

Doing Business in the United States

Miller Canfield is uniquely positioned to provide legal, and business services to global firms looking to expand, invest and establish operations in the United States.

Our clients include multinational and foreign public and private businesses of all types and sizes from North and South America, Australia, China, India, Japan, South Korea, Singapore, Germany, Italy, Spain, other parts of the European Union, and the Middle East. We represent companies operating in most industry sectors including aerospace and defense, automated and connected vehicles, automotive, banking and financial services, craft beverages, environmental, higher education, manufacturing, medical equipment and devices, real estate development and construction, retail and hospitality, and technology.

Clients choose Miller Canfield based on the sophistication, capabilities, experience and breadth of practices of our firm, as well as our knowledge of the cutting-edge issues facing our clients and our pragmatic, cost-effective, value-added and problem-solving approach to their businesses. **Chambers USA** recognizes Miller Canfield as "a widely acknowledged corporate outfit, utilizing resources across its international offices in Asia, Europe and Canada to advise on significant domestic and cross-border transactions."

From strategically located offices worldwide, our multilingual lawyers assist and advise our clients expanding and doing business in the U.S. with all aspects of their business and legal needs, including:

- Establishing, structuring, expanding, capitalizing, and financing their operations
- Federal, state and local tax planning
- Site selection and applying for governmental incentives
- Capital and debt financing
- Acquiring, developing and leasing manufacturing plants, research & development centers, and office facilities
- Performing comprehensive legal due diligence reviews, including data privacy and cyber security, environmental, regulatory compliance, tax, employment and immigration due diligence
- Mergers, acquisitions, joint ventures and strategic alliances, and private equity and venture capital investments and transactions
- Rapidly developing U.S. CFIUS and other national security policies and regulations
- U.S. trade policies and agreements, including the United States-Mexico-Canada Agreement (USMCA); customs, duties and tariffs; anti-money laundering (AML) and Corporate Transparency Act (CTA) regulations; export compliance programs; and International Traffic in Arms Regulations (ITAR) and Export Administration Regulations (EAR) export license applications
- Competition and antitrust law requirements including premerger notifications and filings under the U.S. Hart Scott Rodino Act of 1976
- Anticorruption laws and regulations, including the U.S. Foreign Corrupt Practices Act, compliance programs, internal and governmental audits, and internal investigations
- Employment and labor laws and regulations, including policies, executive compensation and the U.S. EB-5 immigrant investor program

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- U.S. immigration policies, immigrant and nonimmigrant visas, and immigration audits
- Interpreting, drafting and negotiating commercial agreements and transactions including manufacturing, distribution, supply, sales, licensing, and technology transfer agreements
- Registering, licensing and enforcing intellectual property rights
- Resolving disputes in U.S. courts and domestic and international mediations and arbitrations
- Creditors rights, restructurings, bankruptcy, workouts, dissolution and other exit strategies

Representative Matters

- Provided complete transaction support to a Chinese client in the multi-million-dollar purchase of a large float glass manufacturing facility in Ohio. The company has invested over \$1.2 billion in the facility and created more than 3,000 jobs.
- Represented U.S. affiliates of Indian manufacturing and IT companies in their cross-border organizational matters between U.S. and India.
- Represented Mexican auto supplier in its \$150 million acquisition of the structural products business from a U.S.-based holding company.
- Currently represent an international company on its U.S. real estate portfolio including over \$1 billion in leases, construction, and economic incentive projects.
- Assisted multiple foreign automotive OEMs and automotive suppliers to set up their research and development centers and engineering facilities in Michigan and California.
- Advised an Asian Tier 1 automotive parts company on visa strategies for establishing U.S. manufacturing facilities, and successfully obtained work authorization and visas for executive, management and specialized support team to join U.S. operations.
- Advised foreign purchaser on utilization of seller's net operating losses and other tax attributes. Purchase price for company was significantly in excess of tax basis of seller's assets which permitted utilization of losses.
- Assisted a Canadian technology company with a U.S. subsidiary to classify its robot technology under U.S. export controls, including robot components, software and technology, along with accompanying cameras, sensors and lasers.
- Represented a receiver in a Canadian receivership under the BIA in a chapter 15 filing in Ohio and friendly foreclosure and sale.
- Represented the Chinese parent of a U.S. distributor engaged in litigation in the U.S., the subsequent receivership of the U.S. distributor and settlement of the litigation.
- Conducted the Committee for Foreign Investment in the United States (CFIUS) filing of a joint voluntary notice for the largest overseas acquisition by a Chinese automotive supplier in history.

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International Mergers and Acquisitions Experience>>

International Disputes Experience>>