

HSR Filing Thresholds and New Reporting Requirements for Foreign Investments in U.S. Entities

January 20, 2015 | Client Update

Companies contemplating U.S. acquisitions or with existing U.S. investments should be aware of two recent regulatory developments involving notifications to U.S. authorities. The Federal Trade Commission (“FTC”) has published a notice to revise the premerger notification thresholds for mergers and acquisitions under the Hart-Scott-Rodino Antitrust Improvements Act of 1976, as amended (“HSR Act”). In a separate development, the U.S. Bureau of Economic Analysis has reinstated rules requiring U.S. entities that are 10% owned by foreign persons to file reports following the closing of new investments.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

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