



Duane Morris attorneys represent manufacturers, marketers, retailers and distributors of beauty products ranging from color cosmetics to sunscreen and shampoo. With attorneys working cooperatively and seamlessly in offices across the United States and internationally, Duane Morris is an industry partner offering multidisciplinary guidance.

RANGE OF SERVICES

- ▶ Brand Protection
- ▶ Corporate Transactions
- ▶ Defense of Consumer Claims and Class Actions
- ▶ Defense of Governmental and Regulatory Actions
- ▶ Documentation and Review of Domestic and International Sales, Distribution and Supply Contracts
- ▶ Enforcement and Defense of Restrictive Covenants
- ▶ Financing
- ▶ Good Manufacturing Practices
- ▶ Import and Export
- ▶ Intellectual Property
- ▶ Labor and Employment
- ▶ Products Liability Defense
- ▶ Real Estate

REPRESENTATIVE CLIENTS

- ▶ Andalou Naturals
- ▶ Avlon
- ▶ BeautyDNA
- ▶ Blink Lash Boutique
- ▶ CCA Industries
- ▶ Doll 10 Beauty
- ▶ Firmenich
- ▶ Grande Cosmetics
- ▶ Grove Collaborative
- ▶ Hair Restoration Laboratories
- ▶ Harmonist
- ▶ HatchBeauty Products
- ▶ Kevin Murphy
- ▶ Kneipp
- ▶ Lashe
- ▶ Make-up Designory
- ▶ Peach and Lily
- ▶ Pound Cake
- ▶ Soltego

EXAMPLES OF OUR WORK

- ▶ Represented **FIRMENICH**, the largest global privately owned fragrance and flavor company, in its approximately \$80 million all-cash acquisition of U.S. public company Senomyx, Inc., a leader in taste innovation and sweet, cooling and bitter solutions (Nasdaq: SNMX).
- ▶ Represented **ANDALOU NATURALS**, a California corporation, in connection with the sale of all of its issued and outstanding capital stock to BWX Brands USA, Inc., for an aggregate purchase price of \$80 million. Andalou Naturals is a leading company engaged in the development, distribution and sale of skin, hair and body care products.
- ▶ Represented a leading natural personal care company in its cross-border sale to Australian conglomerate for total transaction value of more than \$95 million. Also advised the seller's management team in connection with the treatment of rollover equity upon the acquisition of the buyer by Bain Capital.
- ▶ Represented **MAKE-UP DESIGNORY**, a makeup trade school, with preparing prosecuting applications before the Patent Trademark Trial and Appeal Board, numerous retail and domestic and international distribution agreements, privacy and cybersecurity advice, developing international franchise of its educational courses and other matters.
- ▶ Represented underwriter related to at-the-market (ATM) offering by a publicly traded company considering offering CBD infused cosmetics and beverages.
- ▶ Represented hair care product and accessory brand **Kevin Murphy** with domestic applications, as well as prosecution and defense of international oppositions, nonuse cancellations and removal actions throughout the world.
- ▶ Represented **THE LASHE INC.**, premium lash extension products, with trademark prosecution.
- ▶ Represented **HARMONIST**, a luxury collection of fragrances, in its global trademark protection and enforcement.
- ▶ Represented **BLINK LASH BOUTIQUE**, a lash extension salon founded in San Diego, with trademark prosecution, opposition and litigation matters.
- ▶ Represented **HATCHBEAUTY PRODUCTS LLC** with labor and employment compliance advice.
- ▶ Represented a cosmetics developer in the \$80 million sale of 100% of its equity interests along with its non-U.S. subsidiary to private equity sponsored platform company in a complex transaction.

- ▶ Served as landlord's counsel negotiating an approximately 12,000 square foot (mini anchor) lease location with a national credit chain operator of cosmetics supplies.
- ▶ Representing a major U.S. cosmetic company related to a product recall in China.
- ▶ Represented a cosmetic company in age discrimination claims by a former employee.
- ▶ Defended cosmetic and hair care companies in commercial and products liability lawsuits.
- ▶ Defended an international cosmetics company in nationwide mislabeling/false representation class action.
- ▶ Represented **LUXOLA PTE LTD**, a Singapore-based e-commerce platform, and its shareholders on its acquisition by French luxury goods conglomerate LVMH through its cosmetics subsidiary Sephora.
- ▶ Defended an international luxury cosmetics brand with 300-plus retail locations and 800-plus international locations against "false labeling" allegations.
- ▶ Represented Polish cosmetic company in its flagship retail lease location and separate billboard lease in Times Square, New York City.
- ▶ Represented **IANTHUS CAPITAL HOLDINGS, INC.** (CSE: IAN; OTCQX: ITHUF) in its acquisition of CBD For Life, a top-ranked producer of innovative CBD-infused wellness, self-care and beauty products.
- ▶ Represented a national designer and manufacturer of fragrances and its president in securing the dismissal of a stockholder's claims that the company and its president breached their fiduciary duties by mismanaging the company, excessively compensating individuals connected to the president, and hiring unqualified or otherwise inappropriate candidates.

INSIGHTS FROM OUR PROFESSIONALS

Our attorneys are regularly quoted in the media, write articles and alerts on the legal implications of trends, and present at various industry events. Highlights include:

Conferences and Events

- ▶ American Association of Cosmetology Schools
- ▶ Anti-Counterfeiting & Brand Protection Conference
- ▶ European Fashion & Luxury Law Conference

Alerts and Articles

- ▶ "Contaminated Cosmetics: Recalls, Lawsuits and Legislation," *Law360*
- ▶ "Risks Of Promoting Products As 'Safe' for Pregnant Women," *Law360*

Media Coverage

- ▶ "Private Equity Firms Will Get Comfortable With Small Beauty Brands in 2020," *Glossy*
- ▶ "Neon Eyeshadow Has Never Been More Popular, But Is It Safe?" *Refinery29*
- ▶ "The Legal Side of CBD," *DaySpa Magazine*

SETTING THE TREND

We are proud to support organizations committed to propelling the next generation of beauty and cosmetics products, including Cosmetic Executive Women, Personal Care Products Council and The Pocket Palette.

Making Her Mark Through Makeup

Pound Cake is on a mission to highlight and represent all shades of beauty while disrupting current industry standards. It is the first company to create lipsticks specifically designed for each person's individual lip tone. Duane Morris attorneys secured a federal trademark registration for POUND CAKE® and are helping enforce the mark. Duane Morris likewise represents Pound Cake in negotiating manufacturing agreements with a company producing Pound Cake's makeup.

GLOBAL NETWORK

Clients benefit from Duane Morris' global network of resources. We represent clients based in, or with a presence in, many countries and regions, including Europe, France, Hong Kong, Italy and the UK.

Fashion, Retail and Consumer Branded Products Blog

Duane Morris attorneys share insights on the legal landscape and business dynamics of the rapidly changing fashion, retail and consumer branded products industries.

blogs.duanemorris.com/fashionretailbrandedconsumergoods

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