

Maritime Regulatory

Cozen O'Connor's maritime regulatory practice is one of the largest, oldest, and most renowned in the nation. The group has been recognized as one of four Band 1 Shipping/Maritime: Regulatory teams by *Chambers and Partners USA*. Cozen O'Connor attorneys have also earned a reputation for excellence among top regulators in Washington, D.C. Members of our team have directly shaped U.S. maritime law, testifying before Congress on legislative reforms and serving on U.S. delegations to negotiate and implement bilateral and international transportation and security agreements.

Attorneys at Cozen O'Connor represent major U.S. and non-U.S. liner, roro, bulker, and tanker carriers and shipowners; ocean carrier alliances, pools, and vessel-sharing agreements; equipment pools; ocean carrier associations; international and domestic cruise lines; marine terminal operators; offshore energy operators; entities associated with offshore wind turbines and other marine construction projects; ocean transportation intermediaries; and dredging, towage, and other industrial vessel operators.

We counsel clients on all regulations enforced by the Federal Maritime Commission (FMC), including vessel-sharing agreements, tariffs and service contracts, and niche or specialty agreements. Cozen O'Connor's team has drafted and finalized more liner service contracts and carrier agreements than any other maritime firm group in the United States.

U.S. regulators often oversee the conduct of non-U.S. transportation companies. Our attorneys have deep experience representing non-U.S. clients and helping both U.S. and non-U.S. clientele understand extraterritorial maritime and competition law requirements. We frequently assist clients dealing with non-U.S. governments on issues relating to regulatory compliance and reform. We counsel clients on regulations enforced by the FMC, Maritime Administration, U.S. Coast Guard, Customs and Border Protection, Office of Foreign Assets Control, Military Sealift Command, Federal Motor Carrier Safety Administration, Department of Transportation, and Department of Homeland Security.

The firm's regulatory attorneys advise clients on the flagging or reflagging of vessels according to the maritime laws of the United States, the Republic of Vanuatu, the Republic of the Marshall Islands, and the Republic of Liberia. We help clients comply with a litany of other U.S. maritime laws (e.g., Jones Act, Towing and Salvage Statute, Dredging Statute, Passenger Vessel Services Act, and American Fisheries Act) and the requirements of various maritime promotional programs (e.g., cargo preference programs and the Maritime Security Program). We also provide clear guidance on environmental and offshore energy regulations, sanctions, and embargos.

Experience

Secured a unanimous victory from the U.S. Court of Appeals for the D.C. Circuit on behalf of an ocean carrier, vacating a decision by the Federal Maritime Commission ("FMC") that the carrier had improperly charged detention and demurrage fees to a trucker under the U.S. Shipping Act. Our team forcefully argued that the FMC's decision was arbitrary and capricious in contravention of the FMC's own regulations, ignored important facts, and misapplied the so-called "incentive principle" created by the FMC. The D.C. Circuit agreed, finding the FMC's reasoning "illogical" and with a "myopic focus" on the incentive principle rather than the reasonableness of the charges in question.

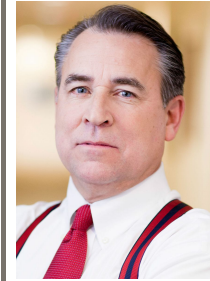
Successfully represented an international terminal operator in its application for a stevedore license from the Waterfront Commission of New York Harbor, defended and resolved charges that the



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Related Practice Areas

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- Intermodal & Logistics
- Maritime Antitrust & Competition
- Maritime Corporate & Finance
- Maritime Litigation
- Maritime Regulatory
- Trade Regulation, Export Controls & Sanctions
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Industry Sectors

- Maritime

terminal operator violated the Waterfront Commission Act, and defended the terminal operator's employees at administrative hearings before the Commission.

Filed comments on behalf of the Pacific Maritime Association (PMA), representing ocean carrier and marine terminal operator interests, in response to the Maritime Administration's (MARAD) Request for Information on Opportunities, Challenges and Impacts of Automated Transportation in a Port Environment. Current and proposed legislation, backed by longshoremen interests, restricts the use of \$600 million in annual funding under MARAD's Port Infrastructure Development Program for the purchase of automated port equipment. The comments filed aim to balance the conversation and clarify the role of automation in maintaining the competitiveness of U.S. west coast ports, which are facing increased competition from Canadian and Mexican ports.
