



Corporate Client e-Newsletter

October 2014

Welcome to the October 2014 edition of the Primerus Xpress. The articles in this e-newsletter were authored by Primerus members and provide you with relevant information regarding legal developments, best practices, and trends from around the world. If you are seeking a specific article or legal development and don't find it in this e-newsletter, please feel free to contact me at LDingman-Nowicki@primerus.com.

Sincerely,
Lisa N. Dingman-Nowicki, Esq.
General Counsel
International Society of Primerus Law Firms

In this Issue...

Upcoming Primerus Events

Articles:

Business

Employment

Healthcare

International Business

Paradigm Magazine

Resources

About Primerus

Upcoming Primerus Events

Primerus Defense Institute Transportation Seminar

February 19-20, 2015

The Westin San Diego Gaslamp Quarter - San Diego, California

Agenda

Primerus Defense Institute Convocation

April 23-26, 2015

The Ritz-Carlton - Amelia Island, Florida

To learn more about these events, please contact Lisa N. Dingman Nowicki via email at LDingman-Nowicki@primerus.com

Business

USA

Cybersecurity Risks for . . . Real Estate Professionals? You better believe it.

By: Khizar A. Sheikh, Esq.

Mandelbaum Salsburg

West Orange, New Jersey

We have all heard about the massive data breaches at Target, Home Depot, and more recently JP Morgan Chase. As these data breaches have grabbed the biggest headlines, the media has rightfully focused on the staggering effects on consumers and response costs for the companies. Risks associated with data security and data breaches only continue to grow, and impact a variety of industries worldwide. Cyber criminals have become more creative and their attacks increasingly destructive, targeting organizations of all sizes. These attacks can lead to costly lawsuits, as well as first party losses and expenses, and reputational harm.

[Full Article](#)

USA

The Risks and Realities of Cyber-Attacks and Security Breaches for Today's Practitioner

By: Rick Wuestling, Esq., Susan Dimond, Esq., and Adina Johnson, Esq.

Wuestling & James, L.C.

St. Louis, Missouri

You're right. You are not Target or Schnucks. But the risk of a cyber-attack or data breach is no less significant than any other risk facing your business. Therefore, as a responsible practitioner you need to prepare for the risk and its potential aftermath. Realistically, though, of the many items on a lawyer's plate-hearings, depositions, discovery deadlines, paying the bills, etc.-the need to address the potential for a data breach remains at the bottom of the "to do" list. This is one area, however, where procrastination could prove costly.

[Full Article](#)

Employment

CANADA

Update: Ontario's Employee Leave of Absence Provisions

By: Houser Henry & Syron LLP

Toronto, Canada

Understanding Ontario's 3 new Employee Leave of Absence Provisions: Effective October 29, 2014. Three new protected employee leaves come into effect October 29th in Ontario to assist employees dealing with the death, disappearance, illness or injury to a child or close family member. As an employer, you should familiarize yourself with the new provisions of the Employment Standards Act to ensure your company complies when they come into force on October 29, 2014.

[Full Article](#)

USA

2015 Retirement Plan Limitations

By: **Bernard G. Peter, Esq.**

Kubasiak, Fylstra, Thorpe & Rotunno, P.C.

Chicago, Illinois

The Internal Revenue Service (IRS) announced the 2015 retirement plan limits on October 23, 2013. The maximum amount of elective deferrals for 401(k) plans increased from \$17,500 to \$18,000. The catch-up amount for those who are age 50 and above in 2015 increased from \$5,500 to \$6,000. The highly compensated threshold increased from \$115,000 to \$120,000. The compensation limit which is the amount of compensation on which employees can earn a benefit in a qualified retirement plan such as a 401(k) plan increased from \$260,000 in 2014 to \$265,000 in 2015.

[Full Article](#)

Healthcare

USA

Health Plan Identifiers: Are Your Clients Prepared for Implementation?

By: **Ashley N. Trotto, Esq.**

Kennerly, Montgomery & Finley, P.C.

Knoxville, Tennessee

If you ask an employer about compliance obligations under the Affordable Care Act ("ACA"), he or she will likely tell you about the Employer Mandate. If you ask a particularly astute employer, you may also hear about additional fees and taxes required by the ACA. You are not likely, however, to have a discussion on the ACA's changes to the administrative simplification rules of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA").

[Full Article](#)

International Business

UAE

Arbitration in the UAE (Part II of V)

By: **Hassan Mohsen Elhais**

Al Rowaad Advocates & Legal Consultants

Dubai, United Arab Emirates

An arbitrator can be appointed; directly by name (this is not the common method used), through the Court or through the Arbitration centre. If you agree for the Court or Arbitration centre to appoint an Arbitrator you need to make an application. The arbitration provisions of the Civil Procedure Code contain mandatory provisions concerning the appointment of an Arbitrator. There must be an odd number of arbitrators e.g. 1, 3, 5, 7 arbitrators (although there is no limit set on the number of arbitrators).

[Full Article](#)

MEXICO

CCN Legal Guide: Manufacturing in Mexico

By: **Cacheaux Cavazos & Newton**

Mexico City, Mexico

Over the past decade, the Mexican export industry has achieved a reputation as one of the most dynamic economic sectors in Mexico. After the Great Recession of 2008 and 2009, Mexico has emerged as one of the most attractive places to invest in manufacturing.

[Full Article](#)

UAE

Trademarks: Ownership (Part 2 of 3)

By: [Al Rowaad Advocates & Legal Consultants](#)

[Al Rowaad Advocates & Legal Consultants](#)

[Dubai, United Arab Emirates](#)

Registering the trademark is regarded as a presumption that implies a person who submitted the request for registration is the first to use such trademark. Nevertheless, that presumption can be rebutted by a third party proving that he/she was previously using the same trademark. UAE Trademarks law stipulates that "the ministry and whoever involved shall have the right to ask for judging with striking out the trademark which may be registered with no right and the ministry shall strike out the registration whenever a final judgment is presented to it in the executive form".

[Full Article](#)

JAPAN

Prospective Reform of Data Protection System in Japan

By: [Yukako Wagatsuma, Esq.](#)

[Hayabusa Asuka Law Offices](#)

[Tokyo, Japan](#)

Legal system for protection of personal data has been under review in Europe, North America and Asia. This is partly because of the innovation of information technology which enables people to collect and analyze enormous data. Such use of personal data was not anticipated at the time when the current legal system for protection of personal data was established in various areas and countries. Thus, the legal system needs modifications to address new issues brought by such technological innovation.

[Full Article](#)

INDIA

Foreign Direct Investment in India - A Ready Reckoner

By: [S Eshwar Consultants House of Corporate & IPR Laws](#)

[Chennai, India](#)

The Government of India, launched a new initiative christened "Make in India" which seeks to project the Government "not as a permit issuing authority, but as a true business partner". The program is "designed to facilitate investment, foster innovation, enhance skill development, protect intellectual property, and to build best-in-class manufacturing infrastructure".

[Full Article](#)

Paradigm Magazine

To View the Latest Issue of the Paradigm Magazine, **[click here.](#)**



Resources

[Find a Primerus Law Firm](#)

[Primerus Law Institutes](#)

[Primerus Law Practice Groups](#)

[Paradigm Magazine - Winter 2014](#)

[Legal Articles](#)

[Compendiums](#)

[Webinar Library](#)

[About Primerus](#)

[Primerus Video Gallery](#)

[Contact Us](#)

About Primerus

The International Society of Primerus Law Firms (Primerus) is a society of top-rated, independent, boutique law firms that have earned the right to display the Primerus seal of quality. Primerus has over **190 member firms** in **130 cities** located in nearly **40 countries**. **High quality legal services at reasonable fees - that's how Primerus can work for you.** With nearly 3,000 lawyers in the society, Primerus members, collectively, offer the breadth of expertise and jurisdictional coverage that only the world's largest law firms can offer to their clients, but at more reasonable rates. For more information, please call 800-968-2211 or visit primerus.com.

International Society of Primerus Law Firms

171 Monroe N.W., Suite 750
Grand Rapids, Michigan 49503
Toll Free: 800.968.2211 Local: 616.454.9939
www.primerus.com

Legal Disclaimer: The general information contained in this e-Newsletter is intended for informational purposes only. It is not intended to be legal advice, and should not be construed as legal advice or legal opinion on any specific facts or circumstances. You should consult legal counsel regarding your individual circumstance.