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# Doing Business in India

## Friday, August 27

# Due Diligence!!!

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U.S Export Assistance Center



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# Due Diligence!!!

# Finding A Partner

## Who you pick...

- Not the first
- Trade Shows
- Recommendations & Referrals
- Other company's representatives
- Locator services
  - International Partner Search
  - Gold Key

# Partner Due Diligence

## What to do when you find someone.

- Check references
- Credit check
- Background check
- On site visit



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**Results of failing to be diligent  
in your due diligence**

## *Gain:*

- Legal fees
- Legal obligations
- Litigation
- Other troubles

## *Loss of:*

- Market share
- Profits
- Entire markets
- Intellectual properties
- Company, product or service brand name value
- Goodwill & reputation

# Preventing Fraud



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- Know who you are doing business with
- Verify
- Secure payment
  - Trouble with checks
  - Trouble with credit cards
  - Cash in advance – EFT
  - LC's

# Value of Lawyers

- Technical Expertise
- Suspicious

# Value of Contracts

- Meeting of the minds
- Expectations
- Assignment of responsibilities

# Contracts

- Terms
  - Territory
  - Term
  - Choice of Law
  - Termination
  - Arbitration
  - Foreign Corrupt Practices Act

# Contracts

- Terms
  - Intellectual Properties
    - Trade Marks
    - Copyrights
    - Patents
    - Other



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# Value of Relationship

Internationally:

Its all about the relationship

# Maintaining the Relationship

Law Suits

Arbitration

Tolerance/Negotiation