



Foreign Direct Investment (FDI)

Williams Mullen assists foreign companies with all the major business and legal issues that must be considered when establishing business operations in the United States.

[Conducting Business in the U.S.](#)

One of the most important considerations for a foreign entity in establishing a business in the United States is the selection of the form of business entity. A variety of considerations must be addressed in making this determination, including the organizational structure of any existing business, tax concerns and the type of activity that the foreign investor intends to pursue in the U.S. Our attorneys work with the client to establish the optimal business structure for their objectives: corporation, limited liability companies, partnerships, limited partnerships or branch office operations. Williams Mullen also regularly helps clients form and capitalize an appropriate business entity for: international mergers and acquisitions; joint ventures, teaming agreements, joint development and marketing partnerships; foreign distribution, reseller, sales representative, agent, "Del Credere" and other marketing agreements.

[Taxes](#)

Upon the organization of a U.S. entity, a company must apply to the Internal Revenue Service for an Employer Identification Number (EIN). In addition, the entity must register with the state department of taxation to comply with tax requirements for the states where it will conduct business. Williams Mullen's Tax Law Section advises clients on all aspects of federal, state, and local tax matters.

[Intellectual Property](#)

The United States has strong intellectual property laws which grant valuable legal rights to the owners of this property and restrict others from using it. These proprietary rights in technology, inventions, software, business processes, creative materials and other intangible assets can be valuable in operating a business, raising capital, and pursuing exit strategies such as an IPO or acquisition. These laws are highly technical and special steps must be taken to register or otherwise comply with these laws. Our attorneys advise on the distinct issues related to:

- [Trademarks](#)
- [Patents](#)
- [Copyrights](#)

- Business Process and Business Method Patents
- [Trade Secrets](#)

Immigration

Our Immigration Practice Group advises companies on their temporary and long-term visas and “Green Cards.” A company’s immigration strategy will vary depending on the nature of the project, the purpose of the entry of international employees into the United States, and other factors. Our attorneys are especially skilled at working with foreign companies in obtaining investment (E-2), trade (E-1) and intra-company transfer (L-1) visas for key managers and specialized employees.

Import-Export Laws

Williams Mullen’s International team assists clients with U.S. [export](#) license applications, re-export license applications, international government contracts, deemed export reviews and commodity classification requests, including requests involving encryption items, as required by the Export Administration Regulations (EAR).

We also advise clients on all [customs](#) matters – from trade facilitation to homeland security – whether it involves a policy, regulatory or litigation issue. Our attorneys have extensive experience dealing with traditional customs issues such as entry requirements, tariff classification, customs valuation, rules of origin and country of origin marking.

Experience

- Set up Joint Venture between Canadian and French aerospace companies to furnish services to large U.S. manufacturer of helicopters and its later transfer of over ten (10) foreign technical specialists to the new site of U.S. operations
- Provided international tax planning to structure purchase of U.S. service provider by European client
- Assisted Irish manufacturer in locating its factory in USA, making \$1 million investment that will create 70 jobs for U.S. workers and will transfer over five (5) key global managers and engineers on corporate visas
- Advised French manufacturer of wine labeling machines on how to set up sales office to be run by French manager under E-2 visa
- Helped management of Chinese-owned companies in the United States complete their plans for obtaining Green Cards
- Represented Swiss companies in their acquisition of service and manufacturing companies in the

United States, involving the transfer of intellectual property rights and other valuable assets

- Negotiated on behalf of Bolivian exporter of furniture the lease of office/warehouse space and helped plan for the transfer of sales and marketing functions from West Coast to East Coast as well as the hiring of its new international Chief Operating Officer under the EB-1 Green Card process
- Advised hotel projects on how to attract EB-5 Capital from China to finance construction
- Provided employment handbooks for use by European retailers and manufacturers in dealing with U.S. labor and employment laws and regulations

Related News

- 10 FAQs for Foreign Companies Establishing Operations in the United States
- Business Expansion Legal Services
- FDI USA Newsletter - June 2015
- DO I REALLY NEED A WORK VISA TO WORK IN THE USA?
- FDI USA News - December 2015
- EXCEPTIONS TO RESTRICTIONS - Using the Visa Waiver Program (VWP)
- U.S. State Dept. Advises on New Restrictions on Business Travel to USA
- FDI USA News - April 2016
- Travel Restrictions for Nationals of 7 Designated Countries Based on President Trump's Recent Executive Order
- Trump Administration Suspends Premium or Expedited Processing of All H-1B Petitions!
- Bob Dewar Pens Article on Businesses Succeeding in America for Scottish Chamber's Monthly Magazine
- Williams Mullen Hosts National U.S.-Arab Chamber of Commerce Members for Foreign Direct Investment Seminar
- Pat Gottschalk Discusses FDI in Richmond with Business Facilities Magazine
- Hadeel Abouhasira Named to Style Weekly's Top 40 Under 40
- VIDEO: Investing in the USA ? What Has Changed Under New Trump Administration Policies?

Related Events

- Invest Southern Virginia - Profit in America Seminar
- Legal Aspects of Foreign Direct Investment
- What's with Canada? Gain insight into why so many U.S. firms are establishing a presence in Canada.
- Expanding to the US Market in 2017: Challenges and Opportunities
- German-American Business Luncheon

- Bloomberg BNA Webinar - Bridging the Atlantic: Global Mobility and Comparative Employment Laws of the U.S., France, the UK, and Germany
- INNOVATION & LICENSING YOUR INTELLECTUAL PROPERTY: YOUR KEYS TO SUCCESS
- National Aerospace FDI Exposition
- Cyber Security Market Opportunities in the USA
- The USA Market for European IT Companies

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