

The International Society of Primerus Law Firms

XPRESS e-Newsletter

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Trademarks

UNITED STATES

A Unicorn's Weight in Gold: A Recipe for Successful Trademark Litigation

By [Anna Nagornaia](#) & Michael Hewitt

[Dillingham & Murphy, LLP](#)

San Francisco, California

It's rare when one of the most well-known coffee companies in the world gets into a Trademark battle. But that is what happened last year when Starbucks, Inc., one of the most well-known coffee brands in the world, released a Unicorn-themed Frappuccino® drink in an attempt to capitalize on the "unicorn craze."

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Logistics

HONG KONG

Do You Have to Provide an Undertaking in Damages When You Arrest a Ship?

[ONC Lawyers](#)

Hong Kong, Hong Kong

It is well established in the United Kingdom as long ago as 1858 that, an arresting party is not liable to pay for any damage resulting from a wrongful ship arrest unless it acts in bad faith or with gross negligence. Also, an arresting party can arrest the ship as of right.

[Full Article](#)

SPAIN

Shipper Pays Twice!

By [Zoya Ilyenka](#)

[1961 Abogados y Economistas](#)

Barcelona, Spain

The law governing land transport in Spain was reformed in 2013. One of the most important changes for the carriers of the law was the introduction of the so-called right o a "direct action". Despite the fact that five years have passed since the entry into force of this reform, this consolidation of the amendment began to take place recently, namely when the provision began to be applied in judicial practice.

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Labor & Employment

NETHERLANDS

Gender Neutral Workplace

[Russell Advacaten, B.V.](#)

Amsterdam, Netherlands

The Dutch rail company NS starts its announcements with "Dear traveller" and recently, HEMA launched gender neutral children's clothes. Employers will have to deal with gender neutrality too. After all, they are obliged to provide the best possible working conditions. How can you, as an employer create a work environment where everybody feels welcome and free? What efforts do you, as an employer, have to make?

[Full Article](#)

NETHERLANDS

Schiphol Security Guards Keep Right To Strike

[Jan Dop, LLP](#)

[Russell Advacaten, B.V.](#)

Amsterdam, Netherlands

Russell Advacaten assisted Dutch trade union De Unie in preliminary relief proceedings regarding Schiphol Airport security guards' right to strike.

[Full Article](#)

UNITED STATES

Criminal Background Checks: Controlling Risks For Employee Related Litigation

By [Timothy Steen](#)

[Beresford Booth PLLC](#)

Edmonds, Washington

Employers face increasing litigation risks from the wrongful acts of their employees as the law of negligent hiring and retention expands. Employers are potentially liable for negligent hiring when employing an unfit applicant who poses an unreasonable risk of harm to others.

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Business

UNITED STATES

Sole Proprietorships, General Partnerships, LLC's, and Corporations: Which One Is Best For You and Why?

Zupkus & Angell, P.C.

Denver, Colorado

Choosing a structure for your business is a highly personal decision, specific to each enterprise. In general, any type of business needs to have two considerations at the top of its list when determining what structure is best: tax implications and liability.

[Full Article](#)

UNITED STATES

US Significantly Expands Scope and Depth of Review of Foreign Direct Investments

By **Bill Newman**

Barton LLP

New York, New York

Since 2007 the federal government Committee of Foreign Investment in the United States (CFIUS) has been reviewing certain foreign direct investment into the United States. This summer, both houses of Congress have passed new legislation on inbound foreign investment, and the President has signed it into law on August 13, 2018.

[Full Article](#)

GERMANY

German Government Blocks Company Acquisition By Foreign Investors For the First Time

By **Phillip von Raven**

WINHELLER Attorneys at Law & Tax Advisors

Frankfort, Germany

In July 2017, an amendment to the German Foreign Trade and Payments Ordinance was adopted. The objective was to give the Federal Ministry for Economic Affairs and Energy enhanced control in case investors based outside the EU and the European Free Trade Association (EFTA) wish to acquire at least 25 percent of the voting rights in a German company if said acquisition endangers Germany's public order or security.

[Full Article](#)

NETHERLANDS

Act On The Protection of Trade Secrets

By **Reinier W.L. Russell**

Russell Advocaten B.V.

Amsterdam, Netherlands

The Act on the Protection of Trade Secrets is about to come into force. What does it mean?

The Dutch government is currently in the process of implementation of the European Trades Secrets Directive.

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Workers' Compensation

UNITED STATES

Protecting Your Wellbeing in the Workplace

Fowler Bell PLLC

Lexington, Kentucky

From the moment you hire your employees, you should look for individuals who are team players and show a commitment to maintaining your company's reputation and success. Often, these kinds of people are the workers who are the most willing to follow procedures that are designed to protect them and make their job more efficient and effective

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Regulatory & Compliance

HONG KONG

Can Contingent Creditors Vote In Creditors' Meeting in a Scheme of Arrangement?

[ONC Lawyers](#)

Hong Kong, Hong Kong

Part 13 of the Companies Ordinance provides that the court has the jurisdiction to sanction a scheme of arrangement between a company and its creditors if a majority in number of the class of creditors ("headcount" test) representing 75% in value of the class of creditors...

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Paradigm Magazine



The [2018 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.

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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.

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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

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

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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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