

Private Aviation

Based in Washington, D.C., and active across the globe, Miller Canfield's corporate aviation team offers highly personalized and bespoke legal solutions for the participants of the corporate aviation market. We represent owners, including corporates and high-net-worth individuals, lenders, aircraft management companies and brokers, in connection with most aspects of their corporate aviation needs. Our team understands the trends in the aviation industry and maintains connections through frequent interaction with industry stakeholders and attendance at leading global corporate aviation events.

Miller Canfield attorneys have vast experience setting up complex multi-jurisdictional aircraft ownership and operating structures. Our lawyers have worked on transactions across the globe with a particular focus on North America, Central Europe and the Middle East. We recognize our clients' expectations to provide cost-effective solutions to issues of ownership, operations, transparency and risk mitigation in the corporate aviation market.

Our team regularly advises clients on compliance with Part 91 of the FAA rules and most aspects of Part 91 flight operations, including charity flights, carriage of political candidates, fractional ownership programs, time sharing agreements, interchange agreements, and joint ownership agreements. We also have significant experience advising clients on aspects of international aircraft ownership and operations including temporary and permanent importation into the EU for VAT purposes, TSA matters, flight path tracking, MMEL and RVSM manuals, and reconciliation of Federal Aviation Administration's (FAA) rules and regulations with EASA's Part-NCC. We work with several leading registries around the world and coordinate cross-border sales, de-registrations, and export certificates.

Miller Canfield attorneys regularly represent foreign and domestic clients on aircraft purchase, sale, leasing and financing transactions. We specialize in working as lead counsel on complex cross-border transactions requiring coordination of counsel, tax advisors, inspectors and crew to ensure cost efficient outcome for our clients.

We have assisted clients in the deliveries of new and used aircraft, whether directly from manufacturers, owners and brokers, including Cessna, Boeing, Bombardier, Dassault, Embraer and Gulfstream.

We also offer highly customized dispute resolution solutions to assist with the amicable resolution of contentious issues among the stakeholders, including disputes with manufacturers, brokers, service providers and government investigations.

Miller Canfield's proficiency in aviation matters is recognized by legal research organization Chambers and Partners, which reported the following anonymous feedback from clients of the firm:

- "(Miller Canfield's) ability to handle complex and sophisticated matters is very strong. Their team is very knowledgeable with a vast array of field experts, and I have not come up with an item to date that has stumped them. They follow through and are prompt on all matters."
- "Their commercial awareness is very strong. They are always up to date on relevant legal matters, and the complexity of our operation is such that this is a requirement."
- "The guidance and expertise we received during the process was phenomenal. Their service levels, responsiveness, and the depth and breadth of their team are very strong. We communicate on a regular basis, and their response is always timely and on point."

Continued

Representative Matters

- Representation of businesses and high-net-worth individuals in connection with the negotiation of aircraft management.
- Representation of businesses and high-net-worth individuals in connection with the acquisition, sale, financing, and registration of aircraft.
- Representation of businesses and private clients in connection with the purchase and sale of fractional interest in aircraft.
- Representation of businesses in connection with the purchase, sale, and financing of executive aircraft and helicopters in Central Europe.
- Representation of businesses and high-net-worth individuals in connection with state sales and use tax issues throughout the United States.
- Representation of businesses and high-net-worth individuals in connection with numerous tax-free (1031) exchanges, including reverse exchanges.
- Representation of foreign nationals and corporations in connection with the structuring, acquisition, sale, and finance of U.S. and foreign registered aircraft through the use of equipment and voting trust structures arranged through leading U.S. financial institutions.
- Representation of lenders, lessors and operators in connection with the sale, lease and sale-and-leaseback of fixed-wing and rotary-wing aircraft, engines and aviation parts in the Middle East.