

INDIA

OUR ESTABLISHED CLOSE WORKING RELATIONSHIPS WITH INDIAN LAW FIRMS ALLOW US TO FACILITATE LOCAL LEGAL SERVICES TO OUR CLIENTS.

India's steady ascent as a prominent player in the global economy offers a variety of business and international trade opportunities. Technology and many other sophisticated industries are developing at breakneck speed. This type of growth is not without complications, and these opportunities also present particularly challenging business and legal scenarios for clients doing business in India and for Indian clients expanding their operations in the U.S., Europe and Asia. Our firm has an international and multidisciplinary team with experience working on issues involving India, that is able to provide legal advice and business solutions that are particularly responsive to the needs of clients.

Our India Practice Group members work closely with many of the leading law firms and consulting firms in India to service clients in most of the major commercial hubs, including Mumbai, New Delhi, Bangalore, Chennai and Kolkata. Our established close working relationships with Indian law firms allow us to facilitate local legal services to our clients.

Our India Practice Group regularly works with Indian counsel to provide legal and professional services including:

- structuring, negotiating and documenting
- joint ventures, mergers and acquisitions
- tax structuring
- complex cross-border transactions
- cross-border distribution and supply agreements
- start-up of foreign-owned companies
- commodity sale and purchase agreements and related carriage terms
- off-take, marketing and warehousing agreements

- addressing regulatory issues in India relating to
- foreign direct investment
- import, export and customs
- tax
- anti-corruption compliance
- dispute resolution

CORPORATE*

We combine the breadth of our international practice and resources with a keen understanding of the global transactional environment. We provide corporate legal services for India matters in areas including joint ventures, mergers and acquisitions and complex cross-border transactions.

Complementing our corporate legal services, our firm offers comprehensive due diligence, investigating from both the corporate perspective as well as regulatory compliance perspective. Our clients include companies doing business in India, as well as Indian companies doing business in the U.S., Europe, and Asia.

STRATEGIC PLANNING & REGULATORY COMPLIANCE*

Members of the India Practice Group have the in depth knowledge and experience necessary to tackle the complex regulatory environment in India. We regularly help clients navigate the regulatory challenges faced by companies seeking business opportunities in India. We offer strategic, cross-border supply chain, operational and regulatory consulting solutions, whether clients are planning their entry into India or exploring options for locating various business functions, whether they want to take a proactive approach towards ensuring compliance with customs and regulatory requirements or seek to defend and resolve a matter with the authorities, whether they want to capitalize on cost-savings opportunities under trade agreements or design effective countermeasures against illicit trade. Our firm also conducts comprehensive compliance reviews, covering customs, export control and anti-corruption topics, environmental and labor issues.

EMPLOYMENT, LABOR AND EMPLOYEE BENEFITS*

Group members have advised numerous India based enterprises with their employment related needs when expanding into the U.S. and Europe, handling all aspects of employment and labor law, counseling clients regarding compliance with applicable laws and regulations, and representing

clients in the judicial systems and before employment regulatory agencies. In addition, we provide comprehensive benefits and compensation advice to India based enterprises - anything from plan design and administration to government audits, litigation and corporate transactions. We understand and have experience with the varying employment arrangements utilized by our India based clients, including, but not limited to where employment involves individuals deputed from India to the U.S. or Europe on long and short term bases, local hires, training programs, and individuals on-boarded from clients.

INTERNATIONAL TRADE AND COMMODITIES*

A number of group members have spent a significant part of their careers in the Asia Pacific region, and have particular experience of working with clients and handling international trade-related matters involving India. We handle advisory as well as contentious issues arising from commodity trading transactions involving physical and paper trades, derivatives, shipping, storage, financing, regulation and insurance. Our experience covers a wide range of commodities in various markets including coal, metals, minerals, ores, steel, oil and agri-commodities.

DISPUTE RESOLUTION*

Our International Arbitration Team is designed to provide advice and representation in connection with arbitration and related dispute resolution procedures. We have handled disputes covering a broad range of industries, including aerospace, energy, natural resources, transportation, public and private construction, hospitality, pharmaceutical/biotechnology, franchising, medical and electronic devices and software. We regularly act for India based clients where commodity transactions give rise to multi-jurisdictional litigation and arbitration.

REPRESENTATIVE EXPERIENCE*

The India Practice Group's recent experience includes the following:

- Assisted client in the automotive industry with a 10 year joint venture agreement for the manufacture, sale and distribution of automotive products in Mumbai
- Handled transactional deals opposite IT firms and outsourcing companies that are based or have a substantial presence in India
- Represented client in design and construction of a \$30 million manufacturing facility
- Advised several companies on mergers, acquisitions and investments specifically related to anti-corruption (FCPA) issues

- Advised one of India's leading textile and apparel companies listed on the Bombay Stock Exchange, in connection with its joint venture and global licensing agreement with an international fashion design firm, relating to design, sourcing, production and distribution of the full range of menswear apparel
- Conducted FCPA investigation in India
- Counseled and assisted biotech client with office opening in India
- Represented client on general corporate matters, financing, capital raising and other legal matters
- Prosecuted many Indian trademark applications and represented client in trademark infringement dispute
- Assisted with pharmaceutical manufacturing and development agreements for a UK client with an Indian manufacturing company
- Advised bidders on the development of several power projects in India
- Assisted client with acquisition of privately-owned Indian company including dealing with foreign direct investment rules, supply and transition agreements, holding company structure and dematerialization of certificated shares and buy-out of joint venture interests in 3 separate joint ventures between client and various India partners
- Established Indian operating company owned by our client through holding company structure, to operate a lower-cost compliance and back-office accounting center in India
- Provided quarterly reports on regulatory and industry developments in India and China to an international scrap and waste/recycling industry association
- Advised U.S. computer peripheral manufacturer on regulatory procedures in various Asian countries, including India, for product recalls relating to consumer safety
- Advised U.S. IT consumer product company regarding labeling and instruction manual language requirements for various Asian countries, including India
- Advised French telecommunications company on various issues relating to importation and/or downloading of software into various Asian countries (including India), including software licensing, customs valuation and tax implications
- Assisted a multinational agri-business to examine and streamline its global supply chain and procurement flows, leveraging on free trade agreements involving various countries, including India

- Advised a U.S. electronic accessory manufacturer on India's import restrictions and requirements relating to remanufactured and second-hand goods
- Created an import/export procedural manual on India (covering classification, valuation, documentation, import restrictions and export control, etc.) for a major U.S. aircraft manufacturer

** Our India Practice Group works closely with local legal counsel as required.*

MEET THE TEAM



John M. Welge

Partner, St. Louis

john.welge@bclplaw.com

[+1 314 259 2545](tel:+13142592545)



Shivani Sanghi

Partner, London

shivani.sanghi@bclplaw.com

[+44 \(0\) 20 3400 4655](tel:+442034004655)

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