

Semiconductor Industry

Overview

Micron, a world-leading computer chip manufacturer, will build a manufacturing facility in the White Pine Commerce Park in the Town of Clay, New York. As a result, Syracuse and Central New York are poised to lead the world in advanced manufacturing. As companies prepare themselves to take part in this \$100 billion project, the largest private investment in New York State history, Bond attorneys are ready to assist in navigating the myriad legal aspects involved.

About Bond and its Legal Services

With more than 300 attorneys, Bond has been providing legal services to clients for over 125 years. Our firm's largest, and original, office is located less than 15 minutes from the White Pine Commerce Park. Our connections and reputation in Syracuse and the Central New York area are unsurpassed.

Bond offers a full array of legal services covering all areas needed to help businesses take advantage of this massive project. In every instance it will require experienced legal counsel who know New York State law, are familiar with the local business environment and available resources and can guide you through each step of the way. Bond has numerous attorneys who have served as in-house counsel to businesses either as direct employees, outside general counsel, or seconded attorneys dedicated to the client for a period of time. As a result, we understand and account for the practical issues facing our clients when providing our advice.

Some of our highly relevant practices include:

- **Business and Transactions**

Our business and transactions legal team of approximately 90 attorneys provides a full range of services to all sizes and types of businesses for the wide range of legal issues faced throughout a company's development and operations. We regularly guide out-of-state business that are establishing locations in New York, including identifying and seeking financial incentives and determining the appropriate structure for their local operations taking into account the tax implications of the various options. Our firm has extensive experience assisting manufacturing clients, including representing and later selling two manufacturers in the semiconductor industry. Other firm manufacturing clients are involved in diverse industries including defense, medical device and technology, aerospace, robotics, mass transit control systems, and lighting and electrical products. Bond also represents corporate clients across all industries including construction, distribution, trucking and transportation, and hospitality.

- **Real Estate Development and Construction**

Bond's real estate and construction practice is a team built with quality transactional lawyers and litigators with sophisticated real estate experience. We work with our colleagues in other specialized practice groups and assist clients with everything and anything real estate - including site due diligence and acquisition; zoning and development permitting and approvals; public inducements; construction and design-build contracting; project labor; leasing; financing (including conventional institutional real estate financing, public financings, mezzanine lending, CMBS transactions, and private placement

Primary Office Contacts

Albany, NY

Jennifer L. Tsyn

Buffalo, NY

Bradley A. Hoppe

Rochester, NY

Jeffrey F. Allen

Edward P. Hourihan, Jr.

Syracuse, NY

Robert H. Kirchner

Colin M. Leonard

offerings); environmental permitting and remediation; specialized legal opinion issuances (including, among others, New York general enforceability and perfection, and substantive non consolidation); and real estate and construction litigation.

- **Environmental**

Our environmental attorneys provide counsel regarding project development and facility siting, hazardous waste, permitting, release reporting, health and safety, air quality, solid waste, storage tanks, water quality and wetlands. We assist large and small businesses, industrial and commercial enterprises, school districts, colleges and universities, health care businesses, public corporations and municipalities to successfully resolve federal and state regulatory compliance and enforcement concerns.

- **Public Finance**

Bond's public finance attorneys regularly represent manufacturers and other business clients in the negotiation and implementation of local Industrial Development Agency (IDA) economic development incentives, including payment-in-lieu-of-tax agreements (i.e., PILOT Agreements), sales tax exemptions and mortgage recording tax exemptions. Our experience in the semiconductor industry includes representing Austria-based technology company AMS AG in connection with their development of a proposed \$500 million chip fab at Marcy Nanocenter, including negotiation of New York State's financial assistance package (through SUNY Polytechnic Institute) and local IDA incentive programs.

- **Labor and Employment**

The project is expected to create 50,000 jobs of the next two decades. Bond has one of the largest and most experienced labor and employment law practices in the Northeast. Our size ensures familiarity with any workplace issue. Our depth ensures that our familiarity is based on firsthand experience. We engage and counsel clients on all manner of issues, including wage & hour, benefits, leave administration, performance management, and discrimination and harassment claims. We also advise on the development of employment policies, procedures and handbooks. Bond also has significant experience advising management on union workforce matters, including helping to identify union organizing and training supervisors and management on union-related issues, as well as collective bargaining and labor arbitrations. Bond's depth of experience throughout New York State provides our management clients with the knowledge and skills to identify the key unions in New York State and be prepared for any union organizing activity.

- **Immigration**

Bond's immigration law practice is an integral component of its extensive representation of employers in all aspects of labor and employment law. We recognize that, as our clients strive to fulfill their human resource needs, the employment of foreign national workers can be a critical source of talent. Our representative clients include industrial/manufacturing businesses and technology companies, among others. Bond's immigration law practice involves employment-based applications and petitions (particularly nonimmigrant workers and permanent residents), and related labor condition and certification applications. The firm represents clients throughout the preparation, filing and processing of immigration-related applications and petitions with government

agencies. We also provide general assistance and advice to clients concerning the proper choice of visas for employees and potential employees; governmental procedures and pitfalls; and the content and format of applications, petitions and related documents.

- **Manufacturing**

Our manufacturing industry attorneys provide coordinated, comprehensive legal counsel to manufacturers on strategic, operational, financial, regulatory and day-to-day business issues. Using a team approach, attorneys in particular practice areas remain sensitive to the need for quick, effective, practical solutions and call upon the guidance of other team members needed to tackle each unique challenge your business may encounter.

- **Intellectual Property**

Unique assets, processes and brand value are catalysts for business differentiation and drive competitive advantage in the marketplace. Protecting your intellectual property requires experience, depth and sophistication—hallmarks of Bond's intellectual property practice. Drawing on innovative technical knowledge, and educational and industry credentials, our attorneys have amassed a considerable record of accomplishment in helping clients obtain hundreds of patents and trademarks in recent years. We have also successfully litigated high-stakes IP cases in the areas of patent and trademark infringement actions and unfair competition and trade secret litigation.

- **Employee Benefits and Executive Compensation**

Bond's employee benefits and executive compensation attorneys counsel employers on all aspects of these complex and constantly changing fields of law, helping employers design and maintain benefit plans and executive compensation arrangements that meet business needs and satisfy legal requirements. Our practice handles retirement plans, non-qualified deferred compensation agreements, health and other welfare plans, collectively-bargained and multiemployer plans, fiduciary duties, ERISA litigation and more. For those businesses that will be required to be party to the Project Labor Agreement that governs the Micron project, it will be essential for them to have a full understanding of their rights and responsibilities under various multiemployer plans in which they will be participating.

- **Hospitality**

There will be ample opportunities to serve the growing workforce, and their families, who will be employed either by Micron or by the many suppliers and companies that develop to support the project. Our experienced hospitality attorneys provide peace of mind and in-depth legal counsel to business owners and managers. As part of our full-service offering, we guide our hospitality clients through numerous regulatory, transactional and litigation matters, including business formation, financing, leasing, liquor licensing and regulations, government relations and more.