Aviation Regulatory

Regulation of the aviation industry is intense and unremitting. To achieve compliance and maximize economic performance, participants require dedicated aviation counsel. Very few law firms support an aviation practice as diverse and far-reaching as Cozen O’Connor’s, which is also nationally ranked by Chambers and Partners USA in Aviation Regulatory.

The firm represents major U.S. and foreign passenger and cargo airlines, airline trade associations, airports, aircraft, engine and equipment manufacturers, aircraft lessors, international business aviation companies, air travel distribution companies, unmanned aircraft systems (drone) manufacturers and operators, air/ground express delivery companies, and logistics specialists. Our attorneys also advise and represent large corporations, banks, private individuals, private equity funds, and other investors with aviation-related operations or transactions.

Cozen O’Connor advises clients on the full array of aviation laws and regulations, including those enforced by the U.S. Department of Transportation (DOT), the Federal Aviation Administration (FAA), and the Department of Homeland Security and Transportation Security Administration (TSA). More specifically, the firm advises on economic and code-sharing authority, international routes, frequencies and traffic rights, antitrust immunity, export controls and sanctions, air travel distribution, licensing and certification, private aviation, aircraft registration, taxes and fees, airport slots, rates and charges, consumer enforcement, safety and security, and compliance with ICAO standards. Cozen O’Connor regularly assists with major aviation-related transactions, including mergers, acquisitions, alliances, joint ventures, sale and leasing of aircraft, aviation financings, and aircraft management and ownership agreements. Our finance attorneys support innovative cross-border deals and work closely with attorneys in the tax practice to develop innovative solutions.

As other firms move away from industry-specific practices, Cozen O’Connor has continued to invest in building a one-stop shop for aviation industry clients. With offices in 28 cities across two continents and attorneys with direct experience in aviation regulation, transactions, and litigation, Cozen O’Connor has the capacity to respond promptly and effectively to client needs no matter where they arise. The firm’s regulatory team has advised on landmark airline mergers and the formation of new air carriers, the development of federal rules on aircraft safety and security, and the reorganization and management of U.S. airlines in Chapter 11 bankruptcy.

Another distinguishing feature of Cozen O’Connor is that we operate a bipartisan government relations group based in Washington, D.C. Our skilled government affairs team represents clients before all three branches of the U.S. federal government and various state bodies. Key members of the Public Strategies group have direct aviation industry experience, including a former general counsel to the U.S. Export-Import Bank and former deputy staff director of the Senate Committee on Commerce, Science, and Transportation.

Indeed, the aviation practice as a whole is staffed by longtime leaders of the aviation bar, including members of U.S. delegations to international air transport agreement negotiations, the former chair of the American Bar Association’s Tort and Insurance Practice’s Aviation & Space Committee, the editor of leading treatises on aviation law in the U.S. and Europe, and the editor-in-chief of The Air & Space Lawyer, a quarterly publication of the American Bar Association. Cozen O’Connor prides itself on staffing matters leanly with seasoned attorneys and other professionals who can provide sophisticated, cost-effective service.

Experience

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Secured an unprecedented exception to the Federal Aviation Administration’s ban on U.S. aircraft flying into Iraq, which required demonstrating to the FAA and the Transportation Security Administration that our client, international relief organization Samaritan’s Purse, had in place the training, procedures, plans, and reliable intelligence needed to safely operate the proposed flights, for which a dedicated operating manual was drafted. This exception permits Samaritan’s Purse to use its own aircraft to deliver essential provisions to the victims of the humanitarian crisis stemming from the battle for Mosul.

Represented a private, commercial and instrument-rated pilot and flight instructor in connection with a five-year suspension of his medical license imposed by the Federal Aviation Administration. The suspension was based on an erroneous finding by the FAA that a vehicular accident resulting in a minor head injury affected the client’s ability to safely pilot an airplane. Three years post-accident, we marshalled the necessary medical testimony and persuaded the Federal Air Surgeon that the client should be cleared to fly, effective immediately.