

The International Society of Primerus Law Firms

***XPRESS*** e-Newsletter

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## Business

### **UNITED STATES**

#### **Is It Time to Amend Your Partnership Agreement?**

[Stephenson Fournier](#)

Houston, Texas

Starting a business with a new partner can be an exciting time. After a while, however, the relationship can get complicated.

Some conflicts between partners are simply part of working with other humans. Some disagreements can even be good for the business, because you are forced to think about things from a different perspective. However, disagreements can hinder your progress.

[Full Article](#)

### **HONG KONG**

#### **Listed Issuers with Disclaimer or Adverse Audit Opinions on Their Financial Statements Beware**

[ONC Lawyers](#)

Hong Kong, Hong Kong

In September 2018, the Stock Exchange of Hong Kong Limited (the "Exchange") published a Consultation Paper on Proposal Relating to Listed Issuers with Disclaimer or Adverse Audit Opinion on Financial Statements (the "Consultation Paper"). The Consultation Paper sought market views on the proposal to introduce a specific suspension requirement applicable to listed issuers with disclaimer or adverse audit opinions on their financial statements.

[Full Article](#)

### **UNITED STATES**

#### **Charitable Giving Strategies at Any Age**

[Sidney Neuman](#)

[Rothman Gordon](#)

Pittsburgh, Pennsylvania

While many people donate to charity because they genuinely want to help, Uncle Sam has also created tax savings incentives to help your charitable giving dollars to go further. We will

look at three age groups, at various stages of life, who are charitably motivated and discuss some options for optimizing their gifts.

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## Art Law

### NETHERLANDS

#### When Does a Collector Become an Art Dealer?

[Reinier W.L. Russell](#)

[Russell Advocaten B.V.](#)

Amsterdam, Netherlands

A collector will sometimes sell artworks in order to be able to buy new objects. If this happens a lot, he can be regarded as an art dealer rather than a consumer. When is that the case? And what are the consequences?

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## Real Estate

### BELGIUM

#### Professional Liability of Intellectual Professions in the Construction Sector

[Seeds of Law](#)

Brussels, Belgium

Following the ten-year liability insurance for real estate projects for architects, engineering firms and contractors, which was made mandatory by the "Peeters-Borsus Law" since 1 July 2018, another insurance obligation has been introduced within the construction sector by the "Peeters-Ducarme Law" effective 1 July 2019.

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## Civil Procedure

### UNITED STATES

#### Michigan Courts Have Jurisdiction Over Person Who Retains Counsel in Michigan

[Demorest Law Firm, PLLC](#)

Royal Oak, Michigan

In *Dunn Counsel, PLC v Todd Zappone, Carrie Zappone, and Scrapco, LLC*, No. 340790 (January 2019), the Michigan Court of Appeals held that a person avails itself to Michigan jurisdiction by retaining and maintaining Michigan counsel in a law matter.

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# Banking & Finance

## GERMANY

### What is a Security Token?

[Sebastian Forste](#)

[WINHELLER Attorneys at Law & Tax Advisors](#)

Frankfurt, Germany

Initial Coin Offerings (ICOs) have established themselves as a possible alternative to corporate financing. Compared to traditional financing methods, ICOs offer numerous advantages. An ICO sells units (tokens) of a virtual currency that are still at a very early stage of development or even in the status of a theoretical white paper.

[Full Article](#)

## NIGERIA

### Implementing Bankruptcy Law in Nigeria

[Giwa-Osagie & Company](#)

Lagos, Nigeria

There are a number of options open to creditors to recover their debts from a defaulting debtor. Where the debtor is not a corporate body, a bankruptcy proceeding is one of the options that may be considered by the creditors. When it is realized that, even though there is no accurate statistics, it seems to be the case that a good part of business activities are carried on through the unorganized private sector, then the importance of bankruptcy law comes to the fore.

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# Trademarks

## GERMANY

### No Trademark Infringement When Listing Competing Products

[Olga Stepanova](#)

[WINHELLER Attorneys at Law & Tax Advisors](#)

Frankfurt, Germany

Search engines use algorithms to provide their users with the best possible result for their query. When it comes to finding goods and services, brand infringements can often occur. Specifically, the so-called origin function of the brand is often violated. This ensures that the products of one company can be distinguished from the products of another company.

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# Litigation & Dispute Resolution

## RUSSIA

### Litigating Professional Liability Disputes in Russia

[Elena Popova](#)

[Sokolov, Maslov & Partners](#)

Moscow, Russia

What is the structure of the court system where professional liability disputes can be brought? Professional liability disputes are dealt with under the general procedural rules. The civil litigation system - when considering of PI claims - includes the civil courts (for cases involving an individual) and the arbitrazh courts (for cases involving legal entities from both sides and/or individual entrepreneurs).

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## Labor & Employment

### UNITED STATES

#### HR Working Overtime in Response to the #MeToo Movement

[Connie Elder Carrigan](#)

[Smith Debnam Narron Drake Saintsing & Myers, LLP](#)

Raleigh, North Carolina

Believe it or not, many individuals know very little about sexual harassment or what to do if they were to experience it. For these reasons, it is essential that HR professionals update and strengthen their policies and training materials so that employees are appropriately informed. Specifically, HR professionals should offer company-wide training to ensure that every employee knows how to file a report, respond to an incident, or intervene if they were to witness a co-worker being sexually harassed.

[Full Article](#)

### UNITED STATES

#### Do Your Workplace Posters and Employment Law Pamphlets Need a Spring Cleaning?

[Wendy Lane](#)

[Greenberg Glusker](#)

Los Angeles, California

As of April 1, 2019, California employers with 20 or more employees should make sure they have posted the Department of Fair Employment and Housing's ("DFEH") new Family Care and Medical Leave and Pregnancy Disability Leave notice (DFEH-100-21/March 2019).

[Full Article](#)

### NETHERLANDS

#### Labour Market in Balance Act Approved: 6 Significant Changes

[Jan Dop](#)

[Russell Advocaten B.V.](#)

Amsterdam, Netherlands

On 28 May 2019, the Dutch Senate approved the bill on the Labour Market in Balance Act. This Act will be effective as of 1 January 2020. What are the six main changes?

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The **2019 Spring 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](mailto:dmallekoote@primerus.com).

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## 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.

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## Resources

### [Legal Articles](#)

#### Compendiums:

- [A Survey of the Law of Dram Shop and Alcohol Liability](#)
- [Doing Business in the Asia Pacific Region](#)
- [Young Lawyers Section Stare Decisis](#)
- [Women Lawyers Section Lady Justice Newsletter](#)

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Primerus is a society of the world's finest independent, boutique law firms. With nearly 200 member firms in 50 countries, Primerus provides clients easy access to the right lawyer, with the right skills, in the right location, and at the right cost. We seek out, accept and retain only the best firms for membership. Each firm is screened to ensure its commitment to excellence 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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