



Untangling the Web of International Trade

The myriad laws and regulations governing international trade can be a dizzying maze for companies doing business across national borders. The rapidly expanding global marketplace means the rules impacting the international movement of technology and products are extensive and dynamic.

Failing to navigate that regulatory and legal web correctly can have damaging consequences – from hurting the bottom line to criminal charges for company employees.

Fox Rothschild offers clients a team fluent in the complex web of international trade laws and regulations. We represent clients in all aspects of trade regulation before regulatory agencies including Customs, Office of Foreign Asset Controls (OFAC), Directorate of Defense Trade Controls (DDTC), Bureau of Export Administration and the Bureau of Industry Security (BIS) as well as before the Court of International Trade and other federal jurisdictions.

Our lawyers guide clients through the maze with sophisticated advice on structuring internal compliance programs, complying with both domestic and international requirements and maximizing business opportunities. Whether you are an importer, exporter or producer, we can assist you with risk management, cost-savings tactics and trade-related business strategies.

Because international trade law often straddles an array of practice areas, our attorneys work seamlessly across offices and areas of the law to ensure clients receive comprehensive advice on their trade challenges.

Specific Areas of Experience

We represent both domestic and international clients in matters relating to:

- Foreign Corrupt Practices Act (FCPA) violations and anti-boycott laws
- Customs classification, valuation and country of origin marking requirements
- Customs compliance audits and fraud investigations
- Tariff classification, valuation, reduction and elimination
- Export licensing and other export controls involving compliance under the Export Administration Act, OFAC regulations, the International Traffic in Arms Regulations (ITAR), the Trading with the Enemy Act (TWEA) and the International Economic Emergency Powers Act (IEEPA)

- Anti-dumping and countervailing duty proceedings
- Developing, updating and auditing internal compliance policies and procedures and training personnel
- Import-export staff training

Representative Work

Our recent matters have included representing:

- A U.S. technology firm in a special investigation that involved, among other issues, potential FCPA violations arising from the activities of its foreign subsidiaries in India and other foreign markets.
- A surgical instrument manufacturing corporation executive in a Food and Drug Administration (FDA) and U.S. Customs fraud indictment
- A metals company director in a customs fraud and Bank Secrecy Act indictment
- A chemical manufacturing corporation in a country of origin marking violation grand jury investigation
- A titanium importer in a customs civil penalty proceeding in the U.S. Court of International Trade
- A Swedish manufacturer of mining equipment in penalty proceeding for OFAC violations
- An exporter in an OFAC violation grand jury investigation
- A manufacturer of pumps and equipment in BIS penalty proceedings for export licensing violations
- A medical equipment manufacturer for violation of the IEEPA and TWEA for exports to Iran
- Defense manufacturers in developing ITAR compliance programs
- A Swedish carbon products company in a breach of contract claim, resulting from imposition of anti-dumping duty that rendered performance economically impossible. The case settled by negotiating the contract at mediation in Honolulu.
- A refrigerant company executive in an excise tax evasion indictment

(Continued)

Our services also include:

• Compliance and Risk Audits

Our attorneys have performed internal investigations and prepared and submitted voluntary disclosure submissions for several companies for both import and export violations. We will conduct a comprehensive assessment of your company's risk factors. From U.S. Customs regulations to country of origin marking issues, we will identify potential liabilities in your risk profile. Once we identify your risk factors, our attorneys will recommend appropriate actions to eliminate or mitigate them.

• Policies and Training

Our attorneys have designed, implemented and updated compliance programs for several manufacturers on the import and export side. We will update or create your corporate policies and procedures related to international trade. Our attorneys will ensure that your policies are comprehensive and incorporate new technologies and any possible scenarios. We can also ensure that your employees receive thorough training on the company's trade policies.

In assessing your policies, we will consider:

- How your policies can best remove or mitigate your exposure
- Whether your policies incorporate necessary geography-specific elements
- How to best structure policies to identify risks early

For more information contact:

Patrick J. Egan

215.299.2825

pegan@foxrothschild.com

Malcolm S. McNeil, Esq.

Co-Chair, International Practice

310.598.4173

mmcneil@foxrothschild.com

1800 Century Park East
Suite 300
Los Angeles, CA 90067

Peter J. Tucci, Esq.

Co-Chair, International Practice

215.918.3562

ptucci@foxrothschild.com

2000 Market Street
20th Floor
Philadelphia, PA 19103



Fox Rothschild LLP

ATTORNEYS AT LAW

www.foxrothschild.com

© 2012 Fox Rothschild LLP. All rights reserved. This publication is intended for general information purposes only. It does not constitute legal advice. The reader should consult with knowledgeable legal counsel to determine how applicable laws apply to specific facts and situations. This publication is based on the most current information at the time it was written. Since it is possible that the laws or other circumstances may have changed since publication, please call us to discuss any action you may be considering as a result of reading this publication.

About Fox Rothschild International Practice Group

Our international practice brings together the services of attorneys throughout the firm to create a network of experienced counsel available to represent clients in all types of cross-border and international matters, including:

- Corporate
- Immigration
- Intellectual property
- Estate planning
- Tax
- Real estate
- Financial restructuring
- Bankruptcy
- Arbitration
- Litigation
- Dispute resolution

Collectively, the group has clients in more than 50 countries and is fluent in numerous languages, including Cantonese, Mandarin, Greek, Fukienese, Hakka, Marathi, Hindi, Korean, Japanese, Russian, Hebrew, Spanish, Portuguese, Italian, French and German. We have represented more than 650 foreign companies looking to do business in the United States or needing U.S. representation and nearly 350 U.S. based companies needing assistance in conducting business outside of the United States.

We have an established network of professional relationships and resources in Europe, the Americas and Asia available to assist clients in foreign countries as needs arise:

- We are a member of Lexwork International, a strategic alliance of independent law firms in major cities throughout Europe, the Americas and Asia that provides assistance with the differences in laws and regulations among jurisdictions, providing the benefits of knowledge of local usage and customs.
- We have a relationship with Longan Law Office in China, a 200-attorney firm with offices in Beijing, Shanghai, Shenyang, Shenzhen, Nanjing, Guangzhou and Hong Kong.