

Peter Homberg

Partner



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Overview

Peter Homberg is a partner in the Dentons Berlin office. He focuses on life sciences, IP, corporate law and M&A transactions in the life sciences and high-tech sector as well as in R&D and cooperation agreements, cross-border IP licensing and IP strategies. Furthermore, he has extensive experience providing legal advice on compliance issues. Additionally, he is the head of the European Cannabis sector group. Peter advises inter alia companies in the pharmaceutical, diagnostics, biotechnology, medical device and medical cannabis industries—from startups to large publicly listed companies. Furthermore, he has broad transactional experience in Southeast Asia. Peter is member of the Licensing Executive Society (LES), the German Association for Intellectual Property and Copyright (GRUR), the German Institution for Arbitration (DIS) as well as the Pharma-Lizenz-Club Deutschland e.V. He regularly holds lectures at seminars and conferences. He is the author of numerous professional articles and other publications regarding corporate or IP law in the field of life sciences.

Experience

- **Canopy Growth Corp.:** Advising a subsidiary of one of the leading Canadian medical cannabis suppliers on the acquisition of the German inhaler manufacturer Storz & Bickel GmbH & Co. KG for €135 million.
- **Proteona Pte. Ltd.:** Advising biotech company on an exclusive worldwide licensing agreement with the National University of Singapore (NUS).
- **Canadian medical cannabis supplier:** Advising on the conclusion of a joint venture agreement with a German pharmaceutical wholesaler.
- **Scil Technology GmbH:** Advising regarding the out-licensing of certain intellectual property for the regenerative treatment of inter alia Osteoarthritis to Sanofi.
- **Scil Technology GmbH:** Advising regarding the sale of its service and production division to Nanohale AG.
- **German biotechnology company:** Advising regarding the sale of a certain IP-portfolio for the treatment of cardiac insufficiency.
- **German mid-size pharmaceutical company:** Advising regarding the licensing and distribution of a certain

API for the treatment of interstitial cystitis to a multinational US-based pharmaceutical company.

- **US-based pharmaceutical enterprise:** Advising regarding the due diligence in connection with a certain technology portfolio for the manufacturing of vaccines prior to the in-licensing of the technology.
- **Swiss-based biotechnology company:** Advising regarding cooperation with a French multinational pharmaceutical enterprise.
- **Priaxon AG:** Advising regarding the out-licensing of a certain technology to Boehringer Ingelheim.
- **German-Singaporean biotech company:** Advising regarding the in-licensing of a certain diagnostic technology from the National University of Singapore.
- **French venture capital fund:** Advising regarding the acquisition of shares in a German-based biotechnology company.
- **German medium-size pharmaceutical company:** Advising regarding the restructuring of its distribution channels in Portugal and in other European countries.
- **Various clients in the life sciences sector:** Advising in all types of transactions, including technology transfer agreements, R&D agreements, M&A transactions, private equity transactions, arbitration proceedings and litigations.

Recognition

Peter Homberg is highlighted by *Chambers Europe*, 2014 as “a brilliant negotiator”, who “has huge experience with biotech companies and is really goal driven. He understands our needs very well.” *JUVE Handbook German Commercial Law Firms*, 2015/2016 mentions Peter Homberg as a highly recommended practitioner. The international directory *Best Lawyers* ranked him among the best lawyers for Health Care Law and Pharmaceuticals Law in Germany. *Global Law Experts* honor Peter Homberg as “Life Sciences Lawyer of the Year in Germany”.

Insights

Articles

- “M&A-Aktivitäten im chinesischen Biotechbereich – Chancen und Herausforderungen für deutsche und europäische Akteure”, *Going Public, Biotechnology 2019*, September 2019
- “Chinese investments in the European Biotechnology Sector – Overcoming Challenges in Cross-Border Collaborations”, *Going Public, Investing in Biotechnology*, February 2019
- “Germany: The Essential Requirements on Trading Medical Cannabis under the 1961 Single Convention on Narcotic Drugs”, *pharmaboardroom.com*, 2019
- Co-author, “Der (virtuelle) Datenraum als „conditio sine qua non“ für eine erfolgreiche Transaktion,“ *Jubiläumsbroschüre*, 2018
- Co-author, “The use of telemedicine is liberalised in Germany,“ *Digital Health Legal*, Volume 5, Issue 6
- “The German E-Health-Act As Goal Tracker For The German Government's Commitment To E-Health Innovation,“ *Digital Health Legal*, January 2018
- “Die Zukunft in der Gesundheitsbranche?!,“ *transkript*, 2018
- Co-author, “Cannabis als Medizin,“ *Biotechnologie*, 2017
- “Crowdfunding für Biotech-Firmen,“ *transkript*, May 2017
- “Zulassungsfragen bei Produkten der personalisierten Medizin – Das rechtliche Umfeld von Companion

Diagnostics, “Transparenz / Neue Produkte“ von Wolfgang Voit (Hrsg.), Marburger Schriften zum Gesundheitswesen, 18. Marburger Gespräche, *Nomos Verlag*, 2017

- Co-author, “Aufgaben und Inhalt des (virtuellen) Datenraums,“ *transkript*, 2016
- "Korruption im Gesundheitswesen,“ *Science4Life*, 2016
- Co-author, “Biotechnologie und Big Pharma – Erfolgsfaktoren beim Exit,“ *Biotechnologie*, 2016
- Co-author, “Korruption im Gesundheitswesen,“ *transkript*, 2016
- “The “Safe Harbor” judgment of the European Court of Justice (“ECJ”) – Practical impacts,“ *Expert Guide, Biotechnology & Pharmaceuticals 2016*, 2015
- Co-author, “Big Pharma und Biotech - Das Ende der Einlizenzierungswelle?,“ *Going Public – Health*, 2015
- Co-author, “Neuer Vorstoß zur Bekämpfung der Korruption im Gesundheitswesen,“ *Science4Life September 2015*, 2015
- Co-author, “Auftragsforschung – Zu welchem Preis?,“ *GoingPublic Magazin – Special “Biotechnologie 2015,“* 2015
- Co-author, “Wettbewerbsbeschränkungen im Technologietransfer, Patentkommentar,“ *transkript*, 2015
- Co-author, “Bekämpfung von Korruption im Gesundheitswesen,“ *Risk, Fraud & Compliance*, 2015
- Co-author, “Transparency vs protection of business secrets,“ *European Biotechnology News*, 2015
- Co-author, “Auslizenzierungspraxis von Universitäten,“ *Platow Recht*, 2014
- “Das europäische Einheitspatent,“ *Science4Life*, 2014
- Co-author, “IP Flash – The new TTBER: Changes of Termination Clauses,“ *Euro Biotech News*, 2014
- Co-author, “Die neue GVO-TT – Überblick und Auswirkungen, Technologietransfer,“ *transkript*, 2014
- Co-author, “‘One-Size-fits-All‘ zur maßgeschneiderten Therapie, Rechtliche Harmonisierungsbemühungen im Bereich der personalisierten Medizin,“ *GoingPublic Life Sciences*, 2014
- “Umfüllen eines Arzneimittels erneut genehmigungsbedürftig?,“ *pharmind*, 2013
- Co-author, “Fernabsatzverträge für Arzneimittel, Retour: Verbraucherschutz vor Arzneimittelsicherheit?,“ *transkript*, 2013
- Co-author, “The impact of the new TTBER,“ *BIO – Europe*, 2013
- Co-author, “Transparenz versus Schutz von Geschäftsgeheimnissen - Neuer Entwurf einer EU-Verordnung für klinische Prüfungen,“ *GoingPublic Magazin – Special “Biotechnologie 2013,“* 2013
- “Konfliktpotentiale minimieren,“ *IHK WirtschaftsForum*, 2013
- Co-author, “Das rechtliche Umfeld bei Companion Diagnostics,“ *Venture Capital Special “Personalisierte Medizin”,* 2013
- “Forschung und Entwicklung,“ *IHK WirtschaftsForum*, 2013
- “Umfüllen eines Arzneimittels erneut genehmigungsbedürftig?,“ *Pharmind*, 2013
- “Out-licensing in the life sciences sector,“ *IP-Special, European Biotechnology News*, 2013
- “Cooperation agreements in the field of Industrial Biotechnology, The clever use of contract models,“ *GoingPublic, Special “Industrial Biotechnology,“* 2013
- “Erleichterung in der Medizintechnik, Gesetzliche Lockerungen in der Werbung für Medizinprodukte in Kraft

getreten," *GoingPublic, Special "Medizintechnik,"* 2012

- "Real cooperation - at an early stage," *European Biotechnology Science & Industry News,* 2012
- "Klinische Prüfungen mit Humanarzneimitteln," *transkript,* 2012
- "Mittelständische Pharmaunternehmen als strategische Investoren in der Frühphase, Neue Dealstrukturen für Kooperationen zwischen mittelständischen Pharma- und Biotechnologieunternehmen," *GoingPublic, Special "Biotechnologie,"* 2012
- "Das ergänzende Schutzzertifikat, Aktuelle Entscheidungen des Europäischen Gerichtshofs zur Verlängerung der Exklusivität bei pharmazeutischen Produkten," *GoingPublic,* 2012
- "Komplette branchenspezifische Life Sciences-Beratung," *Venture Capital Magazin,* 2012
- "Lizenzen in der Insolvenz," *Deutscher AnwaltSpiegel,* 2012
- "Rechtliche Rahmenbedingungen beim Einsatz von Biomarkern in Europa," *Venture Capital Magazin,* 2012
- "Zweiter Versuch', Der aktuelle Referentenentwurf des BMJ zur Insolvenzfestigkeit von Lizenzen," *Deutscher AnwaltSpiegel,* 2012
- "Insolvenzfestigkeit von Lizenzen," *transkript,* 2012
- "Lizenzverträge - eine juristische Herausforderung," *transkript, Special BIO-Europe,* 2011
- "Licensing Projects in the Pharmaceutical Industry from a Legal Perspective," *European Biotechnology News,* 2011
- "Alternative Streitbeilegung im Laborgerätesektor," *transkript, Special „Biotechnica,"* 2011
- "Biosimilars – hohe Hürden bis zur Zulassung," *transkript,* 2011
- "Korruptionsprävention in der Pharmaindustrie – unter besonderer Fokussierung auf den Arzneimittelmarkt," *Forum juris,* 2011
- "Markttrend Lizenztransaktionen: Ausgewählte rechtliche Aspekte," *GoingPublic, Special "Biotechnologie,"* 2011
- "Weigerung der Mitgesellschafter zur Mitwirkung an einer den Verkaufsprozess vorbereitenden Due Diligence," *Forum juris,* 2011
- "Grenzen der Heilmittelwerbung – Möglichkeiten der Vermarktung von Medizintechnik- und Medizinprodukten," *Forum juris,* 2011
- "Alternative Streitbeilegung bei Lizenzverträgen – Gestaltungsmöglichkeiten bei Schiedsklauseln," *Forum juris,* 2011
- "Companion Diagnostics – neue rechtliche Herausforderungen," *transkript,* 2011
- "Functional Food oder Arzneimittel," *GoingPublic, Special "Healthcare,"* 2011
- "Pharma und Social Media," *commentary, PR Report,* 2011
- "Digitale Patientenkommunikation - juristische Perspektiven," *Pharma Marketing Journal, Healthcare Marketing, Pharma Relations,* 2010
- "EU-Kartellwächter behalten Pharmabranche im Visier," *Handelsblatt,* 2010
- "Kommando Machtübernahme," *commentary , zenith-BusinessReport,* 2010
- "Alternative Streitbeilegung," *GoingPublic, Special "Biotechnologie,"* 2010

- “Gestaltungsmöglichkeiten bei Schiedsklauseln,“ *GoingPublic, Special „Biotechnologie,“* 2010
- “Apotheken dürfen nur kleine Boni geben,“ commentary, *Handelsblatt*, 2010
- “Apotheken ringen um Kundenrabatte,“ commentary, *Wirtschaftswoche*, 2010
- “Commentary, Biotech-IPO-Sentiment,“ *GoingPublic, Special „Biotechnologie,“* 2010
- “Gewerbliche Schutzrechte sichern,“ *IHK WirtschaftsForum*, 2010
- “Zu Risiken und Rabatten fragen Sie Ihren Arzt oder Apotheker,“ commentary, *Handelsblatt*, 2010
- “A potentially nasty trap for licensees,“ *European Biotechnology News*, 2010
- “Auslizenzierung an Pharmaunternehmen als Finanzierungsinstrument,“ *Venture Capital Magazin Special Tech-Guide*, 2010
- “Wer hat Anspruch auf die Erfindung? Das deutsche Arbeitnehmerfindergesetz und seine Novellierung im Jahr 2009,“ *GoingPublic*, 2010
- “Vertragssicherheit im Falle von Insolvenz oder Kündigung,“ *transkript*, 2010
- “Stammzellforschung - eine Analyse der gegenwärtigen Rechtslage und ihrer praktischen Umsetzung,“ *Forum juris*, 2010
- “Investitionsanreize in der Weißen Biotechnologie,“ *GoingPublic, Special Weiße Biotechnologie*, 2010

Books

- “Pharma und Life Sciences,“ Vertragshandbuch, Verlag C.H. Beck, 2015

Interviews

- “Medical Cannabis: New Cannabis Developments in Europe”, *The Tech Society*, October 2020
- “Medical Cannabis: Regulatory Issues, Patient Demand, and Pricing Changes in Germany”, *Labiotech.eu*, July 2020
- “Medical Cannabis: What Has Germany Been Up To and What Are Its Plans in 2020?”, *Labiotech.eu*, March 2020
- “Dentons law firm discusses medical cannabis in Europe”, *Health Europa*, December 2019
- “Access instead of bureaucracy”, *European Biotechnology, Winter Edition*, 2019
- “Here’s the Latest News on Medical Cannabis from Europe and Germany”, *Labiotech.eu*, November 2019
- “Medical Cannabis in Europe: Recent Developments, New EU Policies, and Brexit – What’s Next?”, *Labiotech.eu*, April 2019
- „How are new regulations for Medical Cannabis Impacting Germany, Europe, and the World?“, *Labiotech.eu*, 2019
- “Medical Cannabis – New Developments in Germany, the EU and Canada,” *Labiotech.eu*, published 2018
- “Medical Cannabis Approval Sweeps Across Europe,” *Labiotech.eu*, published 2018.
- “Anwalts neuer Liebling,“ *transkript*, published 2016
- “Weltweit stark aufgestellt,“ *transkript*, published 2013
- “EU rules for better access to finance,“ *Euro Biotech News, Special „Biocapital,“* published 2013

- "Aller guten Dinge sind drei," *transkript*, published 2013
- "Keine Rabatte auf deutsche Rezepte," *Handelsblatt*, published 2012
- "Nichts für Konfliktscheue," *WirtschaftsWoche*, published 2012
- "Wikipedia ist die am stärksten genutzte Ärzte-Website (Chancen und Risiken in der digitalen Kommunikation)," *pharma marketing e-journal*, published 2012

Activities and Affiliations

Presentations

Peter regularly holds lectures at seminars and conferences, among others, at the Management Circle (e.g. "IP-Stipulations in cooperation agreements") or the Marketing Conference of Medical Technology (e.g. "Update on Therapeutic Products Advertising - Latest Law on Marketing of Medical Technology and Medical Devices on the Basis of Case Studies").

Memberships

- Member, Licensing Executive Society (LES)
- Member, German Association for Intellectual Property and Copyright (GRUR)
- Member, German Institution for Arbitration (DIS)
- Member, Pharma-Lizenz-Club Deutschland e.V.

Prior and Present Employment

- Partner, Dentons (formerly Salans), 2012 to date
- Partner, (Head of German Life Sciences Practice) Raupach & Wollert-Elmendorff, Frankfurt, 2010-2012
- Partner, Jones Day (Head of German and European Life Sciences Practice and Intellectual Property Practice), Frankfurt, 2001-2009
- Deputy Head of Legal Department, Roche Diagnostics GmbH, Mannheim, 1996-2001
- Head of the investment projects department, Debis Marketing Services, 1994-1996
- Head of Singapore office, Thümmel Schütze & Partner, Singapore, 1990-1994
- In-house Counsel, C. Wuppesahl Insurance Brokers, 1989-1990

Areas of focus

Practices

- Corporate
- Intellectual Property and Technology
- Privacy and Cybersecurity
- Venture Technology and Emerging Growth Companies
- Intellectual Property and Technology in Germany

- Corporate in Germany

Industry sectors

- Life Sciences
- Life Sciences and Health Care
- Pharmaceutical Companies
- Private Equity
- Life Sciences in Germany
- Private Equity in Germany
- Cannabis

Education

- Legal clerkship, 1986-1988, Hannover
- Georg-August-University Göttingen, 1986, Legal studies

Admissions and qualifications

- Admitted to the bar, Germany, 1990

Languages

- English
- German