

2020 MEETING of the British-American Business Council's British-American Group of Lawyers

Friday, Nov. 20 / 9:30 am – 1:00 pm EST

Transatlantic Business and Legal Issues in the POST-Election, POST-Brexit, and POST-Pandemic World

BAGOL has always been a bit Brigadoon-like, coming to life as it has once annually for more than 20 years. And, like the mythical Scottish village once each century, BAGOL has never missed its annual appearance.

Well, virus or no virus, BAGOL WILL meet in 2020, albeit virtually!

The uncertainties of 2020, swirling around the run-up to Brexit and the U.S. presidential election, have been further exacerbated by the most impactful pandemic for a century.

We head toward 2021 hoping that, at least the direction forward, should become clearer as the New Year progresses, even if it will seem in some respects like a Brave New World.

Like the excellent 2019 BAGOL program in Birmingham, the BAGOL 2020 edition will provide guidance to transatlantic businesses and their professional advisors and consultants about what to expect in the important areas of:

- Free trade agreement negotiations
- Data protection and regulation
- Cyber security in trade and commerce
- IP and IT developments
- Immigration and related concerns

Interaction is encouraged during the meeting.

Please ask questions directly or email them separately, preferably in advance, to the program moderator, Bruce Lowe (blowe@taftlaw.com).

AGENDA

Time	Topic
9:30 – 9:35 am	Welcome and Opening Remarks
	<ul style="list-style-type: none"> • Stuart Bagshaw, President of the British-American Business Council • Bruce J.L. Lowe, Partner, Taft Stettinius & Hollister LLP, Cleveland, Ohio; BABC Chairman; BAGOL Coordinator and Program Moderator
9:35 am – 10:15 am	The U.K.- U.S. Trade Treaty Negotiations: Progress Made and Likely Outcomes
	<ul style="list-style-type: none"> • Duncan Edwards, President, British-American Business (BAB), New York, NY • Robert Brown, Partner, Lynch Cox Gilman & Co., Louisville, Kentucky
<p>In what is sure to be a suitably up-beat and entertaining kick-off to BAGOL 2020, BAB President, Duncan Edwards and immediate past American Bar Association (ABA) Section of International Law Chair, Robert Brown, will focus on the current, all-important U.S./U.K. free trade agreement negotiations and their likely or possible treaty.</p> <p>As BAB leader, based in London, Duncan has been keeping his finger very closely on the pulse of the negotiations. Currently, Robert was chair of the National Association of District Export Councils, whose members are appointed by the US Secretary of Commerce to promote trade policy. He was actively engaged with TPP (whose failure was much closer than widely known) and USMCA. He is now chair of its Advisory Board, and is intensively engaged with U.K-U.S. trade issues. What are key sticking points and is the ultimate prize worth all the fuss? This should be a fascinating BAGOL 2020 opener.</p>	
10:15 – 10:55 am	GDPR, CCPA, LGPD and New US/Global Data Laws: Where Are We Headed Now, and with Privacy Shield “Shot Down,” What Should You Do?
	<ul style="list-style-type: none"> • Rafi Azim-Khan, Global Co-Head of Data Privacy, Pillsbury Winthrop Shaw Pittman LLC, London & Silicon Valley
<p>The EU's General Data Protection Regulation (“GDPR”) and the global responses such as California's CCPA and Brazil's LGPD have taken something of a back seat to the coronavirus era headlines, but they are still very much in force and just the tip of the iceberg of new proposed laws around the US and the world. The past 2 meetings, long time star BAGOL presenter Rafi Azim-Khan, has given us an insightful overview of what to expect from GDPR and then an update on the EU's enforcement efforts as well as comparable data protection developments outside the U.K. and the EU.</p> <p>He now returns to focus on the impact of the recent seismic ECJ decision “shooting down” the US/EU Privacy Shield, the impact on international data processing, the new record data law fines, the confusing impact of these new laws on businesses, cutting edge data use issues re Covid-19 and Brexit. As always, truly a presentation not to be missed.</p>	

10:55 – 11:35 am	Navigating Transatlantic Travel and Immigration Challenges in Tempestuous Times
	<ul style="list-style-type: none"> • Elaine M. Kumpula, Partner, Immigration & Global Mobility, Faegre Drinker Biddle & Reath, LLP, Minneapolis, MN, USA • Claire D. Nilson, Counsel, Immigration & Global Mobility, Faegre Drinker Biddle & Reath, LLP, London, England
<p>For coverage of the all-important immigration developments on both sides of the Atlantic, BAGOL welcomes back the dynamic dual combination from Faegre Drinker Biddle & Reath, LLP, Clair Nilson in London and Eilane Kumpula in Minneapolis, who have graced the BAGOL meetings with excellent presentations over the past few years.</p> <p>While eye-grabbing immigration matters are continually in the headlines revolving around such things as the Wall, the Presidential Election, and immigrant invasions across English Channel, the likely subject of most interest to U.S. and U.K. companies doing transatlantic business is the ability to move employees and personnel across the Atlantic in both directions as easily as possible.</p> <p>In this immigration and pandemic challenged time, we now regularly ask, “Who can travel and how do they get there?” Claire and Elaine will answer these questions and address other relevant immigration developments with their usual poise and aplomb.</p>	
11:35 am – 12:15 pm	Post-Brexit and IP: What to Expect Going Forward
	<ul style="list-style-type: none"> • David Croston, Partner, Withers & Rogers, LLP, Leamington Spa, England
<p>As Brexit is now finally about to actually happen, what does this now mean for U.K. and U.S. companies doing business with the EU?</p> <p>What happens with the unitary patent, the jurisdiction of the ECJ (European Court of Justice) and the impact of its decisions going forward?</p> <p>Does the patent box remain a viable tax strategy for companies doing business in the U.K.?</p> <p>As many of you already know from previous BAGOL meetings, Dave’s perspectives on these and other questions are always very helpful and insightful. While his colleague, Russell Barton filled in admirably at BAGOL 2019, we are nonetheless very pleased to be able to welcome back Dave to the BAGOL 2020 lineup.</p>	
12:15 – 12:15 pm	Cybersecurity and Today’s Challenges to International Trade
	<ul style="list-style-type: none"> • Richard O. Cunningham, Partner, Steptoe & Johnson, LLP, Washington D.C.
<p>As everyone is aware in this era of acceleration of global data flow and connectivity of businesses, supply chains, and governments via the internet, the world of international trade is increasingly subject to and exposed to new risks and pressures in the form of cyber-attacks and the potential, therefore, in ways which implicate not just commercial, but also national interests, requiring constant vigilance, and policy focus about the way international trading is done, and global commerce is protected.</p>	

Pulling together threads from each of the preceding subjects of BAGOL 2020 and in a fitting crescendo to the program, we are fortunate to be able to welcome back distinguished and longtime BAGOL presenter Dick Cunningham, to help transatlantic businesses and their counsel understand what is happening and what needs to be done to address these challenges. As always, Dick will be a fountain of interesting and vital information, observations, and perspectives and BAGOL is honored to have him return to complete the 2020 program.

12:55 – 1:00 pm

Final Q&A and Wrap-Up