

Aviation

Polsinelli's attorneys support virtually all aviation law practice areas. Our multidisciplinary team combines significant transactional and litigation capabilities and regulatory knowledge with specialized industry insight that public and private clients need in navigating this complex and highly regulated environment. Drawing from hands-on action as pilots, operation specialists, engineers, technical advisors, and investigators, and from decades of experience as counsel to aviation businesses, our team utilizes its in-depth knowledge and skills to efficiently address our clients' legal needs.

Whether brought in to serve as outside general counsel for ongoing support or as special aviation counsel to address specific needs, we represent a diversity of industry participants, including:

- FAR Part 121 commercial airline carriers
- Unmanned aircraft systems (UAS) owners and operators
- FAR Part 91 general aviation owners and operators
- FAR Part 135 on-demand air charter operators
- Developers of airframes, systems, components and major modifications
- Aircraft manufacturers, dealers and distributors
- Military and government air mobility contractors
- Commercial lenders and finance lease firms
- Aerial survey, air medical, and air catering providers
- Private airport security contractors
- Aerospace engineering firms
- Hangar owners and hangar development companies
- Aircraft fractional ownership program managers
- FAR Part 145 repair stations and fixed base operators (FBO)

Our clients rely on our aviation team to handle a broad range of transactional, regulatory, and litigation services, including:

Aircraft Ownership and Use

- Handling the purchase and sale of single aircraft to large portfolios, counseling on structures involving aircraft ownership, sales tax and federal aviation tax, and dry and wet lease operating arrangements.

Manufacturing and Certification

- Supporting virtually all phases of development, certification (including TC and STC), and product distribution of airframes, systems, components, and parts.

Acquisitions, Financings, and Lending

- Handling both buy- and sell-side mergers and acquisitions, including industry roll-ups, planning and executing transactions involving capital raises, debt and equity financings, senior and subordinated loans, and capital tax leases.

Carrier Operations

- Advising on carrier certifications, codeshare agreements, compliance of commuter and cargo, fractional, acute air medical, and maintenance operations, labor and employment concerns with safety-sensitive function crew, risk management, and voluntary and directed disclosures.

Government, Defense, and Airborne Support Operations

- Supporting contracting of domestic and foreign airborne operations, including aerial surveillance, emergency response, mission-critical and national security operations such as intelligence, surveillance, and reconnaissance (ISR), effects delivery, critical infrastructure and border security, communications relay, low-level surveying and other “high risk” operations in austere environments.

Unmanned Aircraft Systems

- Counseling on federal and state regulatory compliance, operator and airworthiness certifications, use exemptions, insurance, commercialization strategies, and international trade objectives.

Regulatory Counseling

- Personal and business use policies, import/export compliance under the ITAR and EAR, domestic and foreign compliance concerns, national airspace obstruction hazards, and assisting in aviation policy outreach and legislative advocacy.

Litigation, Arbitration and Alternative Dispute Resolution

- Handling all manner of accident and incident disputes, including counseling on plane crash investigations and loss mitigation, class actions, and Multi-District Litigation, as well as claims under products liability and recalls, airworthiness and compliance irregularities, delay and impact, redelivery condition variances, and contract and indemnity including the recovery and replevin of aviation assets.

Intellectual Property Counseling and Litigation

- Assisting with the prosecution and protection of clients’ intellectual property, including the prosecution and enforcement of patent and trademark interests and aircraft technology licensing.

Insurance Recovery

- Helping policyholders maximize their insurance coverage investment and minimize long-term costs and risk.

Matters

- Represented a policyholder airline in the Legion Insurance liquidation in a case of first impression before the Pennsylvania Supreme Court; involved direct access to reinsurance for claims arising from the September 11 tragedy.

- Represented airline in multimillion dollar defective-design and breach of contract lawsuit against designer and developer of automated baggage system.
- Represented airline in multimillion dollar breach of contract lawsuit against designer and developer of “flying network” in-flight entertainment system for 777 aircraft.
- Represented worldwide consumer products company in business jet crash investigation.