

STAFF

JOHN DELACOURT

MY NAME IS JOHN DELACOURT.

I am PPTA's Senior Director, Legal Affairs. Although I joined PPTA in January, I am not really new to the Association. From 2006 to 2009, I served as PPTA's outside counsel with the law firm of Kelley Drye & Warren LLP. Because I am already familiar with many of the industry's personalities and issues, the transition has been smooth, though I am sure there is still much to learn.

As Senior Director, Legal Affairs, I am PPTA's chief legal officer. This means that I am responsible for counseling Association personnel on day-to-day legal compliance, as well as for managing the Association's litigation and legal advocacy efforts. Currently, much of my time is dedicated to PPTA's antitrust compliance programs. However, I also hope to contribute to the Association's positive mission—in such areas as U.S. Food and Drug Administration/European Medicines Agency regulation, healthcare reimbursement, and trade liberalization—by adding a strong legal component to PPTA's ongoing efforts in both North America and Europe.

Tell us about your background.

I am originally from southeastern Michigan, but moved to Washington, D.C. to attend college at Georgetown University. I left the Washington area briefly to complete my legal education at Harvard Law School, but returned after graduation to enter private law practice. While in private practice, I worked primarily in the areas of antitrust and intellectual property litigation, including a handful of matters involving pharmaceutical and biotechnology products.

In 2001, I was presented with an opportunity to work with Chairman Timothy Muris at the Federal Trade Commission (FTC). I accepted the offer, and began work with the Office of

Policy Planning (OPP)—an FTC sub-unit within the Chairman's Office charged with implementing the Chairman's policy priorities. I eventually became OPP's Assistant Director, and ultimately rose to the position of Chief Antitrust Counsel. While with OPP, I worked on a broad range of antitrust issues, including pharmaceutical “reverse payment” settlements, legal barriers to the expansion of e-commerce, and anticompetitive “gaming” of regulatory processes in the healthcare and energy sectors.

In 2006, I left the FTC to join the Collier Shannon law firm, which had served as outside counsel to PPTA for many years. Soon thereafter, Collier Shannon merged with Kelley Drye. Although the merger changed many things, the firm's representation of PPTA was not one of them. I continued to work with PPTA throughout my tenure with Kelley Drye, focusing primarily on antitrust compliance. Not surprisingly, given the breadth of PPTA's activities, working with the Association also provided me with the opportunity to advise in other areas, including consumer privacy, product liability, and—on at least one occasion—constitutional analysis.

My wife, Tarah, is also an attorney, and works at Hogan Lovells LLP. We have one daughter, Victoria, who is just a few months shy of one year old. Victoria is an absolute delight and, thankfully, has no interest in discussing legal issues.

What is your proudest professional achievement?

Perhaps the most successful initiative I was involved in at the FTC was the Commission's E-Commerce Task Force. As a member of the Task Force, I was charged with identifying and challenging so-called “legacy laws”—laws enacted prior to the emergence of the Internet—that hurt consumers by disadvantaging e-commerce competitors. The Task Force used a variety of legal tools to challenge laws restricting, and outright prohibiting, Internet sales of everything from contact lenses to funeral

