

Akrivis Secures Removal of Technology Links Pvt. Ltd. from U.S. Entity List



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Farhad R. Alavi
Partner, Washington, DC

The U.S. Department of Commerce today announced that Akrivis Law Group, PLLC's client Technology Links Pvt. Ltd of Pakistan will be removed from its Entity List. This ends an over year-long period under which the prominent company faced serious challenges threatening its 30-year existence. This designation effectively placed a prohibition on the sale and transfer of virtually all items subject to the U.S. Export Administration Regulations (EAR), including non-sensitive ones and those made outside the United States (many foreign-made products also fall under the EAR's jurisdiction because of their significant U.S.-origin content). Today's publication of the removal in a final rule in the U.S. *Federal Register* will remove the limitations set forth on Technology Links when it was added to the list in September 2018.

Given the broad scope of the EAR, Entity List designations can be debilitating for most companies. Additions, modifications, and removals of names to/on/from the Entity List are handled by the End-User Review Committee (ERC), an inter-agency committee comprised of representatives of the U.S. Departments of Commerce, State, Energy, Defense, and as needed Treasury and/or other federal government agencies. The list is maintained by the U.S. Department of Commerce's Bureau of Industry & Security (BIS). Over the years, hundreds of entities around the world have landed on this list, far more than have been removed. The Entity List has featured prominently in the news over the past year following the designation and removal of China's Zhongxing Telecommunications Equipment Corporation and ZTE Kangxun Telecommunications Ltd (collectively, "ZTE") and more recently China's Huawei Technologies Co., Ltd., as well as Russia's Gazprom and Rosneft.

Designation to the Entity List can lead to devastating effects. While the legal effects of an Entity List designation can vary and are usually limited to prohibitions on U.S. origin items reaching the listed party, the impact is all but guaranteed to extend far beyond the United States. Due to "de-risking" and the increasing adoption of U.S. style compliance standards around the world, concerned local and third country vendors and service providers such as suppliers, banks, and shippers will often limit if not prohibit business with a designated entity out of fear of perceived risk, even if a given transaction is not prohibited by the listing.

Removal from the Entity List is an arduous process that requires unanimous approval by all members of the ERC. Some find the designation so unsurmountable that they shut down rather than challenge the listing.

Technology Links Pvt Ltd. was founded in 1989 by Mr. Kalim Farooqui, a prominent leader in Pakistan's private sector. Based in Karachi, the company employs over 100 people in 6 cities throughout Pakistan but has an international outlook. The company primarily operates across three core sectors, serving as a local agent and distributor for a host of U.S., European, and Asian laboratory and medical equipment manufacturers such as ThermoFisher, Shimadzu and Samsung, as a local partner and project manager for internationally-funded civil works projects around the world, and as a reseller of renewable energy solutions. Technology Links' clients include a host of local and multinational operations in Pakistan such as those of Bosch, BASF, the Agha Khan University Hospital, and many others. As the family and corporate patriarch, Mr. Farooqui has served as a leader in Pakistan's business community for decades and has held key roles including Vice-Chairman of the Pakistan Japan Business Forum.

Technology Links retained Akrivis almost immediately after its designation, which was critical. Through diligence, Akrivis's team, led by Partner Farhad Alavi was able to identify key issues and present these to the ERC. "We are delighted about this news and grateful that our firm's very hard work paid off," said Alavi. "This experience demonstrates that removal from the Entity List is not an impossibility and that addressing such a challenge in a transparent, effective manner can yield very positive results."

Based in Washington, DC with offices in New York, Akrivis is a boutique law firm focusing on Sanctions, Export Controls & Anti-Corruption Compliance, White Collar & Corporate Investigations & Defense, Banking & Finance, and International Corporate Transactions. Leveraging experience gained by working at some of the world's most renown law firms, Akrivis lawyers represent clients around the globe from major multinationals to high net worth individuals on a range of complex trade, litigation, and corporate matters.

For more information, contact [Farhad Alavi](#) at falavi@akrivislaw.com or 202.686.4859.

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