

The International Society of Primerus Law Firms

***XPRESS*** e-Newsletter

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## Business

### **GERMANY**

**How Can German Companies Implement Cryptocurrencies as a Means of Payment?**

[Benjamin Kirschbaum](#)

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

Frankfurt, Germany

In the last few years, cryptocurrencies have hit the headlines. They were often considered as mere objects of speculation, and the extreme price development resulted in the cryptocurrency hype. However, meanwhile, this hype appears to be definitely over and cryptocurrencies are again increasingly used as a means of payment.

[Full Article](#)

### **AFRICA**

**An Overview on the Legal and Regulatory Framework for Mining in Nigeria**

[Giwa-Osagie & Company](#)

Lagos, Nigeria

In recent years, developing nations have become a beehive of activities for solid mineral investors. This is due mainly to two major factors, attractive geology and investment friendly regulatory frameworks. Nigeria has recently enacted an all-encompassing law on solid minerals.

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## Oil & Gas

### **UNITED STATES**

**Recording of Surrender Documents from Oil and Gas Natural Gas Lease Act**

[Paul Yagelski](#)

**Rothman Gordon**

Pittsburgh, Pennsylvania

You believe that your oil and gas lease has terminated, expired or been cancelled. Simply put, you believe that your oil and gas lease is gone; it is no longer in effect. The oil and gas company, however, has not acknowledged this. In particular, it has not filed anything in the recorder of deeds office in the county where your oil and gas are located to give notice to the world that it no longer has an oil and gas lease covering your property. What can you do?

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## Real Estate

### **UNITED STATES**

#### **The New Jersey Five-Year Exemption and Abatement Law**

**Michael Haviland**

**Earp Cohn P.C.**

Cherry Hill, New Jersey

As many developers and landlords know, real estate is about location, location, location. In addition to more typical considerations like highway and public transportation access, proximity to cities and commercial corridors, and neighborhood amenities, the developer and landlord should also consider whether the municipality offers exemptions or abatements for improvements under New Jersey's Five-Year Exemption and Abatement Law

**Full Article**

### **UNITED STATES**

#### **U.S. Sues Facebook for Fair Housing Act Violation. Are Realtors and Advertisers Next?**

**Barton LLP**

New York, New York

On March 28, 2019, the U.S. Department of Housing and Urban Development ("HUD") sued Facebook alleging that Facebook's use of its artificial intelligence tools caused violations of the Fair Housing Act in permitting advertisers to target property advertisements based on race and national origin.

**Full Article**

### **NETHERLANDS**

#### **Landlord in Stronger Position Compared to Bankruptcy Trustee**

**Ynze Kliphuis**

**Russell Advocaten B.V.**

Amsterdam, Netherlands

The lessor of a store has been granted more rights in the situation that his tenant goes bankrupt. The bankruptcy trustee may not rent the building to a third party without the lessor's permission. This is not permitted in most leases for retail space. However, this makes a restart of a bankrupt store or retail space more difficult.

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# Regulatory Compliance

## HONG KONG

### **CFA Clarifies the Proper Approach for Interpreting "Red Flag" Reports**

#### **ONC Lawyers**

Hong Kong, Hong Kong

In *Moody's Investors Service Hong Kong Ltd v Securities and Futures Commission (SFC)* [2018] HKCFA 42, the Court of Final Appeal ("CFA") dismissed an appeal brought by Moody's Investors Service Hong Kong Ltd ("Moody's") in relation to SFC's disciplinary action concerning a report entitled "Red Flags for Emerging-Market Companies: A Focus on China" (the "Report").

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## Immigration

## UNITED STATES

### **The Social Security Administration Resumes Practice of Sending "No-Match Letters" to Employers**

#### **Demorest Law Firm, PLLC**

Royal Oak, Michigan

In March 2019, the Social Security Administration (SSA) resumed its practice of sending notifications to employers when the W-2 information submitted by the employer for its employee(s) does not match the information in SSA's records. The purpose of these "No-Match Letters" is to put employers on notice of employees who might not be authorized to work in the United States.

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## Banking & Finance

## GERMANY

### **Banking License and Brexit: Here Is the Cost of a German BaFin License**

#### **Phillipe Dagobert Winterstein**

#### **WINHELLER Attorneys at Law & Tax Advisors**

Frankfurt, Germany

The UK is presently heading for a "hard" Brexit. If this happened, the country would leave both the EU and the European Economic Area. Many UK banks and financial services providers are therefore right to consider relocating their domicile or business to the continent and especially to Germany.

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## Intellectual Property

## **HONG KONG**

### **How Do PRC's Trademark Law Amendments Tackle Bad Faith Registrations?**

#### **ONC Lawyers**

Hong Kong, Hong Kong

Bad faith trademark registration, or "trademark squatting", has long been a serious problem in the People's Republic of China ("PRC"). For trademark registrations, the Chinese Trademark Office ("CTMO") adopts a "first-to-file" system instead of "first-to-use" system. With very few exceptions, whoever files the trademark application first owns the trademark.

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## Labor & Employment

### **UNITED STATES**

#### **So, Is That Individual an Employee Or an Independent Contractor?**

##### **Barton LLP**

New York, New York

As previously discussed in Barton's past blogs, the question of whether an individual is an independent contractor of an organization or actually an employee is a subject that has been litigated ad infinitum over the past several years.

**[Full Article](#)**

### **UNITED STATES**

#### **Alabama Passes Equal Pay Act**

##### **Christian & Small LLP**

Birmingham, Alabama

Alabama is on the verge of joining the majority of other states that have their own state version of an equal pay act. On Thursday, May 30, 2019, the Alabama legislature passed the state's own equal pay act, called the "Clarke-Figures Equal Pay Act" (Alabama's EPA), and Governor Ivey is expected to sign the Act into law.

**[Full Article](#)**

### **UNITED STATES**

#### **Kentucky's New Pregnancy Accommodation Law**

##### **Theresa Nelson**

##### **Struass Troy**

Cincinnati, Ohio

Effective July 27, 2019, the Kentucky Pregnant Workers Act (the "Act") requires all Kentucky employers with 15 or more employees (for 20 or more calendar weeks) to provide reasonable accommodations for an employee's pregnancy, childbirth, and related medical conditions.

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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:

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- 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](#)
- [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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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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*opinion on any specific facts or circumstances. You should consult legal counsel regarding your individual circumstance.*

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