

The International Society of Primerus Law Firms

XPRESS e-Newsletter

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In This Issue

[Business](#) [Estate Planning](#) [Real Estate](#) [Premises Liability](#) [Litigation](#)
[Technology](#) [Intellectual Property](#) [Labor & Employment](#) [Paradigm Magazine](#)
[Resources](#)
[Primerus Client Resource Institute](#)

Business

NETHERLANDS

Do You Have to Accept Back an Opened Package Product?

[Eileen A. Pluijm](#)

[Russell Advocaten B.V.](#)

Amsterdam, Netherlands

Products can be sent back when the packaging has been opened. The opening of the packaging must be necessary for testing the product. Only if a product cannot be resold, or is difficult to resell, this is not allowed. However, this is not easily accepted by the courts.

[Full Article](#)

GERMANY

Ban on Sale of Flavored Tobacco in Germany

[Bartosz Dzionsko](#)

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

Frankfurt, Germany

The sale of flavored tobacco, i.e. tobacco with characterizing flavors (e.g. menthol or vanilla) that mask the taste or odor of tobacco are prohibited within the European Union (EU). However, a transition period has been granted to sellers of cigarettes and other tobacco products, whose sales volumes within the EU amount to 3 percent or more of a specific product category, like menthol, for example. Hence, the ban will apply to them as of May 20, 2020.

[Full Article](#)

GERMANY

Commercial Trading in Crypto Currencies and Arbitrage Transactions in Germany: Pitfall Accounting

[Benjamin Kirschbaum](#)

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

Frankfurt, Germany

Trading in crypto currency isn't exclusively reserved for private individuals. From a tax perspective, it can make sense to shift these activities to a corporation, especially when it comes to a large number of speculative trades within a year.

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UNITED STATES

Increase Your IRA Contributions in 2019

[Claudia G. Allen](#)

[Strauss Troy](#)

Cincinnati, Ohio

While Congress has not acted on any of the myriad proposals to increase opportunities for retirement savings, the Internal Revenue Service has announced that it will allow a bit more to be deposited into existing plans in 2019.

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AUSTRALIA

Taxation Ruling TR 2018/6 - Income Tax: Consequences of a Trust Vesting

[Selwyn Black](#)

[Carroll & O'Dea Lawyers](#)

Sydney, Australia

Taxation Ruling TR 2018/6 provides guidance on the income tax and capital gains tax (CGT) taxation consequences of a trust vesting. The Ruling has been in effect from 15 August 2018 and builds upon the Draft Taxation Ruling TR 2017/D10.

[Full Article](#)

[Back to Top](#)

Estate Planning

IRELAND

Wills and Estate Planning - 10 Top Tips When Making a Will

[Sweeney McGann Solicitors](#)

Limerick, Ireland

If you die and you have not made a Will you are said to have died "intestate" and your assets are distributed under the rules of intestacy. Thus, your estate may not be distributed in the way that you wanted it to be. By making a valid Will you are ensuring that you are distributing your assets in accordance with your wishes upon your death and you are said to have died "testate".

[Full Article](#)

[Back to Top](#)

Real Estate

UNITED KINGDOM

The Next Planning Shakeup?

[Sam Swann](#)

[Marriott Harrison LLP](#)

London, United Kingdom

A consultation has been launched by the government on a set of planning reforms focused on housebuilding and retail which envisage the expansion of Permitted Development Rights (PDRs) and an associated shake up of the use class system.

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NETHERLANDS

6 Tips For a Successful Call on Urgent Personal Use of Retail Space

[Ynze Kliphuis](#)

[Russell Advocaten B.V.](#)

Amsterdam, Netherlands

Does your competitor rent retail space in a prime location? Then you can try to buy that property and start a shop yourself by terminating the lease because of urgent personal use. But when is it a matter of personal use? And when is personal use urgent?

[Full Article](#)

[Back to Top](#)

Premises Liability

HONG KONG

What Can You Do if a Camera in a Taxi or Hailed Car Captures Your Private Actions and the Video Goes Viral?

[ONC Lawyers](#)

Hong Kong, Hong Kong

Video cameras have been installed inside some taxi and hailed car compartments in Hong Kong for security and safety purposes. They would record the video images of the passengers. Some unscrupulous drivers might share or upload the recorded video clip online to social media or sell the clip to a media company without any prior consent from the passengers.

[Full Article](#)

[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](#)

Immigration

SWITZERLAND

Family Reunification in Switzerland

Suter Howald Rechtsanwälte

Zurich, Switzerland

Family reunification in Switzerland means that either a Swiss or a foreign national living in Switzerland (residence in Switzerland) can bring his family members from abroad to Switzerland, if certain requirements are fulfilled.

[Full Article](#)

[Back to Top](#)

Technology

UNITED STATES

Blockchains and Customs: Prospects and Possibilities

Nicholas J. Birch

Stewart and Stewart

Washington, D.C.

One of the cutting-edge technologies currently generating much excitement and commentary in many fields is "blockchain." Blockchains are finding use in systems as varied as banking, healthcare, and voting. Proponents of blockchain are highly vocal in touting the possibilities it presents in these and many other fields, including increasingly in international trade. U.S. Customs and Border Protection (CBP) has undertaken a number of trials to test the viability and benefits of blockchain technology in various customs applications.

[Full Article](#)

[Back to Top](#)

Intellectual Property

UNITED STATES

Getting Your IP House in Order: 10 Tips for Protecting Intellectual Property

Susan E. Chetlin

Burch & Cracchiolo, P.A.

Phoenix, Arizona

All businesses have intellectual property (IP), whether they know it or not. Be it a brand, an invention or website content, IP is an intangible asset that, when properly protected, can enhance the overall value of a business. Here are 10 basic tips to help you get your IP house in order after the New Year.

[Full Article](#)

[Back to Top](#)

Labor & Employment

UNITED STATES

Can Employers Enforce Policies Prohibiting Marijuana Use?

[Zupkus & Angell, P.C.](#)

Denver, Colorado

With marijuana use legal in so many states but still illegal on the federal level, there is bound to be some confusion as to whether employers can still enforce workplace drug policies that prohibit its use. A recent federal appellate court decision has provided some clarity by ruling that so long as the policy adheres to state law, employers may still prohibit marijuana use as a condition of employment.

[Full Article](#)

[Back to Top](#)

Paradigm Magazine



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.

[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.



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- 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

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[*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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[Back to Top](#)

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