

*Considering Operations Overseas?*  
What Every Nonprofit Should Know Before  
Crossing US Borders

Lindsay B. Meyer, Partner  
Carrie A. Kroll, Associate  
Venable LLP

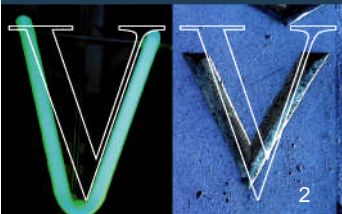
NOVEMBER 8, 2011



# Preliminary Considerations for Trade Activities Abroad

## Organizational Options

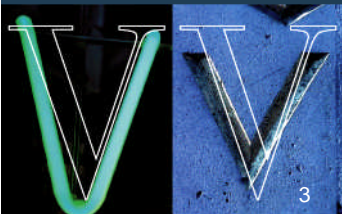
- Specific/ Isolated Event v. Ongoing Presence
  - Use of Association Management Company
  - Host a conference
  - Affiliation
  - Joint Venture
- In-country branch v. Independently incorporated affiliate
- Variations in treatment of non-profits under foreign local laws



# Preliminary Considerations for Trade Activities Abroad

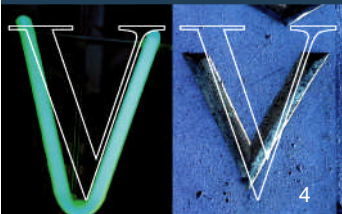
## Contract Issues

- Dispute Resolution
- Governing Law
- IP Issues
- Termination Provisions
- Other – Always a country and fact-specific analysis



## Preliminary Considerations for Trade Activities Abroad

- Tax and Accounting considerations
  - Applicable Tax Treaty?
  
- Employment Issues
  - US v. foreign laws governing employment contracts and benefits
  - Visa requirements?
  
- Insurance Issues
  - What is the scope of your association's coverage?
  - Per-event?



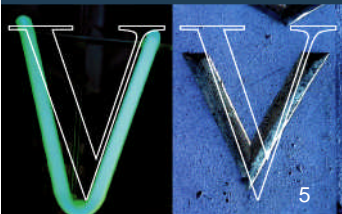
# Preliminary Considerations for Trade Activities Abroad

## ■ Intellectual Property

- Depending on target country, IP rights & protection may be a high risk issue
- Is your IP registered?

## ■ Other US Law Considerations

- US export controls and economic sanctions
- Entity and person-specific restrictions
- Applicability of US Foreign Corrupt Practices Act
  - Current “red flag” countries
- Other national and international anti-bribery laws (e.g., UK Bribery Act, OECD)



## contact information

### YOUR VENABLE TEAM

Lindsay B. Meyer, Partner  
Chair, International Trade & Customs Group  
lbmeyer@Venable.com  
t. 202.344.4829  
f. 202.344.8300

Carrie A. Kroll, Associate  
International Trade & Customs Group  
ckroll@Venable.com  
t. 202.344.4574  
f. 202.344.8300

DC2/1207564

[www.Venable.com](http://www.Venable.com)

