

Business Crimes

The breadth and depth of Sideman & Bancroft's business crimes experience are notable among mid-size firms. Founded by two former federal prosecutors in 1978, the firm's Business Crimes Group remains one of its cornerstones. Today, nearly half a dozen federal prosecutors and a former New York state prosecutor are among the partners who devote their time exclusively to business crimes issues.

Attorneys in the Business Crimes Group have extensive experience counseling and representing clients who are the subjects or targets of complex federal and state prosecutions and regulatory enforcement investigations and actions. In addition, the group has developed unique expertise advising companies that have been victims of crime, such as fraud or intellectual property theft. In both of these practice areas, clients benefit from the group's expertise in analyzing complex fact patterns, conducting internal and external investigations, and pursuing claims or defenses on their behalf.

AREAS OF CONCENTRATION

Traditional Business Crimes Defense

The Business Crimes Group has a long history of successfully defending companies and individuals subjected to investigation and prosecution for alleged business crimes. In the current enforcement climate, it has become increasingly common for businesses and executives to be targeted in criminal investigations. Because the consequences of criminal conviction can be severe, our attorneys are active at all stages of an enforcement action. We defend cases in federal and state courts, locally and nationally.

We represent companies and their personnel in investigations and prosecutions involving allegations of violations of antitrust, mail and wire fraud, tax, bribery, export, insider trading, food and safety, money laundering, and environmental laws.

Company Crime Representation

In situations where a client company has been the victim of a significant crime, the firm refers cases to law enforcement agencies and prosecuting authorities. In instances of counterfeiting, warranty fraud and discount fraud schemes, and computer intrusion, for example, we help companies identify, assemble, and analyze evidence that could be relevant to a successful criminal prosecution. We prepare the documents necessary to refer the matter to law enforcement, outlining the known evidence and describing the nature of the suspected criminal conduct.



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Since 2001, the group has been actively collaborating with law enforcement (including the FBI, Secret Service, ICE, and other state and federal law enforcement agencies) in connection with its representation of victim companies. Our attorneys also have developed and implemented criminal enforcement programs for clients addressing trademark violations (counterfeits), copyright violations (piracy), and warranty and discount fraud (prosecuted as wire frauds).

Not every case is appropriate for criminal referral. The Business Crimes Group assists clients in assessing potential cases, making criminal referrals where appropriate, and pursuing civil remedies when criminal enforcement is not warranted. Our partners have helped companies to develop and implement civil programs as a component of an overall brand protection strategy, including providing counsel on evidence collection, cease and desist programs, U.S. Customs programs, and similar means of effective brand protection.