

# WORLDVIEW

Global perspectives for Maryland's business community.

## Message from Secretary Aris Melissaratos



I am honored that Governor Ehrlich and Lt. Governor Steele chose me to be Secretary of Business and Economic Development. I have nearly 40 years in business, including 32 years at Westinghouse where I held a variety of positions. My involvement with Maryland's business community goes back many years and includes roles such as co-founder of the Greater Baltimore Tech Council, former vice-president of the Maryland Chamber of Commerce and past chairman of the Maryland Manufacturers Association.

My priorities include focusing on the areas of:

- Technology and technology commercialization—supporting today's entrepreneurs from the "idea in the basement" to start-up, research and development, manufacturing and marketing and also supporting the commercialization of products and ideas from our research, educational and military institutions.

- Attracting and retaining manufacturing jobs in Maryland, particularly in Western Maryland, Baltimore City and the Eastern Shore, and helping traditional manufacturing companies stay competitive by addressing the need for skilled workers; state-of-the-art equipment, facilities and manufacturing processes; and finding new export markets for their products.

- Small and minority businesses, which need greater access to capital and information. In addition, I am a strong advocate of business incubators to provide necessary support to advanced technology businesses.

Because of my experience as a business executive, I know firsthand that businesses want to be where they feel their presence is valued. This is the Ehrlich/Steele Administration's vision for economic development. We want to apply this concept equally to all regions of Maryland. The goal is to help create wealth, not just in the Baltimore-Washington corridor, but all over the state.

So what is DBED's role in this? First and foremost, DBED is a facilitator to help businesses become successful in Maryland. We don't create jobs, private businesses do that. Instead, we provide businesses with the tools they need to stimulate new employment and new wealth in communities across our state such as the Challenge Investment Grant for start-up technology companies and other financing programs, ISO 9000 and World Class Manufacturing Consortia, workforce

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# WORLDVIEW

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## IP Legal Resource Center Aids Maryland Technology Start-ups

Just over a year ago an innovative legal clinic opened in the Maryland Technology Development Center in Rockville. The **Maryland Intellectual Property Legal Resource Center** was established to provide low-cost intellectual property and other legal assistance to start-up technology companies and to explore emerging ethical, legal and policy issues in the field of high technology and intellectual property.

“As far as we know this is the only center of its kind in the country,” says Mary Webster, the center’s director and assistant professor of law at the University of Maryland School of Law in Baltimore. “It is quite a different model from typical legal clinics in that it provides hand-on IP support for start-up companies.”

The idea for the center grew out of a fortuitous convergence between the law school and Montgomery County. According to Webster, Montgomery County Executive Doug Duncan observed that his county, with its I-270 high technology corridor, did not have the legal research and support for IP that a law school could provide. At the same time University of Maryland Law School Dean Karen Rothenberg wanted to expand its IP program to where the majority of technology companies in Maryland were located.

The center provides legal support from the very basic to the very detailed. For newly emerging start-ups it can answer such seemingly simple questions as “Do I need a lawyer to do this?” and “How do I find the right lawyer?” Since patent attorneys often charge up to \$400/hour, cash-strapped start-ups tend to call on them as little as possible. The center can also provide extensive assistance in drafting patent applications and also has helped companies in filing international patents.

“The IP Resource Center has been an invaluable resource to our company,” says Jonathan Cohen, president and CEO of 20/20

GeneSystems, a three-year-old Rockville biotechnology company that develops and commercializes identification products for proteins. “Law student interns helped draft two patent applications that could be reviewed, revised and filed by outside counsel at a fraction of the cost of having the firm write the application from scratch.”

Webster added that patent attorneys are often not focused on the big picture of the company’s business and its intellectual property. One of the center’s strengths is the broad guidance that it can provide on intellectual property issues.

In addition to Webster, who has 18 years combined experience in microbiology and patent law, the center has nine other affiliated faculty members. Among those is Lawrence Sung, an assistant professor at the University of Maryland who has a Ph.D. in microbiology and teaches intellectual property law, patent law, licensing and technology transfer, and biotechnology law.

Law students at the university provide the basic legal information to individuals and companies and assist them in accessing available legal resources. The center’s website includes an intake form for firms that want to use its services, as well as a feature called “Ask Art,” an intellectual property law information service provided by the School of Law.

“No intake that comes in goes unanswered,” Webster says.

Funding for the center comes from the University of Maryland, the Montgomery County Department of Economic Development and the Maryland Department of Business and Economic Development. Although located in Montgomery County, assistance is not limited to companies in that county.

For more information visit the center’s Website at [www.miplrc.org](http://www.miplrc.org) or contact Mary Webster at 240-453-6246.



# Recent Developments in Japanese Biotechnology Policy—Implications for US Business

by John J. Fitzgerald, Senior Associate, Dynamic Strategies Asia, LC

Significant developments are occurring in Japan that hold positive implications for U.S. life science companies. Japan's drug and biotech market is increasingly becoming a venue for both domestic and foreign competition—spurring further interest in biotech R&D and product commercialization. These increases in biotech-related business growth and interest in the sector are driven, in part, by improvements and changes in national biotech policy. All levels of government, from high-level strategy councils to individual decision makers within ministries, are trying to determine the best approach to leverage Japan's strengths in technology and software development toward the biotechnology market. Industry and academic leaders are also making changes by diversifying their operations and collaborating in the development of biotech startups and new life sciences-focused subsidiaries. All of these changes create tremendous opportunities for Maryland companies to develop relationships with Japanese companies. What has changed in Japan to create this new biotech-friendly environment?

First, the need for improvements and progress in Japanese biotechnology policy has been widely acknowledged throughout government, industry and academia. The biotechnology "boom" in the United States in the late 1990s, symbolized by the meteoric rise of companies like Celera Genomics and Human Genome Sciences, caused government and industry leaders to realize that Japan was in danger of slipping off the biotechnology map. This is despite the fact that many early discoveries in both the human and rice genomes had been made by Japanese scientists more than a decade earlier. Many policy makers began calling for a complete revamp of Japanese science and technology policies and industrial competitiveness legislation. The goal was to create opportunities for Japanese industry to better leverage public spending

on research and development initiatives in life sciences, nanotechnologies, new materials, and environmental sciences.

## Japan's Biotechnology Strategy

To spur innovation in the area of biotechnology, the government launched the Millennium Project on Biotechnology in April 2000. The project, sponsored by the late Prime Minister Obuchi, represented the initiative on biotechnology at such a high level of government that it sought to cut across institutional boundaries in the sector. Despite its relatively small budget (roughly \$600 million over 5 years), the Millennium Project was significant as a first step in a more refined biotechnology development strategy, focusing on genomic research and development. Building upon the momentum of the Millennium Project, current Prime Minister Koizumi formed a ministerial-level advisory body, the Biotechnology Strategy Council (BTSC) in July 2002, to map out a more detailed strategy to enhance the nation's industrial competitiveness in biotechnology. In December, the BTSC released its strategic guidelines that focused on three main areas of improvement: revitalization of domestic R&D capabilities, improvement in biotech product commercialization, and promotion of biotech educational programs.

Other Japanese government institutions have stepped in to translate measures into actual budgets and action plans and to serve as a bridge between government and industry. The Council for Science and Technology Policy (CSTP) in the Office of the Cabinet is the lead body for coordinating Japan's overall biotechnology strategy. It has been charged with ensuring that the government's spending resources for biotechnology research and development are applied in a strategic manner. This includes the promotion of more collaborative relationships between governmental, academic and private research efforts, as

well as the identification of several key areas of technology deemed critical to improve Japan's industrial competitiveness in biotechnology. Such technologies include:

- cDNA sequencing
- SNP analysis
- structural genomics
- bioinformatics
- protein expression
- bio-nanotechnology

In biotech business development, CSTP works closely with the Ministry of Economy, Trade and Industry (METI), which has been tasked with directing governmental support toward improvements in biotechnology competitiveness. The council also encouraged the commercialization of biotechnology through semi-governmental institutions such as the New Energy and Industrial Technology Development Organization (NEDO).

NEDO is a unique organization in that it works to coordinate the funds, personnel and technological strengths of both the public and private sectors in Japan. The organization has been assigned to disburse most of the METI funds associated with genomic research and biotechnology and organizing different consortia and group R&D projects, often in coordination with the Japan Bioindustry Association and government, academic and private research centers.

To take advantage of increased government direction and support, Japanese companies have significantly altered or combined many of their subsidiaries to channel money and personnel into genomic research and bioinformatics. Japanese companies are maneuvering to firmly place themselves within the government-sponsored R&D system by obtaining key positions on important government councils and industry associations to ensure favorable consideration in future government biotech strategy decisions. Most of the major IT/software companies in Japan have established biotechnology, IT or bioinfor-

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# RESOURCES FOR EXPORTERS

## World Trade Center Institute Launches New Program for International Risk

Following on the heels of its successful “Insider Series,” the World Trade Center Institute (WTCI) has launched a new program aimed at helping business executives identify international risks and opportunities prior to and while pursuing international work.

“The International Risk Management Continuum provides a tremendous resource for small firms considering the global marketplace,” said Peter Gourlay, developer of the Continuum and Vice President of the World Trade Center Institute. “This management tool will allow a company’s management team to understand the key elements of the decision making process in becoming global, in a user-friendly flow. We’ve also found that larger experienced global firms have benefited from the due diligence review process of the Continuum.”

The Continuum is designed as a Web-based tool that will link users to key resources, at each step of the way, to help them plan for going global. It is designed for those new-to-overseas business and those already in the market. “There are

many international resource providers and Internet sites that provide great information on resources available to firms. There are also many insurance companies who provide risk management resources and Internet sites,” says Gourlay. “What has been lacking is an integrated package that provides corporate management with a tool that will help them tap the resources and analyze their risk in an evolutionary process.”

The program is valuable because it is designed with the evolutionary thought process in mind, providing CEOs with a due diligence guide to ensure that they have considered key risks and resources at critical junctures, from the business planning process to financing the sale. It is a third-party vehicle to help management teams realize what they didn’t know about international work and why certain decisions, made in haste, could be wrong or, at worst, disastrous.

“The Risk Continuum Presentation was extremely beneficial for our company,” says Andrew Saidel, President of Dynamic Strategies Asia, LC, based in Bethesda. “Our business is focused on Japan and Asia and many of the themes and topics that Peter includes in the presentation are directly relevant. Risk management must be an integrated element in

the development and execution of effective business plans in foreign markets. This cuts across all facets of the business operation. I think the most valuable feature of the Continuum for us is its comprehensive approach. It offers practical ways to minimize risk at each stage of the planning process. I think it is a tremendous resource for any business looking abroad in today’s environment.”

WTCI is rolling out the Continuum gradually. It is estimating that its fee-based version 1.0 of the continuum will go live on their Website this June. In the meantime, as an introductory service, WTCI is hosting free two-hour training programs for small groups of companies in various locations around the state. The training program consists of five modules: internal corporate strategy, international marketing strategy, country risk management, integrating into the local community and finding business in country.

The World Trade Center Institute is working closely with the Office of International Business to provide outreach seminars on the continuum process to firms looking to tap WTCI and the Office of International Business for global help.

For more information, visit WTCI’s Website at [www.wtci.org](http://www.wtci.org) or contact Peter Gourlay at 410-576-0022 x106.

## Take Advantage of Latin America Trade Week: June 23 – 26

Maryland’s three Latin American Trade Representatives from Brazil, Chile and Mexico will be in various locations around the state from June 23 through 26 to meet with executives of Maryland companies seeking to expand exports to these markets. Latin Trade Week is an excellent opportunity to make business contacts and meet one-on-one with market experts—all without leaving the state.

If you are interested in scheduling a meeting with one or more of the representatives, visit our Web site at [www.choosemaryland.org/international/export/programs/latintradeweek.asp](http://www.choosemaryland.org/international/export/programs/latintradeweek.asp) or contact Maria-Angelica Vargas at 410-767-0939 or [mvargas@choosemaryland.org](mailto:mvargas@choosemaryland.org).

### Here is the general schedule:

Monday, June 23	Suburban Maryland: Prince George’s County Economic Development Corporation
Tuesday, June 24	Eastern Shore: Chesapeake College Evening Networking Reception
Wednesday, June 25	Baltimore: OIB offices
Thursday, June 26	Western Maryland: Hagerstown-Washington County Economic Development Commission



# Latin America Market Highlights

## Brazil

Since the mid-1990s Brazil has been undergoing a deep transformation of its economy. A new environment of stable prices and foreign competition has brought dramatic improvements in labor and manufacturing productivity, making Brazil a major location for international manufacturers in the telecommunications, services, utilities, automotive and food and beverage sectors. The U.S. remains the major foreign investor in Brazil responsible for nearly one-third of total foreign investment.

Brazil has the 9th largest economy in the world, and is about half the size of South America in population, territory and economy. Its industrial products represent one third of the GDP and 70 percent of exports. The main industries in Brazil are automobile and aircraft manufacturing, metals (including steel), foodstuffs, textiles and chemicals.

In the latter part of 2002, the election of a historically leftist labor leader as president caused some concern among U.S. and other foreign business interests. Luiz Inacio Lula da Silva — or “Lula” as he is commonly known — was inaugurated in January. Since taking office, the new government has taken a more centrist-left political and economic approach than expected, and the negative economic consequences that were feared have not materialized.

The new government’s goals include making Brazil’s macroeconomic policy compatible with long-needed institutional reforms to control internal debt, stimulate the resumption of public and private investment, create jobs and implement broad-based social policies.

President Lula da Silva is also engaged in stimulating Brazil’s international trade flow, particularly by increasing Brazilian exports, which will increase the demand for imports of capital equipment and components needed to support local production. The aim is to reduce the vulnerability of the Brazilian economy to external crises.

Early indications are positive. The Brazilian treasury has posted positive rev-

enue growth this year over that in 2002, which has led to the Brazilian Real’s appreciating 30 percent in relation to the U.S. dollar.

## Chile

Chile has an outward-looking, open and competitive economy. Its strength and attractiveness lie in the energy and professionalism of its entrepreneurs, the transparency of its regulation and the predictability of its decision-makers. It is considered a safe country with a very solid economy and strong macroeconomic fundamentals. The country has an independent Central Bank, a fair and unbiased legal system, and a well-trained and productive workforce.

Chile’s main industries are mining, foodstuffs, fish processing, iron and steel, wood and wood products, transportation

equipment, cement and textiles. Mining is expected to lead GDP growth in 2003, thanks to higher copper production.

Chile offers low import duties and few obstacles to foreign investment. It has a solid and modern financial system, and it has signed free trade agreements with the European Union, Canada, Mexico and Mercosur (Argentina, Brazil, Paraguay and Uruguay). Chile also signed a free trade agreement with the U.S. in December 2002 that awaits ratification by the U.S. Congress. With this agreement, import duties will drop from 6 percent to zero percent for the majority (85 percent) of the consumer and industrial products exported by the U.S. to Chile by January 2004. The U.S. is Chile’s largest single supplier responsible for almost 23 percent of Chilean’s imports, but European and Asian countries are strong competitors.





An increase in economic activity toward the end of 2002 lifted last year's growth rate slightly above expectations. The outlook for this year looks rosier, however, and GDP growth is expected to be within the 3 to 4 percent range. High oil prices and geopolitical uncertainties could limit the potential growth of the global economy, affecting the growth of the Chilean economy. As Latin America's most open economy, Chile stands to lose the most from the fall-out in global demand, and the maneuvering room for additional domestic stimulus policies is limited.

**Mexico**

In the 1990s Mexico went through a period of economic liberalization (floating peso, liberal foreign investment rules and guarantees, end to import licensing, etc.) and deregulation. It signed free trade agreements with 31 countries mostly in the Americas and Europe, with the U.S. as a major partner responsible for over 80 percent of Mexico's total trade.

Its main industries are food and beverages, tobacco, chemicals, iron and steel, petroleum, mining, textiles, clothing, motor vehicles, consumer durables and tourism.

Mexico has made a commitment to improving relations with the United States. Mexican President Vicente Fox and U.S. President George W. Bush signed an agreement to implement the Partnership for Prosperity, a partnership to leverage private resources to promote economic growth in less developed regions of Mexico and the U.S.

Since the enactment of NAFTA in 1994, most custom duties have been eliminated. The average Mexican import duty for U.S. goods is 2 percent, and more than 85 percent of goods enter duty-free. By 2008 duty-free goods will be at 100 percent. Mexico's imports from the U.S. have grown by nearly 158 percent. Mexico is now the second most important U.S. trading partner after Canada.

The U.S. exports every year in excess of \$102 billion to Mexico. Market opportuni-

ties in Mexico exist for a full spectrum of internationally competitive U.S. goods and services.

Given the paramount importance of the manufacturing sector, the overall economy is likely to follow the same pattern: positive, but still moderate, recovery in the first half of the year, gathering speed in the second half. According to this month's Consensus Forecast, GDP will expand at an average 2.5 percent growth in the first half, accelerating to 3.4 percent in the second half. For the full year, economists expect the economy to grow by 2.8 percent.

**Sources:**

- CIA – The World Factbook 2002
- US Commercial Service in Chile, Brazil and Mexico
- National Institute for Statistics, Chilean Central Bank
- Banamex (National Bank of Mexico)
- Brazilian Government Agencies (Central Bank and other financial institutions)
- American Chamber of Commerce – Sao Paulo, Brazil
- Brazil-US Business Council
- Tendencia Consultoria Integrada, Brazil

matics promotion centers— either in-house or through the creation of a separate subsidiary, in an attempt to develop their own teams of specialists in the biotech field. Many of these subsidiaries have obtained licenses from leading foreign biotech companies to produce and sell their products within Japan and the Asia-Pacific region. In addition to producing licensed versions of patented products, Japanese companies are racing to perfect and patent improvements in the biochip production process, as well as expanding business expertise and capability in genome analytical services and bioinformatics systems. A number of biotechnology startups have emerged over the past few years—growing to over 300 by the spring of 2002—testifying to the vigor of the industry. Because of recent changes in Japanese law, many of these bio-ventures have originated from universities, where a substantial amount of basic biotech research in Japan is performed.

**Implications for Maryland Businesses**

What do all of these changes mean for Maryland biotech companies? As Japan reforms its collaborative research and development system in biotechnology, companies will have more opportunities to access both basic biotech research, as well as Japanese researchers, through joint startups, collaborative research projects and strategic alliances with government, academic and industry research centers. Japanese companies are also looking for ways to collaborate with foreign companies, either by obtaining licensing rights to sell or produce in Japan, or by conducting joint research and development with companies to share commercialization risks and improve their return on business investment. To capitalize on these developments, Maryland-based companies should take advantage of leading-edge information services companies to perform proper due diligence on potential Japanese partners. A

Japanese company's position within the government R&D system, its track record on joint projects, and the viability of its technology and management are all important considerations. With adequate preparation, Maryland companies can maximize their effectiveness in finding mutually beneficial relationships within the Japanese biotechnology market.

John J. Fitzgerald is a Senior Associate at Dynamic Strategies Asia where he specializes in analyzing legislative developments, regulatory policy and ministerial decision-making dynamics in Japan.

Based in Bethesda, Dynamic Strategies Asia (DSA) was launched in 1996 as a consultancy focused on influencing developments and decision makers in Japan. DSA provides a broad range of corporate outreach services including enhancement of corporate affairs capabilities, detailed business intelligence and analysis on key policy issues, and counsel for effective management of external relations.



## Tradeshaw & Missions Calendar

### **Afriwater 2003**

**Johannesburg, South Africa**

**August 13 – 15**

The U.S. Commerce Department's Office of Environmental Technologies is sponsoring an American Products Literature Display Center at this waste & environmental products, services and technologies exhibition, which will feature close to 200 exhibitors and is expected to attract over 4,500 attendees. For more information, contact Adrienne van Lare at 410-767-0697 or [avanlare@choosemaryland.org](mailto:avanlare@choosemaryland.org).

### **Enviro-Pro Tecomex 2003**

**Mexico DF, Mexico**

**September 9 – 11**

Enviro-Prof/Tecomex 2003 is an international forum for environmental technologies offering realistic solutions to Mexican industries concerned with reducing their emissions and cleaning up their manufacturing processes. For more information, contact Maria-Angelica Vargas at 410-767-0939 or e-mail at [mvgargas@choosemaryland.org](mailto:mvgargas@choosemaryland.org).

### **New Products USA 2003**

**China, Philippines, Thailand & Taiwan**

**September 15 - 26**

Multi-state catalog show organized by the U.S. Export Promotion Service to market U.S. products and services in Asia. For more information, contact Derek Mohre at 410-767-4853 or by e-mail at [dmohre@choosemaryland.org](mailto:dmohre@choosemaryland.org).

### **Invex 2003**

**Brno, Czech Republic**

**October 6 – 10**

International Fair for Information and Communication Technology. For more information, contact Igor Evseev at 410-767-0689 or e-mail at [ievseev@choosemaryland.org](mailto:ievseev@choosemaryland.org).

### **Safety & Security Asia**

**Singapore**

**October 8 – 10**

This international exhibition for Security and Safety, Building Services and Construction technologies brings together two events: Build.AsiaPac 2003 and Glasstech Asia 2003. For more information, contact Mary Ann Wo at 410-767-0688 or [mwo@choosemaryland.org](mailto:mwo@choosemaryland.org).

### **Medica 2003**

**Dusseldorf, Germany**

**November 19 - 22**

Medica is the world's largest medical trade show. Medica annually attracts more than 130,000 visitors and 3,500 exhibitors from around the world. Maryland has maintained a high-profile booth for 14 consecutive years at the show. For further information on booth space or pathfinder service, contact Julie Evans at 410-767-3592 or e-mail [jevans@choosemaryland.org](mailto:jevans@choosemaryland.org).

### **Environment Japan 2003**

**in WASTEC 2003**

**Tokyo, Japan**

**November 25 – 28**

JETRO (Japan External Trade Organization) will participate in WASTEC 2003 (Waste Control and Recycling Technology Exhibition), a major environmental fair in Japan, and simultaneously organize "Environment Japan 2003" as a "fair within a fair" to introduce the latest environmental products, technologies, and services developed in the U.S. and elsewhere. Cost: \$2,500—includes interpreter, consultation with Japanese expert in environment field, use of business center, direct mailing promotion & presentation opportunity. For more information, contact Julie Evans at 410-767-3592 or e-mail [jevans@choosemaryland.org](mailto:jevans@choosemaryland.org).

#### **Message from Secretary Aris Melissaratos** *continued from page 1*

development programs and export promotion programs.

Secondly, but just as importantly, DBED markets Maryland to make sure the world knows we are a premier place for business, film production and for tourism. As a result, we are the primary voice for the State of Maryland outside our borders.

In today's global marketplace where companies can locate almost anywhere, more and more companies are discovering the outstanding assets Maryland has to

offer. This is particularly true of the bio-science industry, an industry that grows and flourishes through collaborations and the development of strong partnerships. Trade missions and conferences such as BIO 2003 that will bring 20,000 biotech researchers and company executives to our region this June are an integral part of our campaign to ensure that Maryland's bio-science industry continues to grow and develop.

Through all these efforts, DBED pro-

duces both direct and indirect economic benefits for Maryland. Our targeted grant and loan programs help ensure business growth, provide jobs, and increase state and local tax bases. Likewise, when we spend money to advertise and promote Maryland to businesses, tourists and workers, and when we improve quality of life through our Arts Council grants, we are making an investment that pays dividends for Marylanders every day.

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## Calendar of Events

June 19

***A 360° Look at Biotechnology & International Trade***  
8:30 – 11:30 a.m.  
University of Maryland  
(Shady Grove Campus)  
World Trade Center Institute  
[www.wtci.org](http://www.wtci.org)  
410-576-0022

June 23 –27

***Latin America Trade Week***  
Visit of Maryland's Trade Representatives  
from Brazil, Chile and Mexico  
One-on-one meetings and  
networking events  
Locations: various  
Maryland Office of International  
Business  
visit [www.choosemaryland.or/](http://www.choosemaryland.or/)  
Maria-Angelica Vargas 410-767-0939

July 29

***Hyogo Prefecture, Japan,  
Environmental Business Delegation***  
Business Seminar and matchmaking  
3:00 – 7:00 p.m.  
Location: Baltimore TBA  
Maryland Office of International  
Business  
Julie Evans 410-767-3592