

Meriwether Lewis & William Clark

Partners in Exploration



Good partners explore new worlds, ideas, and theories together. They support each other's new ventures and in turn achieve much more than they could on their own. Like Meriwether Lewis and William Clark, we understand the power of collaboration — that together we can achieve more than we can separately.

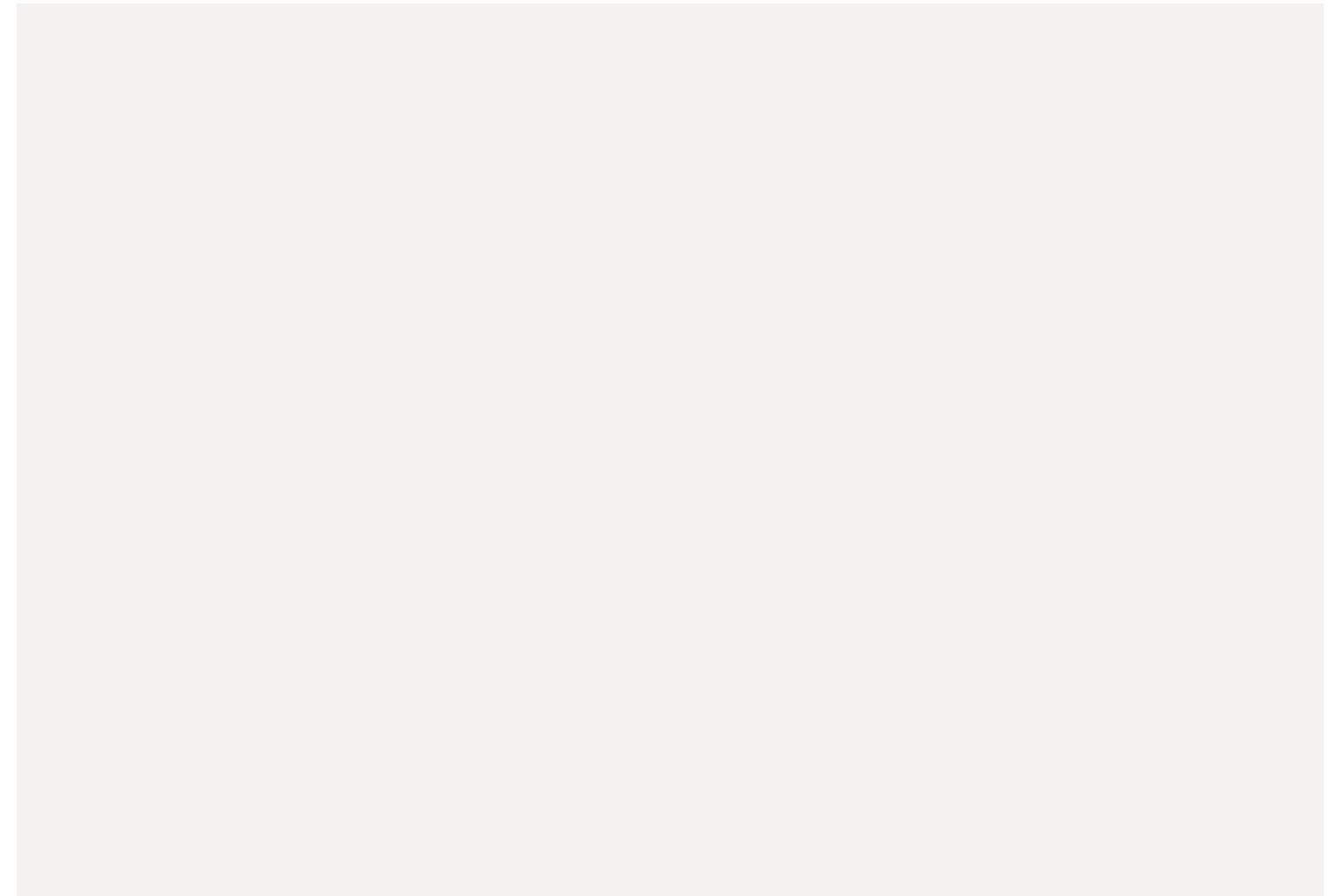
As ASAE's Strategic Partners we are committed to helping you explore new ideas to help advance your mission and map out the future of associations.

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Money & Business



GOOD COUNSEL

Safe Passage

Manage your risk when hosting meetings abroad

By George Constantine As associations increase their activity outside the United States, the potential legal risk also increases. If you're looking to host a conference overseas, you may encounter an array of legal issues unique to the destination. Fortunately, the risks can be managed with assistance of legal counsel and other expert advisors. Here are five issues to consider before taking your meeting abroad. **1. DETERMINE WHETHER THE CONFERENCE WILL IMPLICATE LOCAL "DOING BUSINESS" AND TAX REGISTRATION AND PAYMENT REQUIREMENTS.** At the outset, you'll need to confirm the duration of the conference; length of time that your employees will be "on the

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ground” for conference-related activities; whether you will use an outside contractor for planning and logistics; and whether due diligence has been conducted on third parties before engagement. A one-off conference in a non-U.S. location may not be enough to trigger local registration and payment rules, but a sustained or ongoing presence in a particular locale might.

2 PAY CLOSE ATTENTION TO CONTRACTS WITH LOCAL VENUES AND OTHER MEETING SERVICES PROVIDERS

to ensure that you negotiate favorable terms and that your organization is protected under U.S. law (as well as under local laws, as applicable). Questions

about choice of law and venue for disputes are key in international contracts, as are provisions addressing apportionment of liability and indemnification.

3 ENSURE THAT YOUR INTELLECTUAL PROPERTY IS PROTECTED.

The rest of the world (for the most part) is not like the United States where trademarks are concerned: Mere use of a name or a logo outside the U.S. generally does not confer trademark rights. Think about filing for protection of your marks in other countries at an early stage of your global growth to limit future problems.

4 STUDY UP ON THE FOREIGN CORRUPT PRACTICES ACT.

The Justice Department has pursued claims of

FCPA violations vigorously in recent years, and associations are within its scope. Similarly, the recently enacted United Kingdom Bribery Act is broad and presents a risk to associations doing business in the UK or that have a “nexus” to the UK. You can manage these risks through contract and careful due diligence of your contractors.

5 DO NOT OVERLOOK INSURANCE COVERAGE.

Your association’s current policies may not extend to international claims without a specific endorsement.

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THE FIX

Your Office Space Ally

When looking for prime commercial real estate, what should you consider before hiring a broker?

Real estate is probably the largest single financial commitment an organization makes, says Thomas Fulcher, executive vice president at Studley, a commercial real estate firm. So it’s important to find a broker with your best interests at heart.



stand what your needs are and then can communicate them effectively to people on the other side—to the different landlords. And you need them to be able to communicate with your board.

Why hire a commercial real estate broker?

I think not having one is kind of like going to a murder trial without your lawyer.

The whole market around commercial real estate is complicated, and the level of knowledge needed to know that you’re getting a good price and that you’re getting the appropriate deal requires a level of expertise that someone coming in from the cold wouldn’t have.

What should you look for in a broker?

Someone you can trust, someone who knows the market, and someone who is an effective communicator.

You need someone who can under-

What potential conflicts of interest can arise between a client and a real estate broker?

The way broker compensation works, the more space you take, the more money a broker makes, so you want someone who will look after your interests.

You also don’t want to have your broker representing both sides of the transaction. If you’ve got someone who’s representing the landlord as well, you are probably always concerned about whose best interest they are looking out for.



IDEA BANK

LET’S CONNECT

Help your members get to know you by adding social media to your online staff directory

WHAT’S THE GREAT IDEA? Placing links to social media pages on the association website’s staff directory. **WHO’S DOING IT?** The Pennsylvania Association of Realtors. **WHAT’S INVOLVED?** Members of PAR staff are required to include links to social media sites such as Twitter, Facebook, and LinkedIn in their listing on the directory page. They choose to set up a business account or can link their personal account. ¶ “The commitment that we made quite a while ago is that ... we embraced all of the electronic versions of communication,” says David R. Phillips, CAE, CEO at PAR. “We made it a priority to interact with our members via social media because, the way things already have gone or are going, the one way to engage members, particularly at a state level, is electronically.” ¶ Phillips believes that by encouraging staff to engage in social media, PAR can build an online community and maintain an accessible presence to members who follow the organization on those sites. **WHAT ARE PEOPLE SAYING?** Members say they feel closer to a staff that they might otherwise never know, and they appreciate being able to connect directly with them. And staff engage with members more frequently. ¶ “People pretty much embraced it,” says Meghan Tinkham, PAR’s community manager. “It’s really just another way to get out there and meet members virtually. When they see us, they feel like they know us.”—**Rob Stott**

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