

# Thinking of setting up shop in the US? Here's your guide!

From working within a legal framework to ensuring you've applied for the correct visa, moving your business operations into the United States involves a lot of moving parts. But by prioritizing the most important elements, your company will not only survive in this new environment — it will thrive!

To aid in this endeavor, we crafted an international checklist to ensure you're ticking off all the right tasks.

## Legal

Ensuring you're properly constructed and prepared to operate within the legal limits.

### Meet with a corporate attorney.

Relocating is complex and full of risk; don't add any more to your proceedings by trying to do everything yourself. Find a corporate attorney with local experience. Then, meet with them armed with your accounts and your plans for the future.

### Decide on a business formation.

You'll need to file proper documentation to establish your business in a particular formation. Choose from these:

- **Partnership:** A business jointly owned by two or more people.
- **Corporation:** A company in which the capital stock is shared.
- **Limited liability company:** A business that's eligible (according to particular state regulations) to operate with certain features of a partnership but with the liability of a corporation.
- **Sole proprietorship:** A single-member company.

### File paperwork for your formation.

Depending on which formation your company chooses, you'll need to file documentation such as Articles of Incorporation and Articles of Organization. Your corporate attorney will be able to furnish you with a document checklist.

## Taxes

Applying and filing for the correct U.S. forms for your business formation.

### Speak with a tax accountant.

An expert will be able to set up the best tax structure for your business.

### File according to your status.

How you form your business determines how you file your taxes. For example, sole proprietors and corporations file an income tax return. Partnerships file Form 1065, and each partner receives a Schedule K-1 Form. LLCs file according to their structure.

## Visas

Making sure your employees can work and earn money in the U.S.

### Apply for the correct visas.

Depending on what kind of formation you've chosen and what roles your employees play in your organization, you may need to apply for a combination of the below categories:

- **H-1B:** This is a nonimmigrant visa that allows U.S. companies to temporarily hire foreign workers in specialty positions. Allocation is highly limited. (A quota of available H-1Bs is set each year.) You can apply up to six months in advance, but once the quota is reached, applications are no longer accepted.
- **L-1:** This is a visa for intracompany transfers. Once your company has established a U.S. base, you can apply for L-1 visas so your employees can transfer to the U.S. branch.
- **J-1:** This is a visa for scholars or interns. You should apply for a J-1 for every person with a temporary, education-based position within your company.
- **E-2:** This is an investment-based visa. While it's a difficult one to get, once achieved, the E-2 applies to the entire company (not just the individual). So transferring other employees becomes much easier.
- **EAD:** This is an employment authorization permit available for certain people who meet the eligibility criteria set out in federal regulations. Employees may apply by filing a Form I-765.

## Insurance

Making your company as secure in the U.S. as it is in your home country.

### Purchase general liability insurance.

Shop around for a company and an insurance package that fits your needs. Include privacy and network protection if you work with high-risk tech and customer data, and don't forget property insurance if you need it.

### Get employer's insurance.

Before hiring anyone, you will also need to be secured with workers compensation and disability insurance.

## Accounting

Keeping your financial ecosystem strong.

### Choose your software.

You'll need accounting software that can handle complex, multinational needs. We generally suggest Xero or QuickBooks Online for small to medium-sized business and Sage Live for large enterprises.

### Setup online invoicing and payments

If you invoice customers or clients, the quickest way to connect is through online delivery with connected payment services. We recommend Xero with Stripe or PayPal.

### Pay your bills.

Choose how you'd like to pay your company's bills. Many banks have a range of online bill-pay options to suit your business's size and scale. We also recommend Bill.com to automate approval, management and payments.

### Select a payroll provider.

Before you hire anyone, you should decide on a payroll provider to assist with federal, state and local taxes, benefits and employer requirements. We suggest Gusto, TriNet or ADP.

## General operations

You may be on U.S. soil, but there are a few more hurdles you'll need to jump before you can function as a U.S. business.

### File for an Employee Identification Number.

Also known as a federal tax identification number (FEIN), your team members will need EINs before they can work and get paid in the U.S.

### Register for a U.S. address and phone number.

You need a physical address and U.S. phone number in place before you can operate as a business. Visit the overseas registry for the U.S. and also for the particular state you plan to operate in to register.

### Set up bank accounts.

Opening a business bank account in the U.S. and setting up company credit cards can be complicated. Choose a bank with good local coverage as well as an office in your home country. Remember: A foreign company may need to become your guarantor.