

## Asia-Pacific Cross-Border

Procopio's Asia-Pacific Cross-Border attorneys excel at helping clients succeed when doing business in the United States. We work with companies headquartered outside of the U.S. and their U.S. subsidiaries to address complex challenges in all matters of law. Procopio has for decades brought a detailed understanding and knowledge of Asian cultures to our work on behalf of international clients. We represent domestic and international corporations and unincorporated entities with complex cross-border transactions and multinational agreements. Our attorneys are fluent in languages including, but not limited to, Chinese, Japanese, and Korean. Our West Coast offices in San Diego and Silicon Valley allow our business days to overlap with key financial centers in the region, allowing us to engage in real-time, in coordination with our local partner firms. We also work closely with international accounting and other consulting firms to assist our clients in their worldwide business objectives.

### Our Services

- Develop intellectual property plans for U.S. operation, from patent and trademark prosecution and crafting licensing agreements to mapping enforcement strategies, including due diligence and nondisclosure, bringing technical degrees and substantive experience to clients in a wide range of technologies and industries, with offices close to two U.S. Patent and Trademark Office (USPTO) regional offices
- Provide international tax counseling, planning and transaction management for matters including financing and investments, taxation, executive and corporate compensation, benefits planning and disputes with state and federal tax authorities, and business and financial transactions
- Engage in patent, trademark, copyright, domain name and trade dress infringement actions, licensing and technology transfers negotiations and litigation, confidentiality and non-compete agreements
- Manage complex and high stakes business legal disputes for international clients, including state and federal courts, arbitration, mediation, administrative proceedings and appeals
- Assist startups and emerging companies in various industries, including information technology and software, online services, telecommunications, life sciences and medical technology, and cleantech, providing guidance in all aspects of formation, development and funding from initial idea through liquidity
- Draft and negotiate bilateral commercial transactions, mergers and acquisitions, joint venture agreements and other foreign direct investment structures, technology agreements, lease agreements, distributorship agreements, supply agreements and general terms and conditions

contracts

- Counsel U.S. subsidiaries on U.S. export control regulations and develop export control plans to ensure regulatory compliance
- Provide legal guidance on complex real estate transactions including financing, purchases and sales, and construction and development

### **Representative Matters**

- Represented clients in the U.S. Federal District Court, the U.S. Patent Trial and Appeal Board (PTAB), and the U.S. International Trade Commission (USITC), including successfully representing a \$5B Japanese producer of chemical products in a USITC Section 337 investigation
- Negotiated a platform joint venture agreement with Morgan Stanley Real Estate Investment Funds on behalf of co-investor/managers for management, development and investment in retail property located in the People's Republic of China and India (venture size of \$300 million)
- Counseled clients in international project financing and access to capital markets in Hong Kong, Taiwan and mainland China
- Counseled clients in partnering negotiations, technology acquisition, licensing, joint research, development and outsourcing production and distribution relationships for clients in the United States, China and other countries
- Assisted clients in the execution of their global intellectual property enforcement strategy, including administrative and judicial enforcement and raids and customs seizures against counterfeiters and infringers

### **Testimonial**

"Procopio's IP Litigation team is as good as it gets. In a patent infringement jury trial, they scored a complete victory for us – an outstanding damages award, plus a 10% royalty rate going forward. We could not have been happier with Procopio's IP Litigation team, and how they handled the case from start-to-finish, and their level of communication with us throughout the process."

- Hirofumi Yamada, Senior Manager, Kaneka Corporation