Insights: Publications

5 Key Takeaways | Navigating the New U.S. Horizon: Managing Regulatory Friction and De-Risking with Strategic IP

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On June 21, 2026, at **BIOCHINA Global Forum**, Kilpatrick partners **Yifan Mao** and **Gunjan Talati** presented a joint briefing addressing what Chinese biopharmaceutical companies must know to operate successfully within an increasingly complex U.S. macro-regulatory and intellectual property landscape. The forum, which was held in San Diego, gathered 400 international participants and industry leaders, bridging the entire industry chain of Chinese biopharmaceutical innovators with global partners from the US, Europe, and emerging markets.

Gunjan and Yifan emphasized that as national security policies increasingly intersect with commercial life sciences, cross-border executives must learn to balance regulatory compliance hurdles with aggressive, sophisticated asset-protection strategies.

The core strategic takeaways include:

1. Conduct exhaustive CFIUS, trade policy, and tariff due diligence prior to finalized deal structuring.
2. Proactively coordinate international legal, trade compliance, regulatory, and government affairs business units.
3. Build a standardized internal compliance framework and actively train deal teams on shifting U.S. regulatory boundaries.
4. Deploy structured, phase-gated FTO methodologies early in the development lifecycle to insulate against infringement liabilities.
5. Focus heavily on generating litigation-hardened, high-quality U.S. patent claims to maximize asset valuations during corporate exits.

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