



Finding new ways to increase business means thinking out of the box. And sometimes that box is represented by the physical boundaries in which the business has been operating. A business that is willing to expand its traditional borders and become involved in international trade can reach a vast number of potential customers located outside the United States.

In an effort to explore opportunities in the international marketplace for women business owners, the U.S. Chamber of Commerce brought together top executives from some of the largest U.S. corporations, the U.S. Small Business Administration and the U.S. Export Import Bank. While women-owned businesses are among the fastest growing in the United States, the U.S. Chamber of Commerce found that only 15 percent of those women-owned businesses are involved in international trade.

The Chamber's initiative, Access America, not only explored the opportunities that were available, but also addressed the barriers women have traditionally encountered in the global marketplace. In addition, it addressed the issues of the economic impact of the war in the Middle East, terrorism and the perceptions, worldwide, of U.S. businesses and products.

In spite of the challenges that the global marketplace presents, the growth a company can experience is worth the time and effort involved in expanding globally. "It is time for women-owned business leaders to take advantage of the tremendous opportunity and increase their presence in the international marketplace," says Reta J. Lewis, chamber vice president and director of Access America.

The conclusion of the experts who gathered together to create Access America is, "For businesses that are not exporting, now is the time."



Kim Arana

Kim Arana, attorney with Fennemore Craig, P.C., confirms the U.S. Chamber's recommendation. Arana works in the firm's Nogales office and works for companies which trade between Mexico and the United States. "Mexicans very much like U.S. goods," she says. "We make a lot of things in the U.S. that are not made in Mexico." Another reason that sends Mexican citizens, and businesses, shopping in the U.S. is the perceived quality of the goods. If a company were to start importing to Mexico at this time, it would find a receptive market.

There are challenges to be aware of, explains Arana. One of the first differences found is that of language. Before going to talk business, know which language will be used and if an interpreter will be needed. Often, one party will speak in English, and the other in Spanish. This way, each speaks in his or her native language, yet is still able to understand the other. ►

Cultural differences should also be considered. When you meet someone for business, do you shake hands or kiss and hug? One way to address these issues is to have local contacts in the area in which you hope to do business. They can clue you in on the customs of the people, and put you in contact with government officials, lawyers and brokers.

In fact, Arana recommends mirroring these contacts on both sides of the border. “A business should obtain help in each of the different countries,” she says. “Lawyers (and other professionals) usually don’t practice in both. For example, she says, “consult a Mexican attorney about Mexican law.”

According to the SBA, “women-owned firms participating in the global marketplace grow more rapidly” than those which limit themselves to domestic markets. “Any time a business can expand and sell beyond its potential borders, it will gain brand recognition,” says Sarah Strunk, attorney with Fennemore Craig. One result of that increased brand recognition could be a larger, multinational brand becoming interested in your product and making your brand a part of theirs.

The road to success in growing your business and having your product recognized worldwide leads down a paper trail, however. Paperwork is a big part of making it happen, Strunk says. “Making sure you have your documentation in order – being a woman, I refer to it as good housekeeping – bundled and tied, it is the same with international trade.” Import duties, export taxes and transportation issues are just some of the items to be aware of. There are firms which can help with the logistics of moving goods and clearing customs, but awareness of “a whole body of law of United Nations conventions for international sale of goods,” is necessary, she says.



Sarah Strunk

Working in the area of intellectual property, Fennemore Craig patent attorney Susan Stone Rosenfield deals with many of those international laws as well as regulations that apply in individual countries. Patents protect ideas and devices, while trademarks protect a symbol or word that would cause a consumer to make a connection between the product and its source.



Susan Stone Rosenfield

“It is important to determine in advance whether someone has a same or similar trademark that could cause conflict or confusion in the consumers’ minds,” Rosenfield says.

If this is not determined in advance, often, after the product has been distributed, a company will find out that prior rights exist. At that point, a settlement may have to be reached with the company that had the rights, or the newer business may attempt to buy the rights. Sometimes the outcome is that the business simply can no longer use the trademark and will have to re-label their product. “You could appreciate that you would want protection,” she says. “Not just a patent in the U.S., but also a patent outside the U.S.”

A patent search is only the first step in the process. Once a company is ready to file a patent, which countries should it file with? The Patent Cooperation Treaty (PCT) allows the business to streamline and file one application for most European countries. “There are ways to structure your intellectual property protection to minimize upfront cost, and maximize protection later on,” explains Rosenfield. She cautions, however, that it is not a cheap process to get protection in other countries.

For example, in the U.S., a product can be put on the market for a full year before a patent application is filed. The situation is different in many other countries and Europe. “By offering it for sale without having put down the protection, you could forfeit your rights to protection by another country,” Rosenfield says. Consulting a patent and trademark attorney is recommended to gather the information required to make the best decisions about how to proceed.

The U.S. Chamber of Commerce program, Access America, is a good place to start to find out if global marketing is a fit for your company. The program’s mission is to “identify and seize opportunities, forge partnerships, and obtain equal access to capital in order to expand your women- or minority-owned business in the United States and abroad.” The program draws on existing Chamber partnerships, its federation of state and local chambers, and its relationship with major corporations, government agencies, civic groups and trade associations.

Contact Access America at accessamerica@uschamber.com, call (202) 463-5873, or visit the Web site at www.uschamber.com. ♦