

Biotechnology

As a member of Texas' growing biotechnology and life sciences industry, Winstead is known for its strong history. We are leaders in corporate, financing and intellectual property work in the biotech area.

Our clients include most of the leading universities and research institutions in a state that is recognized for its innovation in these disciplines, including the University of Texas at Austin, Rice University, Baylor University Medical Center, University of Houston and Texas A&M, as well as the Texas Medical Center in Houston, the largest medical research facility in the world.

Ever since the 1980s, attorneys in our firm have represented Essex Woodlands Health Ventures, one of the leading life science venture capital firms in the nation with \$2.5 billion under management. We work closely with Essex Woodlands and with the select group of companies that Essex Woodlands chooses to fund, and we help them with licensing, funding, intellectual property, governance and other issues. In addition, when a biotech company becomes public or otherwise goes out on its own, we often continue to serve as outside general counsel.

Our corporate and securities attorneys in the biotech area collaborate with our intellectual property attorneys to provide a more comprehensive service to our clients. We help each client structure itself to take the best advantage of its research. For example, our pharmaceutical client has developed a drug that, it turns out, may benefit cancer patients. We were involved with the establishment of a separate spin-off company, with the same shareholders as the original company, to pursue the possible cancer applications, and in bridge financing for that company.

Because of our experience in biotech and life sciences, we are extremely efficient in representing companies that are still at the stage when they have a relatively small amount of capital. They find our fee structure attractive and our work top-notch. We are able to complete transactions from the largest in the field, like the sale of Tanox to Genentech, to an angel round with minimal capital. Our client base is not limited to Texas. We have significant clients in Florida, Georgia, New Jersey and other parts of the nation.

Winstead's Biotechnology Industry Group services include

- Intellectual property rights, enforcement and defense
- Corporate formation, preparation of initial offering documents and license agreements
- Research and preparation of patents, copyrights & trademarks
- Filing and prosecution of patent applications
- Building and management of patent portfolios
- Development of licensing programs
- Negotiation of licensing agreements
- Material transfer, collaboration & sponsored research agreements
- Initial corporate formation and documentation
- Corporate partner and strategic alliance agreements
- Labor, employment and immigration issues
- Liquidity events such as sale or merger transactions
- Government contracts and grants
- Initial and follow-on public offerings
- Local and national financing – bank, angel and venture capital
- Compliance with federal and state securities laws, for public and private companies

Winstead's Biotechnology Industry Group is actively involved in the following organizations and events

- BioHouston

- Biomedical Technology Center
- Central Texas Angel Network
- Houston Angel Network
- Houston Technology Center
- North Texas Angel Network
- Rice Alliance - Life Science Forum
- Texas Life Science Investor Forum
- Women in Science

The following is a short list of representative clients and matters handled by Winstead's Biotechnology Industry Group.

Biopharmaceutical Company

Legal counsel to a biopharmaceutical company based in The Woodlands, Texas, that is developing new drugs for reproductive ailments in both men and women. Over the past 15 years, our attorneys helped the company with a \$12 million public offering, a reverse stock split and other financings. We also assisted them in the development of clinical trial protocols and other crucial needs. The company is currently on its third cycle of research and has two new drug candidates in late-stage clinical trials.

Vision Technology Company

Representing a privately held start-up company based in Alpharetta, Georgia, that has developed a patented method to permit eye care professionals to produce high-quality lenses for eyeglasses in their offices in just 30 minutes or one patient visit. The company received a \$12 million infusion of cash from Essex Woodlands, and we continue to advise the management team and to help the company grow.

Biotechnology Company

Advising an OTCBB-traded biotechnology company that is developing new cancer technologies invented at MD Anderson Cancer Center and is exclusively licensed to the company's subsidiary. Winstead serves as corporate securities and IP counsel to the company.

Healthcare Equipment and Supplies Company

A healthcare equipment and supplies company based in Conroe, Texas, is the leader in disposable infection control solutions that reduce potential risks to caregivers and patients in GI Endoscopy. We advise the company on general corporate and IP patent prosecution matters.

Multinational Contract Research Organization

Legal advisor to a multinational contract research organization (CRO) that is offering a wide range of comprehensive, clinical research services to the pharmaceutical, biotechnology and medical device industries. Winstead assists with corporate acquisition matters.

Medical Technology Company

Representing a NYSE-traded medical technology company located in Clear Lake City, Texas. The company is highly regarded for its core expertise in neuromodulation. The company develops and markets the Vagus Nerve Stimulation Therapy System, which is FDA-approved for the treatment of refractory epilepsy and treatment-resistant depression. We advise the company on general corporate matters and public compliance filings.

Biotechnology Company

Working with a biotechnology company associated with Rice University that is developing the industry standard for 3-dimensional vitro cell culturing and applying this breakthrough technology in the fields of toxicology screening, drug discovery and regenerative medicine. Winstead serves as outside counsel to the company.

Medical Robotics Company

Serving as legal counsel to a start-up company founded out of Rice University that is developing a robotic catheter insertion device based on technology licensed from Baylor College of Medicine and the Texas Heart Institute. Winstead represents the company as patent counsel and general outside counsel.

Medical Technology Company

Assisting a medical technology company that is developing trauma care products based on innovative devices developed by the University of Texas Health Science Center at Houston. The company's first product includes a patent-protected, portable fluid/blood warming technology with battlefield and emergency applications. Winstead serves as patent counsel and handles all general corporate matters for the company.

Pharmaceutical Company

Representing an early stage pharmaceutical company focused on developing novel, non-opioid analgesics for acute and chronic pain management. The company's core technology (patents pending) is licensed from the University of Texas MD Anderson Cancer Center. Winstead represents the company as general outside counsel.

Medical Device Company

Advising a medical device company that develops device-based therapies for the treatment of congestive heart failure. The heart assisting-therapies are based on technology developed at Texas A&M University. Winstead serves as outside counsel to the company.