



Global Equity Compensation

Our Global Equity Compensation practice is highly qualified to work with multinational companies on all aspects of international or cross-border equity compensation and employment issues.

We have worked with more than 100 multinational companies in the design, management, implementation and maintenance of global equity compensation programs.

Offering global equity compensation programs across borders can be an intricate process filled with obstacles. Failure to overcome these obstacles can mean employee dissatisfaction, negative publicity for the company, costly fines, unnecessary tax liabilities, high administrative costs and, in some cases, criminal penalties. We have found that the key to successfully implementing a global compensation program is to assess the cultural, tax and legal landscape in each country before offering such benefits to local employees.

Our experience, extensive client base and global reach enable us to stay on top of any new developments that may affect global equity compensation programs or other aspects of international human resources and corporate strategies. We advise our clients of current best practices and keep them apprised of legal, cultural and business changes that may affect their workforces and compensation programs.

Please see our Employment page for further information on how our lawyers also assist with senior employee international mobility and compensation and benefits issues.

CAPABILITIES

We provide our clients a single point of contact in the same time zone that integrates their business objectives as consistently as possible across the countries around the world where they operate. At the same time, we maximize cost-efficiency by leveraging our experience and past work product and carefully directing any assistance from our colleagues around the globe.

Global Equity Compensation Programs

We advise on legal issues related to all types of equity programs, including qualified and nonqualified stock option plans, stock purchase plans, restricted stock, restricted stock units (RSUs) and stock appreciation rights (SARs). Our clients include large multinational corporations that require a broad range of equity compensation alternatives. Following is an overview of the equity compensation plan-related services we provide:

- Securities restrictions. Since equity-based compensation programs by their nature involve offering company stock to employees, local securities laws must be considered. We guide our clients through the local securities compliance requirements, including

KEY CONTACTS

Roderik Bouwman

Partner
Amsterdam
T: +31 (0)20 5419 894
roderik.bouwman@dlapiper.com

Dean Fealk

Partner
San Francisco
T: +1 415 836 2521
dean.fealk@dlapiper.com

Sang Kim

Silicon Valley
T: +1 650 833 2072
sang.kim@dlapiper.com

RELATED SERVICES

- Corporate
- Data Protection, Privacy and Security
- Employment

registering the equity compensation programs, drafting prospectuses and completing any ongoing filing requirements. We advise clients on compliance requirements in all jurisdictions.

- **Data privacy.** Data privacy is an important and often confusing area of the law. Because employee information is almost always collected, stored and transferred in the administration of equity-based compensation programs, local data privacy laws must be addressed. We work with our clients to structure the administration of these programs so that they comply with local data privacy laws and, where necessary, obtain the appropriate approvals.
- **Employment law.** Because equity-based compensation programs are provided to employees, local employment laws must be considered. We work with our clients in the drafting and offering of equity-based compensation programs so that the parent company and the employer can mitigate the negative consequences of these laws.
- **Taxation of the local entity.** The taxation of the local entity and the allocation of costs for offering equity-based compensation programs is often a significant internal issue for our clients. We provide our clients with alternatives to mitigate the tax consequences to the local subsidiary or branch that result from extending equity-based compensation programs to its employees; arrange for the costs of the programs to be allocated to the appropriate entity; and mitigate the tax consequences that result from the local subsidiary or branch reimbursing the parent company for the cost of such programs.
- **Taxation of employees.** The taxation of equity-based compensation is always a concern of our clients and their employees. We help our clients find solutions to potentially onerous tax obligations by structuring their equity-based compensation programs to take advantage of the local tax regulations and to minimize the employees' tax liability wherever possible.
- **Employer tax withholding and reporting.** One of the concerns in offering equity-based compensation programs is the scrutiny that can be imposed by local tax authorities. We work with our clients to determine whether the parent company or the local subsidiary is obligated to withhold income tax on the benefits received by the employees. We also help to establish the administrative procedures necessary to remit the taxes owed to the local agencies.
- **Program design.** Global programs must provide the flexibility necessary to give the company the tools it will need to comply with the legal and statutory requirements of multiple countries. We work with our clients to draft comprehensive program documents that address their current needs, but also anticipate future developments in the local law. In addition, we work with our clients in modifying existing US programs to offer these programs abroad.
- **Employee communications.** We routinely assist our clients in drafting employee communication materials, which include offer letters, program summaries, agreements, enrollment forms and tax supplements. In addition to drafting these documents, we assist our clients in preparing translations into the local language.

Global Human Capital

Through our global human capital practice, we work with multinational companies on a wide range of employment issues that arise in connection with a global workforce. Areas in which we regularly advise clients are as follows:

- Codes of conduct
- Data privacy
- Discrimination
- Employee handbooks and policies
- Employee monitoring
- Employment contracts
- Expatriate tracking
- Hiring
- Language/translation issues
- Leaves of absence
- Non-competition and confidentiality agreements
- Non-employee workers
- Part-time workers
- Reductions in force
- Severance
- Termination notices

- Works councils/unions

EXPERIENCE

- Advised global technology company on legal, tax and compliance aspects of initial public offering and implications for stock award programs in 40+ countries
- Advised various global companies on employment and equity compensation considerations for cross-border mergers and acquisitions.
- Designed and implemented stock options, purchase rights and RSU programs for global software and manufacturing companies in 50+ countries
- Advised a global technology company on employment issues in 45+ countries
- Implemented stock option exchange program for a global software company in 30+ countries
- Guided a global software company on equity compensation program compliance requirements following the acquisition of a similar global company
- Guided multiple global public and private companies through securities, currency exchange and tax filings in China
- Completed numerous securities filings for global public companies in Japan
- Guided multiple global public and private companies through the securities filing requirements in the EU under the prospectus directive
- Advised numerous global public and private companies on the evolving tax and currency exchange issues in India

INSIGHTS

Publications

Guide to Going Global: Global Equity

In light of the dynamic legal and regulatory landscape around the globe, companies must continually assess their equity compensation programs in every country where they are offered. Guides on stock options, purchase rights and restricted stock and restricted stock units, summarize the legal, regulatory and tax issues faced by multinational companies in 46 countries.

NEWS

DLA Piper named UK transfer pricing firm of the year for the third year running

17 MAY 2019

DLA Piper has been named UK Transfer Pricing Firm of the Year for the third year running at the International Tax Review (ITR) European Tax Awards 2019, in a ceremony held in London on 16 May. The firm was also, and for the first time this year, named Africa Transfer Pricing Firm of the Year.

DLA Piper announces launch of Artificial Intelligence practice

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising

from the creation and deployment of AI systems.

DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

Non-resident real estate investors bullish on Capital Gains Tax changes

19 MAR 2019

Non-resident real estate investors are holding their nerve on UK investment strategies despite impending capital gains tax (CGT) changes coming into force next month and uncertainty around Brexit. According to a DLA Piper report, more than half (58 percent) of those polled expect the new tax code will have no impact on their investment strategy.

DLA Piper announces launch of Blockchain and Digital Assets practice

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

DLA Piper enhances cross-border tax capability with new partner hire in Dublin

26 FEB 2019

DLA Piper today announces the appointment of Maura Dineen as a Tax partner in the firm's newly opened Dublin office. This is the fifth partner hire for DLA Piper in Dublin in a month, following the announcements in January of Conor Houlihan (Finance & Projects), Éanna Mellett (Corporate), Mark Rasdale (Intellectual Property & Technology) and Ciara McLoughlin (Employment).

DLA Piper Africa welcomes Zimbabwe member firm

19 JUN 2018

DLA Piper Africa has announced that leading Zimbabwean law firm, Manokore Attorneys, is joining as the member firm in Zimbabwe.

DLA Piper continues to grow its Tax practice with new partner hire in Belgium

29 MAY 2018

DLA Piper is pleased to announce that Philippe Hinnekens is joining the firm as a partner in its Tax practice, based in Brussels. This is the sixth partner hire for the firm's Tax group in the last five months.

DLA Piper takes home eight awards at 2018 International Tax Review European Tax Awards

18 MAY 2018

DLA Piper has won eight awards at the International Tax Review European Tax Awards 2018, in a ceremony that took place on Thursday, May 17, 2018 at the Savoy Hotel in London.

The firm has been named UK Transfer Pricing Firm of the Year, Spain Tax Firm of the Year and Gulf Cooperation Council Tax Firm of the Year.

DLA Piper advises Migdal on the acquisition of German light industrial portfolio for €56m

13 APR 2018

DLA Piper has advised the Israeli insurance company and pension manager, Migdal, on its acquisition of three light industrial properties in Germany from ThreadGreen Industrial for €55.7 million. Migdal completed the acquisition in association with Cording Real Estate Group, a German, UK and Benelux real estate investment and asset management firm.

DLA Piper announces partnership promotions for 2018

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

DLA Piper Africa advises Adenia Partners on acquisition of controlling stake in Kanu Equipment Limited

23 MAR 2018

Kanu has been driving an expansion strategy across Sub-Saharan Africa in recent years and the business now operates in 13 countries, servicing the agriculture, construction and mining industries.

DLA Piper grows Tax practice in Germany with new hire

8 MAR 2018

DLA Piper is pleased to announce that Dr Marie-Theres Ramer will join the firm as a partner in its Tax practice, based in Frankfurt.

DLA Piper advises Cabinet Group on Funcom joint venture

9 FEB 2018

DLA Piper represented Cabinet Group LLC on tax and Norwegian law matters in its joint venture with Funcom N.V., a Norwegian developer, to establish Heroic Signatures.

DLA Piper advises the founding shareholders of Deekeling Arndt Advisors on sale to Havas Group

25 JAN 2018

DLA Piper has advised the founding shareholders of Deekeling Arndt Advisors in Communications GmbH (DAA) on the sale of the majority of their shares to Havas Group. The founders Egbert Deekeling and Olaf Arndt who prior to the transaction held the majority of shares and also lent their names to DAA, will remain in charge over the long term and continue to head over the company's operative business as shareholders and managing directors. The company name will also remain unaffected.

DLA Piper launches Middle East Tax practice

4 DEC 2017

DLA Piper has strengthened its International Tax practice with the appointment of Ton van Doremalen as partner and Head of Tax in the Middle East. Ton joined the firm's Dubai office on 3 December 2017.

DLA Piper advises McDonald's on restaurant opening in Kyiv

21 NOV 2017

DLA Piper has advised and represented McDonald's, the leading global fast-service restaurant brand, in a recently completed transaction resulting in the opening of a new restaurant in Kyiv.

DLA Piper launches Finance Rules of the World

2 Nov 2017

DLA Piper's global Finance & Projects practice has today launched Finance Rules of the World, a knowledge site for clients, which summarizes key legal questions and answers to be considered when initially looking at financing or investing in particular jurisdictions.

DLA Piper launches new platform for *Guide to Going Global* series

20 SEP 2017

DLA Piper has launched a new platform featuring its *Guide to Going Global* series, an online resource designed to help companies operating and growing their international businesses.

DLA Piper advises Link Group on £888 million (AU\$1.49 billion) acquisition of Capita Asset Services

10 Jul 2017

DLA Piper has advised Australian company Link Group (ASX: LNK) on the acquisition of UK-based Capita Asset Services division (CAS) of Capital Plc for £888 million (AU\$1.49 billion). Link Group was selected as the successful bidder following a competitive sale process. DLA Piper also advised Link Group on the related acquisition debt financing of £485 million (AU\$815 million).

DLA Piper advises Beijing BDStar Navigation Co., Ltd on the purchase of an interest in the in-tech Group

19 Jun 2017

DLA Piper has advised BDStar as part of a bidding procedure on the acquisition of an interest in the company in-tech GmbH, a supplier for the digitization and the development in the area of automotive, machinery and transportation systems.

DLA Piper advises trio of lenders on financing Spurs' new stadium development

1 JUN 2017

DLA Piper has advised Goldman Sachs Bank USA, HSBC Bank plc and Bank of America Merrill Lynch International Limited on their financing of Tottenham Hotspur's new, multi-purpose, 61,500 seat stadium. The financing package consists of a £400,000,000

development term loan and a £25,000,000 revolving credit facility.
