

Joseph B. Darby III

**Partner**

Boston

1-617-338-2985

jbdarby@sullivanlaw.com

About

Jay focuses his practice on business and transactional tax law. He advises a wide variety of corporations and high-net-worth individuals on tax and legal aspects of business and real estate activities and represents these taxpayers before federal and state taxing authorities.

Jay was one of the early proponents of Opportunity Zones, and has been at the leading edge of the legislation and related tax incentives since they were first enacted in the Tax Cuts and Jobs Act in late 2017. He has spoken at over a dozen National conferences on the structuring of Qualified Opportunity Funds and Qualified Opportunity Zone businesses, and has helped form more than a dozen successful Qualified Opportunity Funds thus far, ranging in size from small private transactions to transactions in the \$200 million to \$500 million range.

Jay also works with high-net-worth individuals and business owners to organize their personal income tax and estate planning affairs in order to maximize wealth preservation and minimize tax on transfers to family members, charities, and other recipients. This is accomplished through the use of the latest sophisticated estate planning strategies, including family limited partnerships, installment sales to defective grantor trusts, the formation of family charitable foundations, and other similar techniques.

Jay has also represented and advised numerous public and private companies, as well as private equity and venture capital firms, on investment and acquisition transactions and on the disposition of business interests, in transactions ranging from early-stage investments in high-tech start-ups to acquisitions and sales of mature, late-stage companies and publicly traded corporations.

Another focus in his practice is the taxation of intellectual property, including tax aspects related to the development, licensing and exploitation of intellectual property rights, the migration of valuable intellectual property to offshore jurisdictions and the tax-efficient sale of intellectual property rights. Jay also has extensive experience in the areas of structuring mergers, acquisitions, business sales, and related business

Practices

- Complex Commercial & Financial Disputes
- Corporate
- Family Businesses
- Litigation
- Mergers & Acquisitions
- Opportunity Zones
- Tax

transactions.

Education

- J.D., *cum laude*, Harvard Law School
- B.S., *magna cum laude*, with Department of Honors in Mathematics, University of Illinois at Urbana-Champaign

Bar Admissions

- Massachusetts
- U.S. Tax Court

Awards & Recognition

- *Best Lawyers in America* (2010-2016, 2018-2020)
- *Legal 500 U.S.* (2014, 2015, 2019)
- Top 25 Opportunity Zone Influencer, *OZ Magazine* (2019)
- Tax Writer of the Year – 2007 and 2011, *World Trade Executive, Inc.*, a division of Thomson Reuters
- New England Press Association, First Place for Sports Column writing (1990)
- Special Recognition Award from the Armenian Museum and Library of America (1988)
- AV Preeminent®, Martindale-Hubbell® Peer Review Ratings™

Professional & Civic Activities

- Writer's Council, *Opportunity Zone Magazine* (2019)
- Founder and President, Watertown Police Foundation (2013 to present)
- Former President and Member of the Board of Trustees, Boston Police Foundation (2008-2012)
- Member, Board of Assessors, Watertown, Massachusetts (1993-2011)
- Adjunct Professor, Boston University School of Law, Graduate Tax Program (2003 to present)
- Adjunct Professor, Masters in Taxation Program, Bentley University (2007 to present)
- Member of the Advisory Board of *World Trade Executive* for the following publications:
 - *Practical US/International Tax Strategies*
 - *Practical European Tax Strategies*
 - *Practical US/Domestic Tax Strategies*