



John E. Osborn

Senior Advisor
Washington, D.C.
Boston

Biography

Senior Advisor John Osborn joined Hogan Lovells following two decades as a general counsel and corporate affairs executive with leading life sciences companies.

As a result, he has a deep understanding of the business environment, as well as the legal and policy challenges, faced by clients who are building the next generation of successful health care companies. Above all, he is an effective counselor who sees the big picture, weighs the risks and rewards inherent in complicated business decisions, and marshals the firm's experienced practitioners to address thorny issues and resolve crises.

John has been at the forefront of addressing many of the challenges faced by in-house counsel working for emerging life sciences and health care companies. In addition to serving as general counsel with two Fortune 1000 companies, he was responsible for government affairs and public policy, corporate communications, investor relations, and risk management. He continues to be an industry advocate on important public policy issues.

John has served in all three branches of the federal government, including the U.S. Department of State



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Practices

Commercial
Corporate Governance
Government Relations and Public Affairs
Joint Ventures
Private Equity
Crisis Leadership Team

Industries

Life Sciences and Health Care

during the George H.W. Bush administration and as a law clerk to Albert V. Bryan of the U.S. Court of Appeals for the Fourth Circuit. In 2008, he was confirmed by the Senate as a member of the U.S. Advisory Commission on Public Diplomacy. He has published widely, writes a regular column on health policy for Forbes.com, serves on several corporate boards, and is an advisor to a leading global private equity firm and a medtech venture capital firm.

Representative experience

Led effort to enact the Controlled Substances Export Reform Act of 2005, enabling companies to more efficiently manage their overseas supply chain.

Authored leading journal article criticizing government enforcement policy on off-label promotion, cited by federal appeals court in *U.S. v. Caronia*.

Worked with leading private equity firm to structure and negotiate US\$2bn sale of US Oncology to McKesson.

Testified before the U.S. Antitrust Modernization Commission on merger review and market definitions in its hearing on Antitrust & the New Economy.

Member of U.S. Supreme Court appellate team in landmark case that struck down the "sale of business" doctrine.

Member of U.S. delegation that negotiated groundbreaking bilateral investment treaty with Argentina.

Gained national attention for bringing "bet the company" patent litigation and settling to protect billion dollar franchise product.

Awards and rankings

- Eisenhower Fellow, Ireland, 1998

Areas of focus

Cell, Tissue, and Gene Therapies

Education and admissions

Education

Postgraduate Studies, Princeton University, Woodrow Wilson School of Public and International Affairs, 1999

M.I.P.P., The Johns Hopkins University School of Advanced International Studies, 1992

J.D., University of Virginia School of Law, Articles Editor, Virginia Journal of International Law, 1983

B.A., The University of Iowa, Phi Beta Kappa, 1979

Attended, College of William & Mary, 1976

Memberships

Affiliate Professor, University of Washington, Seattle, 2012-Present

Visiting Scholar, Fielding School of Public Health, University of California, Los Angeles, 2018-19

Visiting Research Fellow, Socio-Legal Studies, University of Oxford, 2008

Leadership Council, University of Michigan Life Sciences Institute, Ann Arbor, 2005-Present

Fellows of the American Bar Foundation, Chicago, 2007-Present

- LawDragon 500 Leading Lawyers in America, 2008
- Visiting Scholar, Woodrow Wilson International Center for Scholars, Washington, 1991
- Who's Who in America, American Law, American Politics, Finance & Business

Latest thinking and events

- Sponsorships and Speaking Engagements
 - Managing Communications Between Manufacturers and Payers: Promotional Messages, Financial Contracting Negotiations, and Commercial Free Speech
- Sponsorships and Speaking Engagements
 - The Freeing of Off-Label Medical Product Use Information
- Analysis
 - Opinion: Biologics lose protection as U.S.-Canada-Mexico trade agreement moves forward
- Hogan Lovells Events
 - Distressed Investing Forum
- Published Works
 - FDA leverages private sector technology-based tools in its embrace of real world evidence *Forbes*
- Sponsorships and Speaking Engagements
 - Off-Label Medical and Scientific Information: Reconciling the FDA's Regulatory Mandate with the First Amendment Commercial Free Speech Doctrine

Member, American Law Institute, Philadelphia, 2003-Present

Member, Council on Foreign Relations, New York, 2001-Present

Board of Governors, East-West Center, Honolulu, 2004-07

Bar admissions and qualifications

District of Columbia

Massachusetts

Court admissions

U.S. Supreme Court

Accolades

"Osborn protected his company's billion-dollar franchise drug Provigil, which helps those with severe sleep disorders; he agreed to cut three years from its patent life but secured six years exclusivity."

LawDragon 500 Leading Lawyers in America 2008
