



LIFE SCIENCES INDUSTRY PRACTICE

Life Sciences Practice

The Life Sciences Practice Group is a multidisciplinary group of lawyers who, for more than 15 years, have provided practical and effective advice in the key legal areas for healthcare and life sciences clients. As a multidisciplinary group, we are in a unique position to offer the different players in the healthcare and life sciences industries comprehensive legal analysis that is sensitive to the peculiarities of their businesses.



What we do

We offer specialized counsel in the key legal areas that industry members require:

KEY AREAS

Regulatory
Compliance

Intellectual
Property

Corporate Transactional
and M&A

Anti-corruption

International
Trade

Tax

Data privacy

Administrative
Litigation

Regulatory Compliance

Advice on regulation, contracting, internal auditing, and implications on M&A processes, regarding pharmaceutical products and related substances; restricted substances; medical devices (including nuclear safeguards); products posing health risks for humans, animals, or plants; food and beverages; dietary supplements; cosmetic products; tobacco products; and alcoholic beverages. Assistance with the drafting and negotiation of agreements for industries subject to regulatory compliance including: raw material processing, manufacturing, hosting, supply, licensing, marketing, and distribution.

Intellectual Property

Advice on design and implementation of IP strategies in the life sciences industry, including research and development in scientific and technological matters. Advice in the implementation of the new regulations due to the incorporation of the Intellectual Property chapter in the Trans Pacific Partnership Agreement.

Corporate Transactional and M&A

Integrated advice on mergers, acquisitions, investment and divestment transactions, corporate and group restructurings, liquidations, sale and purchase of entities and assets, spin-offs, due diligence and regulatory compliance reviews (including for the sale of companies), privatizations and joint ventures.

Anti-corruption

Advice on internal investigations due to potential violations of FCPA and other international anti-corruption statutes (arising from conduct in Mexico), Mexican anti-corruption regulations or breach of internal policies. Advice on the performance of local risk assessments. Also, training of key personnel on Mexican anti-corruption and anti-money laundering laws and assistance in the rollout of policies. Assistance in the revision of internal anti-corruption programs to make them fit the new Mexican anti-corruption legal framework as well as advice on internal vetting procedures for distributors, agents and service providers.

International Trade & Customs

Advice on strategic planning on international trade operations for companies subject to specific regulations. This includes advice on tariff and non-tariff requirements, free trade agreements, rules of origin, exceptions to benefits, and related issues. Assistance with customs and administrative audits regarding regulated products and tailoring of compliance policies, and representation before Mexican authorities in settlement or compliance correction processes.

Tax

Federal and local tax optimization for new or existing operations and expansion projects, national and international corporate reorganizations, acquisitions or divestitures. Application of international treaties to tax matters. Advice on transfer pricing and value creation support, including planning, consulting, and defense. Advice and defense in federal and local tax audits.

Data Privacy

Advice on the Mexican Federal Law for the Protection of Personal Data in Possession of Private Entities and its regulations in the handling of personal data, confidential information, and trade secrets, including implementation, privacy notices, internal compliance policies and directives, security policies, codes of conduct and best practices, related training, and representation in administrative proceedings relating to personal data and information security.

Administrative Litigation

Advice in administrative litigation including regulatory compliance, international trade and customs, tax, data privacy and intellectual property against several Mexican authorities for companies in the life sciences industry.

Life Sciences Industry Practice at Sánchez Devanny provides legal advice to companies in these sectors:



Medical Devices



Pharmaceutical



Cosmetic Products



Food and Beverages



Tobacco



Health Care



Agribusiness



Alcoholic Beverages



Dietary Supplements

Representative Experience in the Life Sciences Industry

- Acted as lead legal, regulatory and tax counsel for a German food company on its acquisition of a major Mexican dessert manufacturer. We conducted the legal audit for the acquisition, which required extensive and detailed legal analysis regarding complex industrial processes, formulations, intellectual property and assets holding structure of the seller as well as the existing information technology platform. Our advice allowed us to optimize the efficiencies of the investment structure design, preparation and negotiation of the stock purchase agreement and all ancillary documents. In close collaboration with the company's internal tax team, we developed the leveraged financing structure to maximize returns and minimize the cross border tax burden of the transaction.
- Represented the joint venture between an important European clinical research company and a Mexican counterpart on the structuring and development of a clinical research operation for LATAM based in Mexico, with operations extending to Brazil, Argentina and locally in Mexico.
- Advised a US consumer products company in the Mexican portion of an international acquisition of a major animal food producer and distributor. This transaction included a due diligence process and review and drafting of documents. Our advice included structuring, contractual, corporate, tax planning, foreign trade, labor, compliance and regulatory matters.
- Assisted in the design and execution of a compliance investigation for a client in the medical industry that led to the performance of a full assessment of its Mexico operations' labor practices.
- Supported two clients in the pharmaceutical industry with anti-corruption and improper payment clauses included in their distribution, services, and supply agreements.
- Assisted a client in identifying distributors that have misused its registered trademarks to sell counterfeit medicines to the health sector in Mexico, and helped to design an effective legal strategy to stop infringement and the sale of counterfeit goods.
- Advised a US based food products company regarding a commercial relationship with a Mexican entity. Our advice included determining the US Principal Party in Interest (USPPI), analyzing possible obligations arising from the relationship, establishing possible corrective measures to avoid contingencies, and implementing legal solutions in Mexico and the US.
- Advised a client in the importation of raw materials, parts and components into Mexico for the manufacturing processes of cosmetic products. Counsel focused on the advantages of having manufacturing facilities and activities in Mexico for purposes of origin compliance for exports to NAFTA and other countries with free trade agreements in Latin America.
- Advised a well-known international cosmetics company on the customization of its worldwide data privacy policies and related procedures to comply with Mexican legal requirements.
- Assisted a multinational pharmaceutical company with the development of its global privacy policies.
- Secured a landmark ruling from Mexico's tax courts confirming the application of a 0% VAT rate on corporate services provided to a client's foreign affiliates. This reversed the previous understanding of the authorities, which was that a 16% rate was applicable. Through this ruling, the client will be able to recover corporate costs for services rendered by the head office to its multinational subsidiaries throughout Latin America, allowing it to reduce or eliminate withholding taxes in a number of Latin American jurisdictions and to reduce the allocable portion of its corporate costs.

Who we are?

Sánchez Devanny is a leading Mexican law firm that provides full-service legal advice both to Mexican and international clients. With distinct practice areas that regularly collaborate with one another, we provide comprehensive counsel to help our clients make better decisions for their businesses as a whole for many industries.

More than attorney-client services

We build enduring client relationships that go beyond individual service contracts because we make every effort to understand our clients' businesses and expectations, to serve as an ally, and to provide complete, accessible and personalized advice. As a testament to these efforts, we continue to advise clients today who have trusted us with their legal matters since Jorge Sánchez Devanny founded the firm in 1996.

Experience and creativity

Throughout the firm, we take pride in serving our clients with a combined approach of experience and creativity because we recognize that when you know how things are done it is easier to think outside the box. Our partners offer a wealth of experience, including in prior roles as in-house counsels at global companies and government agencies, and key roles within international law firms.

We have more than 80 practitioners engaged in 15 different practice groups and several industry groups. With offices in Mexico City, Monterrey, and Querétaro, as well as several strategic alliances worldwide, the firm is well-positioned to quickly and efficiently represent and respond to clients' needs, shortening the distance between us and our clients. Our services are delivered in an efficient, professional, cost effective and timely manner, keeping always in mind that, as lawyers, we are business facilitators for our clients and must maintain a proactive and preventive approach.

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Team and location

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Sánchez Devanny refers to Sánchez - Devanny Eseverri, S.C., a leading Mexican law firm that provides full-service legal advice both to Mexican and international clients.

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Sánchez Devanny provides legal services in the areas of Corporate and M&A; Corporate and Project Finance; International Trade and Customs; Real Estate, Infrastructure and Hospitality; Tax; Labor, Social Security and Immigration; Corporate Governance and Regulatory Compliance; Energy, Natural Resources and Environmental; Life Sciences; Intellectual Property, Entertainment and Sports Law; Litigation and Alternative Dispute Resolution; Antitrust; Financial Institutions and Services; Private Wealth Management and Estate Planning and Data Privacy and Information Technology to both public and private clients, especially in the automotive, retail, pharmaceutical, manufacturing, real estate and energy industries.