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**Minority Interest, Major Impact:
*Considerations When Non-US Investors
Invest in US Companies***

Berkeley Center for Law & Technology

**Baker
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Five Takeaways:

- Cross-border investments in tech sector squarely in national security regulator focus
- CFIUS scrutiny and mitigation even for allied country investors – “third party” risks, precautionary mitigation
- CFIUS looks for non-notified transactions, jurisdiction not time-limited
- Investments with collaboration agreements can result in CFIUS mitigation as well as export control issues
- Consider hardwiring exit mechanisms for investors from sensitive jurisdictions
- Investors and companies should track proposed outbound investment rules -- new prohibitions/notifications for China connected tech investments

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