

DOING BUSINESS GLOBALLY

Conference Agenda

November 3, 2014 | Santa Clara Marriott | Santa Clara

Sponsored by:



TIME	SESSION TITLE	LOCATION
8:30 am	Registration and Breakfast	California Ballroom foyer
9:00 am	Keynote Presentation and Plenary Session	California Ballroom
11:30 am	Lunch	Sedona Room
12:15 pm	<u>Track Sessions</u> Track I: Global Markets: Mapping Country Opportunities and Risks Track II: Doing Cross-Border Deals: Boot Camp Track III: Minding Your Global Tax Burden Track IV: Managing and Protecting Your Most Important Assets: Global Employment and Compliance Track V: Tech Talk: A Data Privacy and Global Contract Negotiation Workshop for Technology Companies	Salon 4 Salons 7 & 8 Salons 1 & 2 Salon 5 Salon 6
5:00 pm	Cocktail Reception	Main foyer

Plenary Session - California Ballroom

TIME	SESSION TITLE	SPEAKERS
8:30 am	Registration and Breakfast	
9:00 am	Welcome	<i>Gary Sprague</i> , Managing Partner, Baker & McKenzie - Palo Alto
9:15 am	Keynote Presentation	Presenter: <i>Lyndon Rive</i> Co-Founder and Chief Executive Officer SolarCity
10:15 am	BREAK	
10:30 am	<p>Panel Session: The Future of Doing Business Globally: Seizing Opportunity and Mitigating Risk with a Focus on Disruptive Technologies</p> <p>Our panel of thought leaders will share their views on how global business is expected to change over the next decade, with a particular focus on changing technologies. They will discuss:</p> <ul style="list-style-type: none"> • The impact of new and disruptive technologies on current business models • Global expansion: war stories and opportunity trends • Competing business opportunities in disparate economies: How to assess and prioritize • Growing globally through M&A and strategic alliances: When and why • Developing a successful global expansion road map: Top considerations • The future of global business: Ten years from now 	<p>Moderator: <i>John McKenzie</i>, Partner, Baker & McKenzie - San Francisco</p> <p>Panelists: <i>Michael Chui</i>, Partner, McKinsey Global Institute <i>Ken Siegel</i>, VP and GC, Cyan Inc. <i>Seth Weissman</i>, EVP and GC, SolarCity</p>
11:30 am	Lunch [Sedona Room]	

Track I: Global Markets: Mapping Country Opportunities and Risks

Salon 4

As they invest or operate internationally, multinational corporations need to understand and manage the new opportunities and pitfalls in emerging markets. Our global markets track will provide you with first-hand analysis of the current regulatory and investment trends, business opportunities and risks faced by companies in key established and up and coming jurisdictions in Asia and Latin America.

TIME	SESSION TITLE	SPEAKERS
12:15 pm	ASEAN: Vietnam, Thailand and Malaysia <ul style="list-style-type: none"> • Key regulatory and investment trends • M&A insight and outlook • How to successfully deal with local governments • Top 5 common mistakes made by foreign companies 	Moderator: <i>John McKenzie</i> , Baker & McKenzie - San Francisco Panelists: <i>Andre Gan</i> , Baker & McKenzie - Kuala Lumpur <i>Lan Phuong Nguyen</i> , Baker & McKenzie - Ho Chi Minh City <i>Say Sujintaya</i> , Baker & McKenzie - Bangkok
1:30 pm	India <ul style="list-style-type: none"> • Key regulatory and investment trends • M&A insight and outlook • How to successfully deal with the local government • Top 5 common mistakes made by foreign companies 	Moderator: <i>John McKenzie</i> , Baker & McKenzie - San Francisco Panelist: <i>Ashok Lalwani</i> , Baker & McKenzie - Singapore <i>Rupinder Malik</i> , J. Sagar Associates, India
2:30 pm	Break	
2:45 pm	China <ul style="list-style-type: none"> • Key regulatory and investment changes • M&A insight and outlook • How to successfully deal with the local government • Top 5 common mistakes made by foreign companies 	Moderator: <i>Joyce Smith</i> , Baker & McKenzie - San Francisco Panelists: <i>Joseph Deng</i> , Baker & McKenzie - Palo Alto <i>Grace Tso</i> , Baker & McKenzie - Hong Kong <i>Howard Wu</i> , Baker & McKenzie - Shanghai
3:45 pm	Brazil, Colombia and Mexico <ul style="list-style-type: none"> • Key regulatory and investment trends • M&A insight and outlook • How to successfully deal with local governments • Top 5 common mistakes made by foreign companies 	Moderator: <i>Joyce Smith</i> , Baker & McKenzie - San Francisco Panelists: <i>Flavia Rebello</i> , Baker & McKenzie - Sao Paulo <i>Carolina Pardo</i> , Baker & McKenzie - Bogota <i>Carlos Vela-Trevino</i> , Baker & McKenzie - Mexico City
5:00 pm	Cocktail Reception	

Track II: Doing Cross-Border Deals: Boot Camp Salons 7 & 8

Establishing profitable international operations requires an appropriate assessment of country risks, correctly defining structures for new market entry, and anticipating key legal hurdles. We will offer practical advice on how to maximize cross-border growth opportunities and minimize risk. Whether you are doing deals involving established global money centers or emerging markets, our panelists will provide insight on how to structure transactions that successfully manage a patchwork of jurisdictions, regulatory environments and business cultures.

TIME	SESSION TITLE	SPEAKERS
12:15 pm	Winning Strategies in Cross-Border Deals: Tips for Success <ul style="list-style-type: none"> Strategies to set up your team for success Structuring and deal issues of special significance in a cross-border deal context 	Moderator: <i>Matthew Gemello</i> , Baker & McKenzie – Palo Alto Panelists: <i>Mark Casper</i> , Associate General Counsel & Vice President, Maxim Integrated Products <i>Seth Ferguson</i> , Managing Director, co-head of Mergers & Acquisitions, Stifel Nicolaus <i>Karen Guch</i> , Baker & McKenzie – London <i>Emery Mitchell</i> , Baker & McKenzie – San Francisco <i>Mark Quinlan</i> , Managing Director, co-head of Technology Group, Stifel Nicolaus
1:30 pm	Best Practices for Hot Issues <ul style="list-style-type: none"> Implementing strategic deal protections Navigating global competition regimes Avoiding intellectual property pitfalls Understanding employment and labor force consultative processes 	Moderator: <i>Emery Mitchell</i> , Baker & McKenzie - San Francisco Panelists: <i>Mark Casper</i> , Associate General Counsel & Vice President, Maxim Integrated Products <i>Seth Ferguson</i> , Managing Director, co-head of Mergers & Acquisitions, Stifel Nicolaus <i>Matthew Gemello</i> , Baker & McKenzie – Palo Alto <i>Karen Guch</i> , Baker & McKenzie – London <i>Mark Quinlan</i> , Managing Director, co-head of Technology Group, Stifel Nicolaus
2:30 pm	Break	
2:45 pm	Successfully Implementing Complex Cross-Border Transactions <ul style="list-style-type: none"> Making the borders disappear Due diligence as a value-added service Negotiating, documenting and closing the local sales Being ready for day 1 	Moderator: <i>Helen Mantel</i> , Baker & McKenzie - Chicago Panelists: <i>Veronika Nemeth</i> , Baker & McKenzie - San Francisco
3:45 pm	Considerations for Transaction Related Restructurings <ul style="list-style-type: none"> Pre-sale/spin-off restructurings Post-acquisition integrations Legal entity rationalizations 	Moderator: <i>Veronika Nemeth</i> , Baker & McKenzie - San Francisco Panelists: <i>Irina Shestakova</i> , Baker & McKenzie - San Francisco
5:00 pm	Cocktail Reception	

Track III: Minding Your Global Tax Burden: Key Issues for Chief Financial Officers and Chief Tax Officers

Salons 1 & 2

Thinking about your company's global tax burden can keep you awake at night! And it's not just lowering your global effective tax rate and then maintaining it. It's the costs of supporting a global legal structure that may or may not have outlived its usefulness. It's making sure that tax, treasury and compliance are working together as a single team. And it's making sure that executives and employees globally are rewarded, awarded and compensated in a coordinated and cost-efficient manner. This track will focus on these key issues from the perspective of the Chief Financial Officer and the Chief Tax Officer.

TIME	SESSION TITLE	SPEAKERS
12:15 pm	Inversions and IP Migrations <ul style="list-style-type: none"> • What are they? • How do they work? • Why will you be asked about them? 	Moderator: Stewart Lipeles, Baker & McKenzie - Palo Alto Panelists: Paula Levy, Baker & McKenzie - Palo Alto
1:30 pm	Legal Entity Rationalization <ul style="list-style-type: none"> • Why simplifying your global structure can make tax, finance, and legal happy (but what about everyone else?) 	Moderator: Veronika Nemeth, Baker & McKenzie - San Francisco Panelists: Nancy Ludgus, Senior Counsel, Applied Materials Kirsten Malm, Baker & McKenzie - San Francisco
2:30 pm	Break	
2:45 pm	Financial and Tax Issues of Compensating Your Global Team <ul style="list-style-type: none"> • Global stock plans • Split payrolls • Other global benefits 	Moderator: Susan Eandi, Baker & McKenzie - Palo Alto Panelists: Barbara Klementz, Baker & McKenzie - San Francisco Kerry Weinger, Baker & McKenzie - Chicago
3:45 pm	Coordination is Key: Aligning tax, treasury and regulatory compliance with respect to hedge transactions involving derivatives, FATCA and other treasury center issues. <ul style="list-style-type: none"> • Comparing non-pooling vs. pooling • Comparing notional pooling to physical pooling • Assessing the impact of FATCA on non-US cash pooling structures • Coordinating the GAAP, tax and treasury aspects of doing business in multiple currencies • Addressing the impact of Dodd-Frank and FATCA on currency hedging 	Moderator: Gary Sprague, Baker & McKenzie - Palo Alto Panelists: John McDonald, Baker & McKenzie - Chicago Joshua Odintz, Baker & McKenzie - Washington DC Matthew Kluchenek, Baker & McKenzie - Chicago
5:00 pm	Cocktail Reception	

Track IV: Managing and Protecting Your Most Important Assets: Global Employment and Compliance

Salon 5

Before establishing a non-US presence, or adding new territories to your company's portfolio, or making significant employment and labor decisions in relation to existing international workforces, it is vital to consider the employment-related issues. The current climate of aggressive investigation and penalization of employers and employees for failure to comply with local laws only highlights the importance of identifying and addressing these issues early. This track will highlight key employment, compensation, benefits, tax and related considerations. We will examine some of the challenges raised by managing globally diverse workforces, and share best practices to help you avoid traps for the unwary.

TIME	SESSION TITLE	SPEAKERS
12:15 pm	Building Your Global Workforce: The Who, What, and How (You Bring the Where) <ul style="list-style-type: none"> • Trends and alternatives for global hiring • Protecting the company as it expands • What tools and resources should you have on hand? 	Moderator: <i>Susan Eandi</i> , Baker & McKenzie - Palo Alto Panelists: <i>Joe Deng</i> , Baker & McKenzie - Shanghai <i>Kelly Going</i> , Senior Counsel, Netflix <i>Kerry Weinger</i> , Baker & McKenzie - Chicago
1:30 pm	Trends and Challenges in Global Compensation Programs <ul style="list-style-type: none"> • Granting equity on a global basis • Alternative cash-based programs • Retirement benefits as incentives 	Moderator: <i>Barbara Klementz</i> , Baker & McKenzie - San Francisco Panelists: <i>Barbara Baksa</i> , Director of NASPP <i>Emily Cervino</i> , Vice President, Marketing, Fidelity Investments
2:30 pm	Break	
2:45 pm	Surviving on the Front Lines: Cross-Border Investigations <ul style="list-style-type: none"> • Understanding the legal landscape of cross-border investigations • Tips for success in conducting and managing cross-border investigations 	Moderator: <i>John McKenzie</i> , Baker & McKenzie - San Francisco Panelists: <i>Cynthia Jackson</i> , Baker & McKenzie - Palo Alto <i>Bob Tarun</i> , Baker & McKenzie - San Francisco <i>Bernhard Trappehl</i> , Baker & McKenzie - Munich
3:45 pm	Prepare for the Worst, Hope for the Best: Codes of Conduct <ul style="list-style-type: none"> • Global codes of ethics and hotlines • Global data privacy • Supply chains 	Moderator: <i>Cynthia Jackson</i> , Baker & McKenzie - Palo Alto Panelists: <i>Bob McKague</i> , Senior Vice President, Chief Compliance Officer, Jazz Pharmaceuticals
5:00 pm	Cocktail Reception	

Track V: Tech Talk: A Data Privacy and Global Contract Negotiation Workshop for Technology Companies

Salon 6

Global companies face opportunities and challenges due to rapidly evolving cloud technology and service-based business models. Data privacy laws and enforcement is on the uptick around the world. In this track, we will provide introductions and updates on global developments, enforcement trends, case studies and practical guidance. General in-house counsel, corporate counsel, IP and privacy counsel and privacy professionals will benefit most from the discussions.

TIME	SESSION TITLE	SPEAKERS
12:15 pm	<p>Data Protection/Privacy: Where Next for Global Data Protection/Privacy Compliance?</p> <ul style="list-style-type: none"> • Will the EU really implement the GDPR and ePrivacy Directive? • What are the legislative trends in emerging markets? What US Companies need to do. • How are the Snowden revelations actually impacting business and law enforcement relations? • Is safe harbor still the right choice for international data transfers? What about binding corporate rules, data transfer agreements based on standard contractual clauses? • Are BCRs worth the effort or SCCs worth the effort? • Privacy in investigations – how to prepare 	<p>Moderator: Lothar Determann, Baker & McKenzie - Palo Alto</p> <p>Panelists: Ben Allgrove, Baker & McKenzie - London Carolina Pardo, Baker & McKenzie - Bogota Raul Rubio, Baker & McKenzie - Madrid Carlos Vela-Trevino, Baker & McKenzie - Mexico City Michaela Weigl, Baker & McKenzie - San Francisco</p>
1:30 pm	<p>Enforcement and Disputes: Data Privacy and Consumer Protection Highlights</p> <ul style="list-style-type: none"> • Jurisdiction – how much US Companies can hide behind local jurisdiction • Local Presence considerations <ul style="list-style-type: none"> ○ Spain ○ U.K. ○ EU ○ Germany ○ Mexico 	<p>Moderator: Tod Gamlen, Baker & McKenzie - Palo Alto</p> <p>Panelists: Ben Allgrove, Baker & McKenzie - London Raul Rubio, Baker & McKenzie - Madrid Carlos Vela-Trevino, Baker & McKenzie - Mexico City Michaela Weigl, Baker & McKenzie - San Francisco</p>
2:30 pm	Break	
2:45 pm	<p>Contracting Across Geographies: Localization and Negotiation Strategies</p> <ul style="list-style-type: none"> • Localization v. conforming to local law • Dealer protection • Warranty statements • Consumer Rights Directive in Europe – what has to be done • Legislation landscape under the road map for digital economy announced by the current Thai government 	<p>Moderator: Gary Shapiro, Baker & McKenzie - San Francisco</p> <p>Panelists: Ben Allgrove, Baker & McKenzie - London Carolina Pardo, Baker & McKenzie - Bogota Say Sujintaya, Baker & McKenzie - Bangkok Michaela Weigl, Baker & McKenzie - San Francisco</p>

3:45 pm	<p>Round Up: Global Topics for Tech Companies and New Business Models</p> <ul style="list-style-type: none"> • Mitigating intermediary liability • The new sharing economy – crowd sourcing and regulatory obstacles • Blocking Injunctions • Key Tech Cases • Open Mic – Your questions answered regarding tech issues around the world 	<p>Moderator: <i>Lothar Determann, Baker & McKenzie - Palo Alto</i></p> <p>Panelists: <i>Ben Allgrove, Baker & McKenzie - London</i> <i>Raul Rubio, Baker & McKenzie - Madrid</i></p>
5:00 pm	Cocktail Reception	