

Post-merger risk management

Filing your merger is exciting, and so is completing the transaction successfully. Post-merger compliance missteps can lead to serious issues. These 10 essential steps help to ensure compliance from the first filing to the last.



Unable to use the court system

Because of noncompliance and subsequent loss of good standing, a business may not bring a lawsuit in that state until good standing is restored.

Fines & penalties

They can be a real danger to businesses, accruing over time and possibly liability for officers & directors, tax liens and costly future transactions.

Inability to conduct business

Oversights can lead to administrative dissolution and loss of authority to do business. They can also put transactions, financing, name rights, and more at risk—not to mention potential work-site closures, loss of revenue, public relations issues and other risks.

Unmet statutory requirements

After the merger, many requirements, local to global, are still needed for surviving & non-surviving entities. Failing to qualify a business, withdraw a company, update licenses, notify regulatory bodies of changes or file/update BOIR, can lead to serious repercussions.

The risks of noncompliance

Errors & missteps

Failing to plan is planning to fail. Gather your complete pre/post-merger corporate structure from outside counsel, create your project plan and define roles and responsibilities so nothing falls through the cracks.

10 essential steps to post-merger corporate compliance

-  Gather and review final pre- and post-corporate structure.
-  Audit all surviving and non-surviving entities in all jurisdictions—for registrations, DBAs, licensing and permits, BOI reporting, and global status.
-  Identify merger effective dates to coordinate next steps, such as merger notifications and survivor filings.
-  Create post-merger project plans—based on structure changes, merger effective dates, and audit results.
-  Complete survivor filings—all qualifications, name filings, address and officer and director changes, required reinstatements and annual reports.
-  Coordinate and complete all non-survivor jurisdictional tax clearances and jurisdictional cancellations.
-  Research and update business licenses and permits as needed.
-  Update federal, state and local tax registrations.
-  Update UCC filings for surviving and non-surviving entities.
-  Update internal company records system and affected persons and teams—U.S. and globally.



Streamline the process between you and your law firm for improved efficiency and transparency. Update registered agent appointments and service of process recipients, stay on top of all corporate changes now and going forward.

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