Canada-US Cross-Border

Our Canada-US cross-border attorneys assist Canadians with the full range of US legal services they may require. We advise clients as they establish, maintain, expand, and diversify their US presence and business operations. We also represent and counsel them on dispute matters, including litigation and arbitration matters in the United States. With offices on both sides of the Canada-US border, we are available to meet clients in any of our US offices or our convenient downtown Toronto office.

Our attorneys serve individuals, start-up businesses, mature companies, and large, multinational corporations, providing legal services to a broad array of Canadian clients from a wide range of industries, including software and IT, energy, financial, insurance and reinsurance, transportation, manufacturing, professional athletics, and more.

We provide tax counsel and advice to Canadian individuals and businesses seeking to expand operations into the United States, including choice of entity and other structuring considerations. Similarly, we provide tax planning advice to Americans seeking to expand business operations into Canada.

We have extensive experience assisting clients with matters that involve:

- Business formation and structuring, sales, and mergers and acquisitions
- Commercial litigation
- Estate planning and tax matters
- Joint ventures and strategic alliances
- Immigration, citizenship, and customs
- Insurance defense and reinsurance
- Intellectual property and licensing
- Labor and employment
- Real estate transactions
- State and local tax compliance, including sales, use, and income tax

We frequently coordinate our representation with Canadian counsel, accountants, and financial advisors to provide recommendations that meet the goals of our clients in both countries. Our Canada-US cross-border attorneys routinely collaborate across practice areas, and we take the same team-oriented approach in working with Canadian counsel, accountants, and financial advisors.

Barclay Damon is a founding member of InvestUSA Toronto, a cross-border initiative of the US Consulate, and we have strong relationships with numerous Canadian law firms, accounting firms, financial advisors, and professional and industry groups, including the Chartered Professional Accountants of Ontario, the Ontario Bar Association, the Canadian Defense Lawyers, and the Law Society of Upper Canada. Many of these organizations rely on presentations by our attorneys to educate their members on current legal topics.

While we do not practice law in Canada, our clients appreciate our ability to connect them with outstanding Canadian counsel and accounting firms with whom we have excellent relationships. Additionally, as part of our commitment to Canadian clients and their interests in expanding and developing their business and other relationships in the United States, we also have strong relationships with the Consulate General of Canada in New York City and Boston as well as with the Quebec Government Office in New York City.

Representative Experience

- Represented a Canadian change management software firm in the corporate reconstruction of a US affiliate entity.
- Represented a Canadian online training platform with the corporate reconstruction of multiple related entities.
- Represents a holding corporation in its ownership of Canadian real property and related corporate structuring and ownership succession planning.
- Represented a Canadian face-to-face not-for-profit fundraising company regarding the general corporate cleanup and restructuring resulting from its acquisition of a US company and its subsidiary.
- Represented a Canadian telecommunications engineering and construction firm regarding its formation of a US investment and holding vehicle.
- Represented a hospitality software business in its $16.6 million sale to a leading provider of software and services.
- Represents a Canadian distributor of orthotic footwear regarding its US expansion and operations.
- Served as outside general counsel to a US online test proctoring company in a $5.1 million Canadian cross-border asset sale.
- Served as local NY counsel to a Canadian client in a $9.4 million cross-border acquisition of a food manufacturer and related real estate.
- Represented a US exports company in its Regulation D, Rule 506 private placement fundraising rounds and subsequent $25 million cross-border stock sale to a Canadian purchaser.