

# Direct Marketing

Baker McKenzie's Asia Pacific Healthcare industry group advises many of the world's best known multinational direct marketing/selling corporations.

We advise on legal boundaries in direct marketing models, as well as the legislative and regulatory framework governing a broad range of products that direct marketing businesses commonly deal with, including pharmaceuticals, health supplements, medical devices, food and cosmetics.

## How we can help

### Direct Marketing/Selling

- Advising on permissible direct marketing/selling schemes and the conditions for exemption from the general prohibition against pyramid-selling or multi-level marketing schemes or arrangements;
- Reviewing and clearing compensation plans, income disclosure, statements, sales tools and promotional materials used by directselling clients;
- Obtaining licenses and approvals for new market entrants;
- Negotiating and documenting distributor agreements and executive employment agreements; and
- Advising on related intellectual property matters, such as data security, digital media content, and e-commerce/internet transactions

### Awards & Accolades

Band 1 for Life Sciences  
**Chambers Asia Pacific, Asia Pacific Region  
2014 - 2025**

Medical and Healthcare Law Firm of the Year  
**Asian Legal Business Southeast Asia Law  
Awards 2020 and 2021**

Band 1 for Intellectual Property  
**Chambers Global, Asia Pacific Region 2009  
- 2025**

Band 1 for Intellectual Property, Singapore  
**Chambers Asia Pacific, Singapore  
2010 - 2025**

Tier 1 for Intellectual Property, Singapore  
**Legal 500 Asia Pacific, Singapore 2010 -  
2025**

Tier 1 for Patents and  
Copyrights/Trademarks in Singapore  
**ALB Asia IP Rankings 2018 - 2025**

Asia Pacific Patents Firm of the Year  
**Asia IP Law 2023**

Asia Pacific Trademark Firm of the Year  
**Asia IP Law 2024**

Tier 1 for Trademark Contentious and  
Trademark Prosecution in Singapore  
**Asia IP Law 2025**

Singapore: Copyright & Design;  
Trade Mark Prosecution Firm of the Year  
Asia Pacific: IP Law Firm of the Year  
(Foreign Firms)  
**Managing IP Asia Pacific Awards  
2024**

IP Transactions & Advisory Firm of the Year  
**Managing IP Asia Pacific Awards 2021 and  
2023**

Copyright & Design Firm of the Year  
**Managing IP Asia Pacific Awards  
2019 – 2023**

Global IP Firm of the Year  
**Managing IP Asia Pacific Awards  
2017, 2018 and 2022**

## **Advertising & Promotions**

- Ensuring compliance with legislative and regulatory regulations in respect of advertising and promotion;
- Reviewing and clearing advertising content for offline and online usage, and advising on issues concerning copyright, trade marks, privacy, defamation and comparative advertising;
- Lodging or defending claims made with the advertising standards authorities; and
- Drafting of advertising and promotions-related agreements.

## **Food & Health Supplements**

- Advising on the classification of health supplements and foods given the overlap in the definitions;
- Advising on regulatory scrutiny for different categories of products;
- Reviewing ingredient listings and advising on restrictions to the permitted use of food additives and supplements;
- Reviewing product labels and packaging, as well as advertising and promotional materials to ensure compliance with the legislative and regulatory requirements;
- Procuring product registrations, licenses or permits with the relevant authorities which may be necessary for the import/supply of products;
- Advising on product recall procedures and liaising with the regulatory authorities.

## **Cosmetics**

- Advising on the ASEAN Cosmetic Directive and its implementation in the region, including product notification, ingredient listings, renewal of product notifications, labelling requirements and the obligations on suppliers to keep records of products supplied;
- Advising on potential overlap in the regulatory regimes for cosmo-pharmaceutical products;
- Reviewing advertorial copies and product literature to ensure compliance with legislative and regulatory requirements specific to cosmetic claims;
- Advising on measures that can be taken to combat parallel imports of cosmetic products.

## Medical Devices

- Procuring product licenses and dealers' licenses which may be necessary for the import/supply of medical devices, and the timelines for compliance;
- Advising on the classification of medical devices in accordance to risk levels and the consequent differences in the level of regulatory scrutiny and clearances required;
- Reviewing and clearing product packaging and label;
- Complying with the registration process and timelines for the submission of medical devices for registration with the regulatory authorities;
- Advising on product recall procedures and liaising with the regulatory authorities.

Baker McKenzie's Healthcare industry group includes members from China, Hong Kong, Indonesia, Japan, Malaysia, Philippines, Singapore, Taiwan, Thailand, Australia and Vietnam. The international structure and outlook of the Firm mean that we are well placed to provide local and regional advice in a way that considers the international operating environment of our clients.

We are no stranger to navigating complexities across jurisdictions.

Baker McKenzie has a legal network spanning 46 countries. Within Asia Pacific, we have a large footprint, particularly in the healthcare industry, as we advise and act for the largest and leading global companies.

Our pharmaceuticals and healthcare industry group in the Asia Pacific region comprises more than 100 people with experience and specialist knowledge of the particular needs of the industry, enabling us to advise on the best ways to bring value to your business.

## Contact Us



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