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## *International Trade, Investment and Market Access*

Insightful guidance for clients navigating the ever-complex global economy.

In a global economy, government policies can impede or enable business success: businesses are significantly affected by government policies that directly limit market access, impose non-transparent or unreasonably burdensome government regulations, treat investments unfairly, fail to protect or enforce intellectual property, or subsidize domestic competitors. At the same time, companies doing business internationally face substantial compliance obligations under their domestic laws, such as restrictions on technology exports and economic sanctions.

WilmerHale has a long record of success in assisting clients on these issues, and our trade group is widely recognized as at the top of the field. *Chambers USA* and *Chambers Global* give the practice their highest ratings, and rank all of our senior lawyers as national leaders. Three of our younger lawyers are ranked among the top 10 trade lawyers to watch under 40.

We have represented companies and industries from the United States, European Union and more than 30 other countries before administrative, judicial and legislative bodies throughout the world. The depth of our trade team is reflected in an exceptional roster of lawyers, many of whom have served in senior executive positions in government and industry.

Apart from their track record in private practice, several of our lawyers have high-level and directly relevant US, European or global government experience. One of our lawyers was the Assistant Secretary of Commerce for Enforcement and Compliance at the US Department of Commerce; others served as USTR General Counsel, Associate General Counsel and Assistant General Counsel; and one member of our team was an International Trade Counsel for the Senate Finance Committee and served in the US Department of Commerce's Import Administration. In Europe, one of our lawyers chaired the WTO Appellate Body and another was a senior trade law advisor to the European Commission. With respect to China, our team is led by one of the leading regulatory lawyers in Beijing (and a member of the Board of Governors of the American Chamber of Commerce—People's Republic of China).

In all, we have a fully integrated team of 30 lawyers and trade professionals in the United States, Europe and China. The practice comprises four key areas, and we have a strong track

record in each.

- In helping **open world markets**, we have had some landmark victories, representing Boeing in successfully challenging European subsidies to Airbus in the largest WTO case in history; a coalition of leading high-tech companies in successfully challenging EU efforts to undermine the seminal Information Technology Agreement; and US companies in multiple sectors in high-profile market access disputes with the governments of China and India.
- In advising on **trade policy and trade negotiations**, we have helped develop or shape key trade initiatives and legislation both in and outside government, including Congress' landmark grant of Permanent Normal Trade Relations to China; negotiating priorities in the Trans-Pacific Partnership free trade agreement negotiations; congressional implementation of various US free trade agreements; and trade-related provisions in internet, patent and drug importation legislation.
- In assisting companies in **unfair trade investigations**, we obtained the lowest duty rate among the Big Three auto companies in an antidumping and countervailing duty case brought by China; convinced the US Commerce Department and International Trade Commission to impose and maintain antidumping and countervailing duty orders on imports from multiple countries that injured our US chemical industry clients; and in the biggest US antidumping case against China to date, our clients were the only Chinese producers that were found to be not subject to duties.
- In assisting companies with respect to **government restrictions on technology exports and economic sanctions**, we successfully represented one of the world's largest international shipping groups with respect to the application of sanctions imposed under ISA/CISADA, and we helped a major US government contractor develop ITAR compliance policies and training programs required for provision of logistics services to the US military at more than 50 forward operating bases in Afghanistan.

In addition, the firm assists companies on a range of other issues that arise in connection with their international operations: compliance with anti-corruption laws such as the Foreign Corrupt Practices Act; compliance with anti-money laundering laws; inbound foreign investment into the United States, including review by the Committee on Foreign Investment in the United States (CFIUS); and cross-border corporate advice.

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## Key Contacts



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## Related Solutions

AML and Economic Sanctions  
Compliance and Enforcement  
Foreign Corrupt Practices Act  
and Anti-Corruption

Business and Financial  
Integrity  
Foreign Investment in the US  
(CFIUS)

Cross-Border Investigations  
and Compliance  
International Arbitration

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## Areas of Focus

China Trade

Export Controls and Economic  
Sanctions

Opening World Markets

Protecting Intellectual Property  
in International Markets

Trade Policy and Trade  
Negotiations

Trade Remedies Litigation

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## Recognition

- *Chambers USA: America's Leading Lawyers in Business* recognized WilmerHale as a leading firm in international trade on a national level in its 2014–2023 editions.
- *Chambers Global* named WilmerHale a leading law firm in the area of international trade in the United States and globally in its 2014–2024 editions. In addition, Ronald Meltzer, Robert Novick, Benjamin Powell, David Ross, Jeffery Kessler and Jason Chipman all received individual honors.

- *Law360* named WilmerHale’s International Trade, Investment and Market Access Practice a “Practice Group of the Year” (2019). This annual series highlights practice groups behind significant litigation wins and major deals that resonated throughout the legal industry.
- *U.S. News and Best Lawyers’* “Best Law Firms” List recognized our international trade practice nationally and in Washington DC in its 2014–2024 editions.
- *The Best Lawyers in America* 2020 named Charlene Barshefsky Lawyer of the Year for International Trade and Finance Law in Washington DC. The 2020 edition also named Charlene Barshefsky, Jay Holtmeier, Robert Kimmitt, Sharon Cohen Levin, Ronald Meltzer, Robert Novick, David Ross and Naboth van den Broek as leading lawyers. Charlene Barshefsky, Ronald Meltzer and Robert Novick have been recognized as leading lawyers in International Trade and Finance Law in other recent editions as well.
- *The Legal 500 United States* recognized our team in its 2017–2023 editions, which benefits from the knowledge of many former high-ranking government officials and excels at matters at the intersection of law, business, politics and public policy. Individually, the guide has praised Charlene Barshefsky, Ronald Meltzer, Robert Novick, Benjamin Powell and David Ross.