

Life Sciences

Medical device, biotech, and pharmaceutical companies turn to Bailey Glasser's multidisciplinary legal team for strategic legal counsel to help achieve their business objectives throughout all stages of their company. We help our clients develop products from concept to commercialization. Bailey Glasser's broad range of innovative clients includes emerging startups, mid-market companies and global corporations.

Bailey Glasser's life sciences attorneys know the importance of understanding a client's business and the unique pressures and considerations involved. Based on our industry knowledge and pragmatic approach to legal counseling, our interdisciplinary team helps clients navigate the complexities of their business to achieve solutions to obstacles and issues as they grow to achieve their ultimate business goals:

- Corporate structure and governance
- Financing, including equity and debt (representing both companies and investors); navigating and securing available federal and state loans and grants.
- Drafting and negotiating strategic deals, including M&A, licensing, partnering, co-development, commercialization, manufacturing, servicing, and supply agreements
- Protecting and licensing of intellectual property
- Employment matters including compensation (e.g. equity and bonus plans), employment agreements, non-compete agreements, and consulting agreements
- Board and investor materials
- Regulatory compliance, including FDA, TCPA, FDCPA, FLSA, GDPR, and state analog and other related laws involving life sciences, consumer products, privacy, cybersecurity, wage and hour employment, securities and lending, antitrust, and unfair or deceptive trade practices
- Real estate, including office, laboratory, manufacturing leasing and management
- Tax planning to achieve tax favorable results in the structuring, organization, and operation of the business
- Litigation and pre-litigation dispute resolution, including high stakes product liability, government investigations, intellectual property, employment, and bet-the-company litigation, both on behalf of defendants and plaintiffs. This may involve pre-litigation investigations, diligence and analyses, cease and desist or demand letters, negotiations, arbitrations, settlements,

court filings, motions practice, discovery, trial, and appeals.

Experience

- Represented Massachusetts-based pharmaceutical companies in disputes with vendors in state court
- Represented Massachusetts-based medical device company and former employees in connection with discovery obligations, responses, and disputes arising out of subpoenas from out-of-state products liability mass action
- Represented medical device companies in corporate legal work including drafting and negotiating contracts, incorporation, formation and organization of subsidiaries, capitalization and fundraising in various rounds, licensing and protecting of intellectual property, engaging surgeon consultants, hospitals and research laboratories, co-development, co-marketing, or other strategic collaboration and investment opportunities, advising and ensuring GDPR and other privacy law compliance, corporate restructuring, tax planning, corporate compliance, advising of internal policies and trainings, compensation plans, board consents, and navigation of investor relationships
- Represented biotechnology company in the documentation, negotiation, and advice of general corporate matters, including organization, NDAs and other contracts with investors, service providers, and strategic partners or collaborators, equity financing, and structuring of officer compensation
- Represented healthtech company in advising and drafting of purchase and subscription agreement, debt and equity financing, and development of employee compensation plan
- Represented canine genetic testing company and medical monitoring startups in corporate matters from company origin through multiple financing rounds
- Represented seed, venture, and private equity investment funds involving life sciences and other companies
- Represented state governments, often in conjunction with their respective state attorney's general office, in a wide array of matters that have included pharmaceutical, environmental, consumer protection, and other matters
- Represented and advised hospitals in financial fraud matters involving issuance of auction rate securities and other matters such as discrimination and consumer claims
- Represented patients whose medical information were breached and patients who have been injured or harmed
- Conducted extensive discovery and obtained summary judgment for suture manufacturer in product liability matter in the Delaware Superior Court

- Substantial experience in product liability actions and contract disputes on behalf of both parties in state and federal court
- Successfully defended large healthcare company after FTC sought to block proposed multibillion-dollar acquisition of another company
- Represented several compounding pharmacies in multi-party, antitrust litigation against pharmacy benefit manager for group boycott
- Assisted non-profit healthcare provider in establishing HIPAA policies and protocols as it transitioned to an electronic medical records system
- Defended hospitals in HIPAA-related lawsuits