

The International Society of Primerus Law Firms

XPRESS e-Newsletter

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NETHERLANDS

#MeToo at work: 4 tips

By **Dr. Jan Dop, LL.M.**

Russell Advocaten, B.V.

Amsterdam, Netherlands

What can you do to prevent sexual harassment on the workforce? And what do you, as an employer, have to do if it does occur unexpectedly?

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PUERTO RICO

Religious Beliefs: Is there a legal duty to accommodate?

By **Yasthel Gonzalez, Esq.**

Estrella, LLC

San Juan, Puerto Rico

Employers in Puerto Rico are well aware that federal and local laws prohibit an employer from discriminating against its employees or employment candidates based on their religion. However, employers' duties not to discriminate based on religion, do not end there.

Full Article

UNITED STATES

Score A Home Run For Women-Owned Small Businesses

By **Sarah O'Keefe**

Burch & Cracchiolo, P.A.

Fifty years ago, women were fighting for equal employment opportunities. Today, women-owned businesses are cementing a powerful role in the fabric of the U.S. economy. Women-owned businesses now account for 39% of all U.S. firms, and if you add the number that are equally owned by men and women, that percentage rises to 47%. Unfortunately, women-owned businesses only employ 8% of the total private sector workforce and contribute 4.2% of total business revenues. Clearly, work is still needed.

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Business

UNITED STATES

Gibson Guitars Files for Bankruptcy: What Does This Mean For You?

By [Allen A. Etish & Richard Schlaifer](#)

[Earp Cohn P.C.](#)

Cherry Hill, New Jersey

In a move reminiscent of The Who's Pete Townshend smashing his guitar (which, incidentally, were usually Gibsons), Nashville based Gibson Guitars, the venerable manufacturer of the Les Paul, Firebird, Flying V, SG and countless other guitars made famous worldwide by a host of great artists, filed for bankruptcy protection under Chapter 11 in Delaware on May 1, 2018. Why should you care?

[Full Article](#)

UNITED STATES

Starbucks Case Gives Employers a Jolt

By [Wendy Lane & Brandon Milostan](#)

[Greensberg Glusker](#)

Los Angeles, CA

Supreme Court Rejection of De Minimis Doctrine May Significantly Impact Employers Who Require Employees to Perform Miniscule Periods of Work Off the Clock.

[Full Article](#)

GERMANY

Ministry of Finance Responds to Unlawful German Anti-Treaty Shopping Regulations

By [Susanne Henriette Articus](#)

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

Frankfort, Germany

What are treaty shopping and anti-treaty shopping regulations? The term "treaty shopping" (or directive shopping) originates from U.S. treaty law and refers to tax structures implemented to benefit from tax relief under a treaty or benefits provided by a directive. The term anti-treaty shopping regulations refers to national provisions by which the legislator seeks to avoid an abuse of treaty shopping.

[Full Article](#)

UNITED STATES

Clear Thinking Required When the Chips Are Down

By [John Melissionos](#)

[Greenberg Glusker](#)

Los Angeles, California

One important attribute of any successful entrepreneur or business owner is knowing when to enter a new line of business or invest in equipment or employees to bolster an existing, growing service line. Another (perhaps even more important) attribute is knowing when to *stop* spending time, money and effort on a venture that will likely never work out or is not proceeding as planned. These two decision points-when to move forward and when to make a strategic retreat-are central to the success of any venture

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Cyber Security & Data Privacy

GERMANY

A Face-Off Between Facebook and Digital Heirs in Germany

By [Dr. H. Elizabeth Kroeger](#)

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

Frankfurt, Germany

Karlsruhe, Germany, July 12, 2018. It's another tiny notch in David's belt in his battle with Goliath. Germany's Federal Court of Justice (Bundesgerichtshof - BGH) has cast the die in a five-and-a-half year struggle between the parents of a deceased teenager and social media behemoth Facebook, and the little guy has won.

[Full Article](#)

TURKEY

Sanctions To Be Imposed In Case Of Violation of Personal Data Protection Law of Turkey

[Yamaner & Yamaner](#)

Istanbul, Turkey

The Code on Protection of Personal Data No: 6698 has been published at Official Gazette of Turkey and put into force on April 7, 2016. Afterwards; for the effective implementation of the said Code, the ensuing secondary legislation have been adopted and put into force.

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Product Liability

UNITED STATES

Parents file lawsuit over IKEA dresser related death

By [Charles Monnett](#)

[Charles G. Monnett III & Associates](#)

Charlotte, North Carolina

Parents of a toddler killed by an IKEA dresser have recently filed a lawsuit against IKEA. At the heart of the argument: the furniture giant's recall efforts. IKEA has been aware of fatalities associated with their unstable dressers. But the company's response to the dangers over the years were not enough to protect families.

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Transportation

UNITED STATES

Designating Unknown Responsible Third Parties: How to Properly Designate An Unknown Driver

By [Donato, Minx, Brown & Pool P.C.](#)
Houston, Texas

A responsible third-party is any person who is alleged to have caused or contributed in any way to causing the harm for which recovery of damages is sought. Tex. Civ. Prac. & Rem. Code § 33.011. When a party moves to designate an unknown person as a responsible third-party, Texas law provides additional requirements on the designating party. Accordingly, in a case stemming from an automobile collision, a party attempting to designate an unknown driver as a responsible third party must be aware of all requirements Texas law provides.

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Real Estate & Leasing

UNITED KINGDOM

5 Things to Consider When Taking A Lease

By [Rob McKellar](#)
[Marriott Harrison, LLP](#)
London, United Kingdom

Whether you are an entrepreneur in charge of your first start-up, or an established company looking to open a new office, the decision to rent office space can be fraught with pitfalls and costs.

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Trademarks

COSTA RICA

The Litigation of the "CHIFRIJO" (One of the most popular foods of Costa Rica)

[Guardia Montes & Asociados](#)
San Jose, Costa Rica

A trademark is a distinctive sign (name, logo) that identifies a good or a service; for example, the name "Coca Cola", which identifies soft drinks. A trademark prevents others from using the same sign for the same or similar goods. Nobody can sell a soft drink under the Coca Cola brand, but it is possible to market a soft drink using the Pepsi brand or another trademark.

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Agriculture & Environment

UNITED STATES

Third Appellate District's "Narrow" Opinion Could Have Far Reaching Impacts on SGMA, Groundwater Rights, and Groundwater Extractions

By [Craig Tristao](#)

[Coleman & Horowitz, LLP](#)

Fresno, California

In *Environmental Law Foundation et al., v. State Water Resources Control Board* ("Environmental Law Foundation") the Third Appellate District of the State of California (the "Court") held (1) the Public Trust Doctrine applies to the extraction of groundwater that adversely impacts a navigable waterway; and (2) the State Legislature did not intend to occupy the field of groundwater management by enacting the Sustainable Groundwater Management Act ("SGMA") in 2014.

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Construction/Energy

TURKEY

Obtaining Electricity Generation License In Republic Of Turkey

By [Yamaner & Yamaner Law Office](#)

Istanbul, Turkey

In *Environmental Law Foundation et al., v. State Water Resources Control Board* ("Environmental Law Foundation") the Third Appellate District of the State of California (the "Court") held (1) the Public Trust Doctrine applies to the extraction of groundwater that adversely impacts a navigable waterway; and (2) the State Legislature did not intend to occupy the field of groundwater management by enacting the Sustainable Groundwater Management Act ("SGMA") in 2014.

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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.

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The Primerus Client Resource Institute

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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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