

The International Society of Primerus Law Firms

XPRESS e-Newsletter

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In This Issue

[Business](#) [Technology](#) [Real Estate](#) [Litigation](#) [Defamation](#) [Dispute Resolution](#)
[Insurance](#) [Energy](#) [Intellectual Property](#) [Labor & Employment](#)
[Paradigm Magazine](#) [Resources](#)
[Primerus Client Resource Institute](#)

Business

PERU

Can the Appellations of Origin Be Negotiable?

[Llona & Bustamante Abogados](#)

San Isidro, Peru

Perhaps many are not aware about the international legal conflict between the Republics of Peru and Chile for the Appellation of Origin (A.O.) Pisco. Pisco is liquor made from certain grapes that are harvested in the valleys of the southern coast of Peru. Its distillation relies upon traditional equipment made of copper or tin and requires a minimum rest of 3 months. The grapes and their manufacturing process give the final product specific physical characteristics and a very particular flavour.

[Full Article](#)

UNITED STATES

Boston Area Restaurants and Bars Facing Scrutiny Over ADA Accessibility

[Hermes, Netburn, O'Connor & Spearing, P.C.](#)

Boston, Massachusetts

The Boston hospitality industry is facing increased scrutiny over alleged Americans with Disabilities Act (ADA) violations. In recent weeks, nearly two dozen new lawsuits have been filed in the US Federal District Court for the District of Massachusetts against various Boston area restaurants, bars, hotels and other hospitality businesses. The lawsuits name both the owners of the building and the operator of the business.

[Full Article](#)

SWITZERLAND

Switzerland - Foreign Nationals and Intergration Act (FNIA)

[Vera Lavvas, & Eléonore Gallopin](#)

[Suter Howald Rechtsanwälte](#)

Zurich, Switzerland

The revised and renamed Foreign Nationals and Intergration Act entered into force on 1 January 2019 and entails several changes.

[Full Article](#)

UNITED KINGDOM

Advance Subscription Agreements in Early Stage Investments

[Sive Ozer & Olga Ayers](#)

[Marriott Harrison LLP](#)

London, United Kingdom

Early stage investments often need to move at a fast pace, with companies raising smaller sums and not waiting to commit the time, effort and cost to negotiating a full set of documents.

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[Back to Top](#)

Technology

COSTA RICA

Have You Ever Had Any Problems with Drones?

[Guardia Montes & Asociados](#)

San Jose, Costa Rica

The use of drones has increased in Costa Rica over the last few years. It is common to see these aircrafts flying over concerts or sports events, filming artistic videos or movies, and even in private events.

[Full Article](#)

[Back to Top](#)

Real Estate

AFRICA

Interests Under Which Land can be Held in Kenya

[Njoroge Regeru & Company](#)

Nairobi, Kenya

People often say that they have an interest in land or that they wish to own, purchase or transfer an interest in land. But what are these interests?

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[Back to Top](#)

Litigation

AUSTRALIA

The Product-Warranty Has Lapsed - What Are My Rights?

[Nikolina Milosevic & Murray Noel Thornhill](#)

[HHG Legal Group](#)

West Perth, Australia

You have purchased a used vehicle in the last six months which has been at the mechanic's more than you have driven it. But, the car salesperson from your local car dealer has just told

you that your three-month or 5,000km statutory used-car warranty has lapsed, and they're no longer responsible for the issues you're having with the vehicle. What do you do now?

[Full Article](#)

[Back to Top](#)

Defamation

AUSTRALIA

Defamation and Local Government in an Age of Social Media

[Julia McCullagh & Murray Noel Thornhill](#)

[HHG Legal Group](#)

West Perth, Australia

In October 2018, a former Mayor from country New South Wales was awarded more than \$100,000 in damages after a local resident defamed him in a number of Facebook posts - accusing him of corruption and intimidation. A fellow councillor was also found liable in relation to one defamatory post.

[Full Article](#)

[Back to Top](#)

Dispute Resolution

UNITED KINGDOM

Signia v Vector - Bad Leaver Clause not a Penalty

[Jemima Robin](#)

[Marriott Harrison LLP](#)

London, United Kingdom

The High Court in Signia Wealth Ltd ("Signia") v Vector Trustees Ltd et al [2018] EWHC 1040 (Ch) considered whether the "bad leaver" provision in Signia's articles of association ("Articles") was to be construed as a penalty clause and was therefore unenforceable.

[Full Article](#)

[Back to Top](#)

Insurance

UNITED STATES

Planning for Your Family's Future: Is Your Life Insurance Sufficient?

[Kenneth H. Kinder, II & Robert R. Sparks](#)

[Strauss Troy](#)

Cincinnati, Ohio

It is important to periodically review your life insurance to make sure that you have a policy that will stay in-force long enough to accomplish your estate planning objectives. Recent actions by the life insurance industry to increase costs associated with some policies make it very important to have your insurance reviewed.

[Full Article](#)

[Back to Top](#)

Energy

MEXICO

Mandatory Enforceability of the Mexican Electricity Grid Code (Network Code)

Cacheaux Cavazos & Newton

Mexico City, Mexico

On April 8, 2019, Mexico will begin mandatory enforcement of the so-called "**Grid Code**" for all high and medium voltage load centers in Mexico. The Grid Code is a set of regulations issued by the Energy Regulatory Commission ("CRE") and contains key standards governing the efficiency, quality, reliability, continuity, safety, and sustainability of the National Electric System ("SEN").

[Full Article](#)

[Back to Top](#)

Intellectual Property

HONG KONG

Trademarks with Vulgar Meaning May Be Invalidated in the PRC

ONC Lawyers

Hong Kong, Hong Kong

On 3 February 2019, the Higher People's Court of Beijing Municipality ("Beijing High Court") handed down its judgment and determined that the trademark "MLGB" had a vulgar meaning, was of low style, and may endanger the socialist morality; and therefore shall be invalidated in accordance with Article 10(8) of Trademark Law of the People's Republic of China (the "Trademark Law").

[Full Article](#)

[Back to Top](#)

Labor & Employment

NETHERLANDS

Transitional Compensation If Working Hours Are Reduced?

Russell Advocaten B.V.

Amsterdam, Netherlands

Is an employee entitled to transitional compensation if he or she chooses to work fewer hours? And if so, what is the amount to be paid?

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NETHERLANDS

Termination of a Continuing Performance Agreement

Russell Advocaten B.V.

Amsterdam, Netherlands

Continuing performance agreements for an indefinite period do not always include a termination arrangement. Is it possible to terminate such an agreement?

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HONG KONG

When Will Text Messages Constitute Sexual Harassment?

[ONC Lawyers](#)

Hong Kong, Hong Kong

What should you do when you find yourself on the receiving end of unwanted text messages from your supervisor or employer? Sexual harassment cases are not always based on inappropriate sexual contact and can arise from unwelcome text messages.

[Full Article](#)

[Back to Top](#)

Paradigm Magazine



The **2018 Fall Paradigm Magazine** delivers articles regarding developments and trends in legal issues relevant to corporate clients around the world, while showcasing Primerus members as leaders with the expertise to assist clients with any legal needs they may have. It is published twice a year and mailed to Primerus members as well as clients around the world.

If you would like to be added to our hard copy mailing list please include your mailing address in a brief email to Derek Mallekoote at dmallekoote@primerus.com.

[Back to Top](#)

The Primerus Client Resource Institute

The Primerus Client Resource Institute (PCRI) is the client section of the Primerus membership intended for in-house counsel, risk managers, claims managers, and corporate executives who are responsible for the legal affairs of their companies. Given the challenges of doing business in today's fast-paced, global economy, it has never been more important for companies around the world to develop trusted relationships with law firms that offer high quality legal services at reasonable fees. Primerus seeks out, screens and audits our firms to make sure we have only the finest, so companies in need of legal services can call upon any Primerus lawyer with complete confidence that he or she is reasonably priced, highly competent, and worthy of your trust.



The PCRI was created with the help of some long-standing Primerus corporate clients, and offers in-house counsel and corporate executives an opportunity to connect with not only great law firms and lawyers, but also with other similarly situated in-house and corporate professionals.

Membership Benefits:

- There is no cost to join
- Free 30-minute legal consultation phone call with any Primerus member, anywhere in the world
- Assistance in finding the right Primerus lawyer(s) to meet your needs
- Access to free Primerus educational webinars
- Access to the PCRI Listserv to communicate with other PCRI members
- On-site education programs can be arranged that are customized to your industry and business

It's Easy to Join the PCRI

Click below to complete a brief online application. Once submitted, membership applications are reviewed and approved by the Primerus Client Resource Institute Executive Committee. Apply today, and you will hear from us soon.

JOIN THE PCRI TODAY

[Back to Top](#)

Resources

[Legal Articles](#)

Compendiums:

- [A Survey of the Law of Dram Shop and Alcohol Liability](#)
- [A Survey of the Law of Legal Malpractice - A Professional Liability Practice Group Compendium - September 2015](#)
- [A Survey of The Law of Non-Contractual Indemnity and Contribution - Products Liability Practice Group Compendium - April 2015](#)
- [Compendium of Principles of Law Regarding Bad Faith in the Fifty States and D.C. - 2013 Edition](#)
- [A State by State Update of Tort Reform - 2013 Edition](#)
- [Principles of Law Regarding Establishment and Operation of a Business in Various Countries Compendium - International Transactional Services Practice Group - March 2012](#)
- [Doing Business in the Asia Pacific Region](#)

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[Back to top](#)

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as embodied in the Six Pillars: Integrity, Excellent Work Product, Reasonable Fees, Continuing Legal Education, Civility and Community Service. After more than 20 years, in which Primerus has experienced tremendous growth in membership and expansion of services, we have never wavered from this commitment, and we never will. [Click Here](#) to visit our website and learn more.

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[Back to Top](#)

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