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Webcast: Pharma, Medical Device, and Biotech Antitrust Update: New Developments and What They Mean

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Antitrust authorities in the U.S. and Europe have increasingly emphasized the importance of policing competition in innovation-driven health care markets, including pharmaceuticals, biologics, medical devices, and biotech. During and after the COVID-19 crisis, companies can expect greater demands on industry participants to collaborate, as governments and companies all work to develop innovative treatments and products. In addition, in recent years antitrust enforcers have been reviewing mergers and conduct throughout the industry through new analytical frameworks, and have issued new guidelines, which may have both short-term and long-term ramifications for business practices and transactions. We also can expect continued enforcement attention to perceived high drug costs. M&A transactions, litigation, and government enforcement are impacted and will continue to be impacted by these trends.

Drawing on their experiences in recent cases and their enforcement backgrounds, Gibson Dunn lawyers will discuss how to navigate these new and evolving approaches to antitrust enforcement and litigation.

The panel also will discuss how pharmaceutical, medical device, biologic and biotech companies can engage effectively with enforcers, while practically managing antitrust risk in this challenging environment.

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PANELISTS:

Adam J. Di Vincenzo is a partner in the Washington, D.C. office of Gibson Dunn. Mr. Di Vincenzo's practice encompasses a wide range of antitrust litigation and merger investigations. He has represented numerous clients before antitrust enforcement authorities in the United States (including the DOJ and FTC), European Union, and other jurisdictions in connection with mergers, acquisitions, joint ventures, conduct, and intellectual property issues. His recent matters include merger-related FTC investigations involving the pharmaceuticals, biotech, and medical device industries, including his representation of Spark Therapeutics in its $4.3 billion acquisition by Roche. He has been recognized as a leading antitrust and competition lawyer by *Who's Who Legal: Competition*, *Legal 500*, *Global Competition Review*, and *Law360*.

Richard Parker is a partner in the Washington, D.C. office of Gibson Dunn and a member of the firm's Antitrust and Competition Practice Group. Mr. Parker is a leading antitrust lawyer who has successfully represented clients before both enforcement agencies and the courts. As an experienced antitrust trial and regulatory lawyer, Mr. Parker has been involved in many major antitrust representations, including merger clearance cases, cartel matters, class actions, and government civil investigations. He has extensive experience

Related People

Eric J. Stock

Deirdre Taylor

representing clients in matters before the Federal Trade Commission (FTC) and the U.S. Department of Justice Antitrust Division. His experience in high-profile merger trials has earned him high honors, including being recognized by *Chambers USA* as a first-tier ranked "Leading Lawyer" in Antitrust, and included on *Benchmark Litigation*'s "Top 100 Trial Lawyers in America" list. From 1998 to 2001, Mr. Parker served as the Senior Deputy Director and then as Director of the Bureau of Competition of the U.S. Federal Trade Commission.

Eric J. Stock is a partner in the New York office of Gibson Dunn where his practice focuses on antitrust litigation and investigations, especially for clients in the pharmaceutical, health care, and financial services industries. He has particular experience advising pharmaceutical companies accused of monopolization or anticompetitive transactions, especially in matters that involve the intersection of the antitrust and intellectual property laws. Mr. Stock currently is defending several pharmaceutical companies in matters involving alleged "reverse payment" patent settlements, alleged "sham" citizen petitions or patent lawsuits, or the use of bundled discounts. In these matters, Mr. Stock frequently is responsible for coordinating the client's response to these legal issues across multiple proceedings and jurisdictions, including state and/or federal investigations, class actions, and other customer or competitor lawsuits. From 2013-2016, Mr. Stock was the Chief of the Antitrust Bureau at the New York Attorney General's Office.

Deirdre Taylor is a partner and English qualified solicitor in the London office of Gibson Dunn. Ms. Taylor's practice encompasses the full range of antitrust issues, including cartel investigations, merger control, and abuse of dominance. Ms. Taylor has provided antitrust advice to clients across a number of industries, including telecommunications, aviation, financial services, oil and gas, engineering, retail, pharmaceutical, and manufacturing. Her recent merger experience in the pharmaceuticals, biotech, and medical device industries includes representation of Spark Therapeutics before the UK competition authority in relation to its acquisition by Roche. Ms. Taylor is assistant editor of "Faull & Nikpay: The EC Law of Competition," one of the leading practitioner texts in the antitrust and competition law field.

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