Fifth Circuit Reminds Buyers to Beware of Buying ‘Deemed Rejected’ Contracts



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Squire Patton Boggs **warns** that a recent decision by the Fifth Circuit Court of Appeals in *In re Provider Meds, L.L.C.* is a stark reminder to chapter 7 trustees that they have an affirmative obligation to examine a debtor’s assets.

A trustee’s failure to conduct a sufficient and timely examination may deprive the estate of significant value, writes **Mark Salzberg**.

“The issue before the Court in *Provider Meds* was whether the assumption and assignment of an intellectual property license agreement . . . conveyed any intellectual property rights since the Agreement had not been timely assumed by the trustee,” Salzberg explains.

Read the article.