



I National Security and Foreign Investment/CFIUS

Companies engaged in international business today face increased risks as trade regulations rapidly evolve in response to national security objectives. New rules governing national security reviews of cross-border transactions pose challenges for such transactions. The Committee on Foreign Investment in the United States (CFIUS) has expanded its authority to review foreign transactions involving U.S. businesses. Lowenstein Sandler's Global Trade team has extensive experience in handling CFIUS matters.

Lowenstein Sandler advises both foreign and domestic companies and investors on the national security implications of potential and non-notified transactions so that our clients can mitigate risk, avoid penalties for noncompliance, and respond to questions from CFIUS. Named a top CFIUS advisor for 2021 by *Foreign Investment Watch*, our Global Trade & National Security practice understands both the historical context of CFIUS policy and the practical investor and company management needs to efficiently and effectively plan for a CFIUS review, whether mandatory or voluntary.

Our team excels in helping clients navigate CFIUS issues from the inception of a transaction through closing and beyond. We work closely with Lowenstein's corporate team, which means that our specialized knowledge factors into pre-deal discussions and post-deal compliance and permeates all deal documents related to global trade and investment. In addition, each member of our multifaceted CFIUS team is experienced in export control regulations, technical knowledge that is integral to almost every CFIUS review. The team has a high level of knowledge on critical technologies, allowing it to provide an impressive level of assistance to a client's technical engineers and compliance personnel. Such integration is a key part of the group's offering, especially in light of the changes to CFIUS regulations over the past few years. Export classification of products and services is now crucial to the CFIUS analysis, since a mandatory filing is based on export classification. Thus, Lowenstein provides what many other law firms do not: an integrated national security practice that includes deep export control experience.

Because Lowenstein has significant transactional work, we have reviewed hundreds of private equity, investment fund, and technology company transactions, analyzing them for CFIUS, export control, and economic sanctions risks. We are creative when advising our clients on trade issues and our goal is to find the best solutions for our clients. We have an exemplary track record of success in obtaining CFIUS clearance for foreign investments and compliance with non-notified requests for information from CFIUS.