

Cross-Border Transactions

Building a cross-border organization and doing business internationally require determination, wide-ranging knowledge of foreign rules and regulations, and a profound understanding of various international companies, industries and cultures. Corporate leaders working on cross-border engagements must anticipate and solve complicated issues, manage people and operations, and take advantage of opportunities as they arise.

With extensive experience in cross-border engagements and foreign direct investment in the U.S., Pryor Cashman lawyers understand that cultural differences and communication obstacles can impact how smoothly and efficiently deals are negotiated and disputes resolved. Many of our lawyers speak our clients' native languages, some studied law abroad and are admitted to practice abroad, and others lived or worked abroad. Our familiarity with both the cultural and legal barriers enables us to offer clients insight regarding important investment opportunities and foresee the aspects of American law that may perplex them.

What We Do

Going public in the U.S. is an expensive and time-consuming process that may require the foreign entity to reorganize its operations and comply with complex and unfamiliar corporate governance requirements. We help foreign companies evaluate inbound investment opportunities, comply with complex U.S. regulations and laws, and negotiate mergers and acquisitions. Additionally, we advise on joint ventures and licensing agreements, assist with patent portfolio valuation and optimization, conduct due diligence and offer regulatory compliance guidance.

Our lawyers leverage their bicultural backgrounds and experience to provide sophisticated solutions to foreign companies operating in the U.S., and to U.S. clients investing and doing business abroad. We counsel clients as they expand their businesses and provide capital across national boundaries and into global markets.

Our cross-border experience includes:

- Mergers and acquisitions
- Market entry strategies
- Debt and equity financing
- Joint venture deals between domestic and foreign entities
- Foreign direct investment
- Tax planning
- Contract manufacturing arrangements
- Various agreements, including R&D, distribution and licensing agreements
- EPC (engineering, procurement and construction) and EPCM (engineering, procurement and construction management) agreements

We also focus on often complex and delicate matters, resolving disputes through litigation, arbitration and mediation. Our Real Estate and Real Estate Litigation Group have represented clients in Latin American and the Caribbean.

With broad-based experience, we represent clients from around the globe, including China, Germany and Latin America, handling cross-border issues for clients from various industries, including:

- Automotive
- Biomedical
- Chemical
- Consultancy
- Consumer goods
- Engineering
- Internet
- Manufacturing
- Medical devices
- Pharmaceutical
- Private wealth management
- Renewable energy
- Software
- Technology

We connect our cross-border clients with advisors adept at meeting the needs of foreign companies, including accounting firms, investor relations firms, bankers and placement agents.

Intellectual Property

Pryor Cashman intellectual property attorneys have an international reputation for leveraging and protecting clients' highly valuable — and vulnerable — business assets and brands. We prosecute and register patents, trademarks and copyrights, and we assist international clients with all facets on IP safeguarding.

Entertainment

Our entertainment lawyers' extensive experience spans virtually every category and medium. With deep relationships throughout the industry, we facilitate film, television and Internet finance, work with many American and international independent film producers and distributors, and have counseled numerous international co-productions of feature films.

Immigration

Our attorneys have deep experience with immigration issues, including the international transfers of employees, executives, celebrities and sport teams. Since the regulatory and procedural hurdles that accompany corporate transactions can impact the ability of key employees to work in the U.S. and abroad, we help clients develop post-merger integration strategies that provide a smooth transition and enable employees to work without interruption.

Tax

We also demystify the complex tax issues related to working, living and investing internationally. Our lawyers advise multinational corporations and their executives, celebrities and athletes, high-net-worth individuals and families with members and assets worldwide. We design structures to eliminate or minimize taxable income for tax-exempt and foreign investors doing business in the U.S. and have extensive experience developing and implementing tax-efficient structures for cross-border transactions and business operations, particularly those related to real estate development and film production and distribution.

The Foreign Account Tax Compliance Act (FATCA) has considerably raised the stakes for offshore investment vehicles and other financial institutions. Our tax attorneys are well versed in the requirements of FATCA, and have counseled numerous clients on their obligations under this newly effective tax regime.

Private Investment Fund Launches

Pryor Cashman attorneys help clients structure and establish funds across the full spectrum of domestic and offshore alternative investment vehicles, applying an unusually deep insight into their operations. We have assisted clients in launching:

- Hedge funds
- Private equity funds
- Venture capital funds
- Private real estate funds
- Film slate funds and other asset-specific funds

We have represented a number of major foreign and U.S. investment funds in their media ventures in the U.S., including advising on litigation strategies where investment performance has not lived up to expectations.

Global Footprint

Our regulatory knowledge and broad experience with global economies enable us to provide world-class advice on high-level and complex cross-border mandates. We regularly advise on foreign investments in the U.S., analyzing both the legal and economic aspects of transactions.

Drawing on our extensive corporate and securities law experience, we support foreign private businesses seeking to go public in the U.S. and advise on their private placement financing transactions, including private investment in public equity (PIPEs). We also handle SEC registration statements and advise on periodic reporting obligations.

Meeting Our Clients Many and Varied Needs

We offer clients comprehensive guidance on all aspects of cross-border transactions and business operations and management, providing legal support on such issues as foreign real estate investment and international finance issues.

Our attorneys use the full resources of our firm to support clients conducting business on the global stage. We connect clients with our well-developed network of foreign counsel, including law firms with which we have long-standing shared client relationships, and attorneys we know through international business and professional organizations.