# Dechert

# Newsletter | Life Sciences: What's new in Europe? A legal update on recent developments in the life sciences sector



#### Antitrust

The Servier case: The game isn't over yet

The European Court of Justice recently issued seven judgments in the landmark "Servier" case, confirming the anticompetitive nature of "pay-for-delay" agreements between originator and generic companies. However, the case is not fully resolved, as part of it was referred back to the General Court. This decision underscores the strict scrutiny of anticompetitive practices in the pharmaceutical industry and its impact on market strategies.

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### **Corporate Finance**

Overview of financing options for French biotech companies

French biotech companies navigate unpredictable markets with various financing tools. Discover the diverse financing avenues available to them, from equity securities to strategic partnerships, and learn how they adapt to market challenges.



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#### Regulatory

Health is priceless; supply shortages come at a high price, as determined by the sanctions imposed by the French Health Agency

France has enforced mandatory safety stock requirements for essential drugs since 2021. In September 2024, the French Health Agency (ANSM) fined 11 companies a total of 8 million euros for non-compliance with the 4-month safety stock. These unprecedented sanctions aim to deter shortages. What are the key takeaways for companies?

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# Antitrust

Illumina/Grail: EU court overturns approach to "killer acquisitions"

In a much-anticipated ruling, the EU's highest court invalidated the European Commission's policy on "killer acquisitions," forcing the Commission to devise a new approach. Explore the context of the case, details behind the court's decision, and practical implications it could have.

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# Regulatory

Healthcare center investor saga: French court rules on minority shareholding by non-healthcare professionals

The French administrative supreme court has issued a ruling on minority shareholding by non-healthcare professionals in medical centers, drawing from a precedent in the veterinary sector. Read more to find out what this decision means for the conditions for effective control of medical centers by physicians, an issue with significant financial stakes.

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# About Dechert's life sciences group

Dechert is a global law firm that advises asset managers, financial institutions and corporations on issues critical to managing their business and their capital – from high-stakes litigation to complex transactions and regulatory matters. Our nearly 1,000 lawyers across 20 offices globally focus on the financial services, private equity, private credit, real estate, life sciences and technology sectors.

A key component of the firm's strategy in Europe, Dechert's Paris office is active in antitrust/competition and European law, corporate/M&A, financial services and asset management, financing, intellectual property, labor and employment, litigation and compliance, regulatory and tax.

Our life sciences team in France represents companies ranging from multinational giants to emerging companies involving all aspects of the life sciences industry, including pharmaceuticals, biotechnology, drug discovery, genomics, biopharmaceuticals, diagnostics, medical devices and health care. We also assist investment funds with life sciences investments.

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