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Doing Business and Working in the United States - What all Foreign Investors and Businessmen Need to Know

The US market is now an attractive place to invest and do business for many foreign businessmen and investors. With the US dollar now at its lowest level for several years, many foreign investors are using this opportunity to expand into the US market. When deciding to expand into the US market, foreign investors usually have many questions that relate to **Immigration Laws**.

- *What kind of visa do I need to go into the US to start my business?*
- *How long can I stay?*
- *Does the tourist/business (B-1/B-2) visa allow me to look at investment opportunities, sign contracts or do some work?*
- *After I have registered my business, is there a special visa for business investors to stay and manage their new business?*
- *Can I bring my family too?*
- *How can I get the green card?*
- *What about my employees? Can I sponsor my employees from the home office to work in the US?*
- *Can a new company sponsor foreign graduates to work in the company? What are the requirements?*

Under US Immigration Laws, a foreigner can come into the United States on a tourist/business (B-1/B-2) visa to explore business opportunities, negotiate and sign contracts and attend trade shows, conventions and have meetings with business associates. However, once an investor has decided to set up a business in the US, for example, a branch office, he will not be able to use the B-1/B-2 visa to stay and manage his business.

There are different types of visas that are available for foreigners who want to stay and work in the US. The following example shows how a company can avail itself of the different types of visas:

Manufacturing Company "A" in China wants to set up an office in New York to market and sell its products. Company "A" wants to send one or two of its senior management to start the business and handle the management.

The appropriate visa for these senior managers is the **L-1 visa**. Family members may join these senior managers under the **L-2 visa**. One requirement for the L-1 visa is that the senior manager must have worked for at least one year with the company in that capacity.



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After Company “A” is in full operations, it wants to hire a few administrative and marketing professionals, some of whom are foreigners. If these positions require the employees to have at least a bachelor's degree, Company A may apply for the **H-1B visas** for these foreign professionals/workers.

There is a limited number of **H-1B visas** each year. The United States Citizenship and Immigration Service (USCIS) issues only 65,000 visas each year for foreign graduates from all over the world. Starting this year, an additional 20,000 visas are made available to foreigners who have graduated with a Master's degree or Ph.D from a university in the United States.

With the business progressing successfully, Company “A” sets up a training program in the US office with the intention to train its employees from the home office. In order for the company employees to come for the training, they will have to apply for the **H-3 visa**.

There is a whole range of visas that are available to foreign businessmen, investors, professionals and entertainers to enter the United States to work and do business. Each individual or company has specific needs and while one particular visa may be suitable to one individual or company, it may not be the right visa for the next individual or company. The first task we do is to review your needs and requirements together with all relevant information to help you apply for the most suitable visa.

In some cases, outstanding businessmen and professionals may qualify immediately for a **green card**. In other cases, for example, the foreign worker on the **L-1 visa** or **H-1B visa** can apply for the green card through sponsorship from the company. The best way to find out what visa is suitable for you or whether you may even apply immediately for a green card is to have your case reviewed by a qualified immigration attorney.

In addition to providing advice and legal services on **Immigration Laws**, we also provide services in the **registration of Trademarks and Copyrights**. So if Company “A”, the manufacturing company in the above example wants to protect its trade name and also its inventions, we can help to register these trademarks and copyrights. Once your trade name or trademark is registered, any person or company who uses your name or mark without your consent is in infringement of your name or mark. You can bring legal action against this person/company to stop further infringements as well as recover damages for past infringements.

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