

CANNABIS

Supporting a New and Expanding Industry

In spite of the Federal Controlled Substances Act and other federal laws, many states have quickly enacted legislation to legalize cannabis in some form. Other states will follow, and the debate continues on whether to legalize cannabis nationally. Because of an increasingly complex and uncertain landscape, you need a team that has subject-matter knowledge and understands the potential legal issues from many angles. Our experienced legal counsel and government relations professionals can help you navigate this highly specialized industry to produce the best outcomes for your business.

How We Can Help You

Cannabusinesses: From Land to Lender, Labor, and Beyond

Our Cannabis industry group has deep experience with all matters associated with cannabusinesses, transactional services include:

- Financing, including non-traditional banking structures, venture capital, and private equity
- Real estate and land use/zoning issues for growers, processors, distributors, and retailers
- Corporate matters, such as risk evaluation, contracts, mergers and acquisitions, and shareholder agreements
- Commercial litigation, including product liability, unfair competition, and class action litigation
- Labor and employment matters of every type, including immigration

The Compliance Puzzle

Our FDA & biotechnology and healthcare attorneys can guide you in the state and local regulatory process, while understanding the interplay with federal laws. We help our clients:

- Comply with medical marijuana laws
- Navigate restrictions imposed by the Drug Enforcement Administration (DEA) and the Food and Drug Administration (FDA)
- Understand FDA and healthcare law, including product warnings and labeling
- Lead the process for licensing and permit approval
- Work through investigations, information requests, and subpoenas

Advocating for Your Business

Counseling you on compliance is critical. But we don't stop there. To truly support our cannabis industry clients, our government relations team works on behalf of many businesses and organizations to create support among members of Congress and state legislators. We build the strategic relationships needed to head off opposition to advance the industry's future.

Protecting Your Innovations

From developing new strains to fresh thinking in marketing and business practices, cannabusiness is all about innovation – innovation that needs to be protected. Few firms have our level of experience protecting agricultural and medical-related intellectual property. Our intellectual property attorneys have experience obtaining U.S. plant patents, which can be used to protect novel strains of cannabis, and obtaining traditional utility patents, which can be used to protect new growing methods and equipment and new medical treatments.

At the Courthouse

When we go to trial, we go to win. Should litigation ever become necessary, our attorneys are prepared to defend you and your business in all federal, state, and local jurisdictions, including trial and appellate courts. Our litigation practice is consistently rated Tier 1 National by *U.S. News & World Report*. We have more than 150 top-flight litigators on board to protect your business.

OUR TEAM IS DEEPLY ENTRENCHED IN THE INDUSTRY

Worked directly with the DEA, FDA, U.S. Department of Health and Human Services, and the National Institute on Drug Abuse

Invited to address audiences on legislative efforts, including the National Organization for the Reform of Marijuana Laws (NORML) annual conference and the Food and Drug Law Institute

Regularly publish articles and speak on the unique IP issues the cannabis industry faces right now

ADVANCING OUR CLIENTS' GOALS

Clearing the Way to Capitol Hill for Cannabinoid Drugs

Using relationships with lawmakers on both sides of the aisle, we helped to obtain approval for research protocols from the DEA for investigational cannabis drugs for our pharmaceutical clients, including one that treats epilepsy. We were able to obtain this result due to our deep understanding of medical marijuana laws and our relationships with lawmakers, FDA, and DEA.

Guiding You Through the Licensing Maze

Each state that has legalized the production and distribution of medical and/or recreational cannabis has its own complex rules and procedures for licensing the manufacture and distribution of cannabis products. Our team has worked with clients to obtain cannabis licenses in a number of these states. And as the rules change, we will keep our clients in compliance.

Helping A Dietary Cannabinoid Producer Stay in Compliance

Our attorneys counseled a leading producer and marketer of dietary cannabinoid ingredients regarding the marketing of its products, including providing advice on the legal status of cannabinoids in hemp derived dietary supplements and their appropriate labeling.

Moving Medical Cannabis Research Forward

Research on the medical uses of cannabinoid compounds is expanding rapidly but still requires DEA and FDA approval. We assisted a pharmaceutical company with obtaining research registration from the DEA and FDA to proceed with their investigation of synthetic cannabinoids as a treatment for serious skin diseases. We provided similar assistance to another pharmaceutical company developing next-generation cannabinoid therapeutics for transdermal delivery for patients with severe unmet medical needs.

Helping Cannabusiness Become Mainstream

In states that have legalized medical and/or recreational cannabis, marijuana businesses are forced to do an all-cash business because banks are reluctant to take on the risk and responsibilities of accepting money earned from an enterprise that remains illegal under federal law. Notwithstanding, we have helped a number of cannabusinesses develop banking relationships to support their capital and retail banking needs and have also led them through an extensive and highly competitive permit application process that included business plan development, real estate transactions, operational plans, and more.