEALTH](#)

[NEUROSCIENCES](#)

Our professionals counsel clients in the life science industry regarding:

- [Intellectual property](#)

- Licensing and strategic alliances
- Transactions and financings

Intellectual Property

In the life science industry, perhaps no asset matters more than intellectual property. Without solid intellectual property protection, life science technologies cannot be successfully commercialized.

Our Life Sciences team draws on deep industry expertise to assist our life science clients to protect their intellectual property by exploiting the full range of available protections. We work with our life science clients to design and implement cost-effective strategies to create value-oriented patent portfolios in the United States and abroad. We also perform due diligences, patentability assessments, as well as freedom-to-operate and related clearance assessments on behalf of our life science clients. We further provide assistance regarding life science trade secrets and alternative pharmaceutical product protection. Our trademark attorneys advise clients on the selection, registration, and enforcement of marks in the United States and abroad. We also provide copyright registration services to protect works of authorship such as software code. We assist life science clients with the development and implementation of effective trade secret protection programs. In addition to creating of intellectual property assets, we also help our clients in their defense and enforcement.

Licensing and Strategic Alliances

For the life science industry, patents are more than just tools for restricting the commercial activities of direct competitors. Patents are being used more and more to generate substantial additional returns on research and development (“R&D”) investment costs through licensing. The monetization of patents makes a difference for the entire spectrum of life science companies. Smaller and early-stage companies can use out-licensing revenues as non-dilutive equity to fund and to advertise their R&D programs, while larger, more established corporations manage large patent portfolios to further monetize their intellectual property.

Early-stage partnering is now a vital component of business strategy for many life science companies. Due to the fierce competition for late-stage life science assets, larger life science companies must look to early-stage life science companies for access to new and promising compounds and technologies. For early-stage life science companies, entering into a partnership with a larger, more established company increases their visibility, validates their technology in the life science industry, and helps fund their R&D programs. Successful licensing transactions can also attract further private or public equity investments.

Our Life Sciences attorneys have extensive experience in structuring, negotiating and drafting many types of third-party agreements, including in-bound and out-bound license agreements, sponsored research agreements, cooperative research and development agreements, joint research and development agreements, material transfer agreements, clinical trial agreements, consulting agreements, confidentiality agreements, and non-competition agreements. We also provide guidance regarding distribution agreements, manufacturing and

supply agreements, and various services agreements.

Other Transactions and Financings

Our multidisciplinary team of lawyers handle a broad range of transactions, including the acquisition, sales, development, commercialization, manufacturing and supply of products, as well as due diligence and litigation related to these transactions. We also assist with private equity, institutional debt, and equity financing.

Representative transactions and financings can be viewed by clicking the “Representative Matters” tab in the toolbar at the top of the page.

REPRESENTATIVE MATTERS

Representative Transactions and Financings

Strategic Collaborations / Licensing

- Represented a privately-held biomedical diagnostic company in a multi-year, worldwide Distribution Agreement with a Fortune 500 healthcare company.
- Represented a publicly-traded NASDAQ genomics company in a Collaboration Agreement with a Fortune 500 pharmaceutical company worth over USD 1.5 billion.
- Represented a privately-held biotech regenerative medicine company in an Exclusive Licensing Agreement with a Fortune 500 pharmaceutical company worth over USD 125 million, with USD 15 million upon signing.
- Represented a subsidiary of a publicly-traded TYO pharmaceutical company in a Sponsored Research Agreement and an Exclusive License Agreement with an American university.
- Represented a privately-held drug delivery company in an Exclusive License Agreement with a non-profit research hospital.
- Represented a privately-held oncology company in a multi-year Cooperative Research and Development Agreement (CRADA) with the National Cancer Institute.
- Represented a large multinational pharmaceutical corporation for in-licensing a clinical candidate in a deal worth over USD 200 million.
- Represented a pharmaceutical company in integrating in-licensed approved therapeutics
- Represented a pharmaceutical company in transferring technology and assets in a deal valued over USD 50 million.

Mergers & Acquisitions (M&A)

- Represented a privately-held specialty pharmaceutical company in an acquisition by a publicly-traded NASDAQ pharmaceutical company for USD 125 million plus milestones.

- Represented a privately-held biomedical cancer therapeutic company in an acquisition/asset purchase by a publicly-traded NASDAQ biotech company for USD 55.3 million.
- Represented a publicly-traded NASDAQ biopharmaceutical company focused on rare pediatric and orphan diseases, in an acquisition of another publicly-traded NASDAQ biopharmaceutical company in an all-stock transaction valued at over USD 15 million, plus contingent value rights (CVRs) for up to an additional USD 6.5 million in subsequent payments.
- Represented a private, pre-clinical medical technology company in the sale of its royalty rights to a major institutional investor for USD 8 million.
- Represented a publicly-traded NASDAQ regenerative medicine company in the merger with two privately-held biotech companies to form a new publicly-traded NASDAQ regenerative medicine company.

Initial Public Offerings (IPOs) / Financings

- Represented a privately-held specialty pharmaceutical company in an IPO on NASDAQ for USD 70 million.
- Represented the underwriters in the IPO of a privately-held molecular diagnostic company on NASDAQ for USD 82.5 million.
- Represented the underwriters in the IPO of a privately-held biotechnology company on TSX for \$42.4 million CDN, representing the largest Life Science IPO in Canada at the time.
- Represented a publicly-traded NASDAQ biopharmaceutical company in a bond deal priced at USD 150 million.

SEMINARS / PUBLICATIONS

- **Morency M., Prince J.T., and Kathardekar V.,** (2021). *“Driving Revenue and Deal Flow Through an Intelligent IP Strategy: Strategies for Smaller and Early-Stage Life Science Companies.”* The Licensing Journal, 41(1): 1-9. [Click here to read full article.](#)