

**Baker  
McKenzie.**

## Anticipating Issues in Global Brand Expansion

June 4, Chicago Botanic Garden, Glencoe  
June 5, Baker McKenzie, Chicago



## Agenda

- Strategies for success
- Enterprise-wide risk and challenges in cross-border transactions
- Tips for building strong alliances and collaborating abroad
- Top trade considerations
- Managing and protecting IP and trademark portfolios in multiple jurisdictions
- Modes of market entry



## What to Consider

Early stakeholder engagement

Start slow  
Launch well

Start Early

Thoughtful

The Core

Make sure the right people have a seat at the table

- Tax
- Operations
- IP
- Marketing
- Legal
- Regulatory
- HR

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## Other Expansion Issues



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## Key Issues: Trade Compliance

- **One of the main compliance challenges in cross-border M&A**
- Successor liability cases are common
- Government enforcement trumps private agreement on assumption of liability
- US outbound trade compliance risks
  - US export controls, US trade sanctions, UA antiboycott rules, anticorruption
- US inbound trade compliance risks
  - Tariff classification, customs valuation, related party transactions, country of origin, FTAs

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## Key Issues: Trade Compliance



### Risk assessment

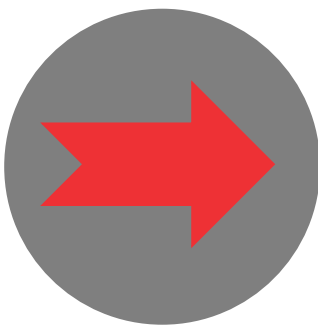
Where does Target do business?

How does Target do business?

What industry?

Past compliance history

## Mode of Entry



- Direct Investment / Subsidiary / Affiliate
- JV
- Acquisition
- Franchising / Licensing / Distribution



## Speakers



Leigh Avsec  
**Vice President, Associate General Counsel**  
 Fortune Brands Home & Security

Leigh has been with Fortune Brands Home & Security for 10 years (including 2 years with its predecessor company, Fortune Brands, Inc.). In her role, she serves as a generalist supporting all the divisions of Fortune Brands Home & Security with a primary focus on the cabinets and plumbing business, SEC reporting and trade law.



Anamaria E. Cashman  
**Division Counsel**  
**Global Trademarks**  
 Patent & Trademark Department  
 Abbott

Ana leads the Trademark group at Abbott Laboratories and is responsible for the management of the company's large trademark portfolio across 4 distinct and highly regulated businesses: Medical Devices, Diagnostics, Nutrition and Established Pharmaceuticals. Prior to joining Abbott 5 years ago, Ana was Vice President of Intellectual Property and Licensing at Ralph Lauren in New York, and prior to that she served as Assistant General Counsel at Playboy Enterprises, Inc.

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## Speakers



Christina Conlin  
**Counsel**  
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Prior to joining the Firm, Christina was chief compliance officer for McDonald's Corporation's European operations, providing strategic leadership and guidance on regulatory compliance and corporate governance for 39 markets across Europe, Central Asia and North Africa. She also previously served as general counsel in McDonald's US central division, where she led a legal team that advised the company and senior leadership on franchising, supply chain, real estate and operational matters. Christina also worked for more than a decade as a trial lawyer in private practice, representing franchisors, distributors, real estate developers, manufacturers and others in court and arbitration.

Christina has been named to the 2017 Crain's Chicago Business List of Most Influential Women Lawyers in Chicago and 2018 Crain's Chicago Business List of Most Notable Women Lawyers in Chicago. Christina focuses her practice on domestic and international corporate matters, providing counsel to clients as they navigate domestic and cross-border distribution, licensing, and franchising transactions. She has extensive experience with respect to distribution and franchising, the Foreign Corrupt Practices Act, third party due diligence, risk assessments, training programs, and OFAC-related matters.



Eunkyung Kim Shin  
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Eunkyung Kim Shin regularly advises multi-national companies on complex international trade, regulatory compliance, and customs and import law related matters. She also counsels on cross-border compliance and commercial issues. Eunkyung advises clients on various regulatory compliance and trade issues, concentrating on the US export controls such as the Export Administration Regulations (EAR) and International Traffic in Arms Regulations (ITAR), economic and trade sanctions, US customs and import laws, the US Foreign Corrupt Practices Act (FCPA), and foreign anti-bribery laws. Additionally, Eunkyung advises clients in internal and external audits of compliance with US and non-US export controls, economic and trade sanctions, and customs and import laws, structuring compliance programs, and obtaining authorization from the US Government for activities subject to the EAR, the ITAR, and US economic and trade sanctions programs. Eunkyung also advises clients on M&A export control, economic and trade sanctions, customs and import law, anti-corruption, and anti-boycott due diligence reviews of target companies in Europe, Latin America, and Asia, in collaboration with the Firm's M&A attorneys in multiple jurisdictions. Her assistance extends to voluntary disclosure filings to, and enforcement actions brought by, the US government in relation to the EAR, the ITAR, economic and trade sanctions, antiboycott rules and regulations, and US customs and import laws. She frequently writes and speaks on these areas. She also regularly counsels Korea-based companies on various issues related to doing business globally.

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