

## Manufacturing/Sales

The legal needs and concerns of manufacturers are as diverse as the manufacturing economy itself. Andrews Kurth lawyers help manufacturing clients of all sizes and levels of technology deal with the financial, operational and regulatory issues that directly affect their business success. While we excel at solving our clients' problems, we place just as much emphasis on identifying and solving problems in advance. Taking a multi-disciplinary approach, lawyers from our major practice areas are nationally recognized for their ability to help make our manufacturing clients more effective and competitive.

### **Representing a wide range of clients**

Andrews Kurth provides the legal services that companies engaged in all facets of manufacturing and distribution need. Our clients include Fortune 1000 multinational companies and small local enterprises involved in both basic industrial and high technology activities. They encompass industries such as:

- Aerospace
- Biotechnology
- Building materials
- Chemicals
- Computers
- Electronics
- Food and beverages
- Industrial machinery
- Medical devices
- Motor vehicles
- Natural resources
- Oilfield machinery
- Paper
- Pharmaceuticals
- Power generation equipment
- Semiconductors
- Steel and aluminum
- Telecommunications

### **Identifying antitrust issues early**

Our lawyers are committed to developing a thorough understanding of each client's production, distribution and marketing operations so that we can identify antitrust problems and help forestall actions that violate the law. We handle government antitrust inquiries and concerns involving mergers, acquisitions, divestitures and joint ventures and recently secured early termination of an antitrust inquiry in the merger of two leading offshore oil rig manufacturers.

### **Facilitating international trade**

We understand import/export regulations, particularly as they relate to international trade and technology transfers. Andrews Kurth has represented many clients in Section 337 International Trade Commission proceedings involving antidumping, infringement and tariff-related matters. We also advise on Section 301 provisions of the U.S. Trade Act, and on the World Trade Organization's (WTO) procedures for enforcing intellectual property rights.

### **Exploiting and protecting technology**

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Andrews Kurth lawyers protect our clients' technology in a wide range of transactions, including mergers, R&D contracts, strategic alliances, licensing agreements, partnership programs and marketing arrangements. We ensure that any technology relationship conforms to antitrust laws, and safeguard proprietary patent, product and process information against unwanted exposure to joint venture partners. As part of our enforcement of clients' intellectual property rights, we litigate and resolve technology disputes involving partners and joint ventures.

### **Counseling on distribution relationships**

Andrews Kurth lawyers handle all aspects of the business relationships between manufacturers and the distributors of their products, in the U.S. and around the world. We protect the interests of manufacturing clients when drafting distribution agreements, and advise on complex issues involving warranties, sales contracts, pricing and antitrust compliance. We also represent our clients in distribution controversies, including lawsuits over distributor termination.

### **Assisting with leasing transactions**

Our lawyers routinely close complex, multi-million dollar equipment leasing and financing transactions, often involving multiple lenders and equipment located in multiple jurisdictions. We are experienced in sale/leasebacks, leveraged lease financing and tax-exempt leasing, and can handle issues related to multiple funding sources and difficult tax questions.

### **Defending product liability claims**

Andrews Kurth defends product liability and personal injury claims against chemical companies, machinery manufacturers, oil field equipment suppliers, defense contractors, petroleum refiners, motor carriers, and manufacturers of automobiles and aircraft. We have also represented manufacturers in tens of thousands of toxic tort claims alleging personal injury and property damage from the effects of asbestos, benzene, silica and similar substances.

### **Advising on employment law concerns**

We work with employers on their hiring, evaluation and termination practices, seeking to minimize exposure to employee complaints, governmental agency actions and union-related disputes. If problems do arise, our lawyers have represented manufacturers before numerous federal, state and local regulators, including the EEOC, NLRB and OSHA. Our proactive counsel also includes crafting effective benefit plans that achieve business objectives, avoid costly disputes, comply with all DOL, ERISA and IRS rules and are efficiently administered.

### **Focusing on the real world**

Manufacturers are results-oriented businesses whose success affects employees, customers, shareholders, suppliers and numerous other stakeholders. No matter what their unique products, opportunities and problems are, manufacturers need legal advice that works in the real world, where bet-the-company decisions are made every day.

*Andrews Kurth lawyers give our manufacturing clients the help they want. We understand their operations and technologies, the way their products are made and sold, and the regulatory constraints they confront. These companies don't have time for anything but straight talk—and that's the advice they get from us.*