

CHINA OVERVIEW

Navigating China's Regulatory Regime Governing Foreign Entry into China

In addition to providing the full range of transactional and dispute resolution services, we also offer key regulatory capabilities for entities doing business in China, including:

Foreign Corrupt Practices Act: Advise on U.S. foreign trade laws such as FCPA that directly affect international business activities of U.S. entities.

China National Security Review: Guide mergers through local clearance processes, and design antitrust-compliant licensing or distribution agreements.

IP Licensing & Protection: Conduct contract negotiations, due diligence, and obtain, defend, and license copyright, trademark, and domain name applications, and prosecute and defend U.S. and foreign patents throughout Asia.

Kaye Scholer's corporate lawyers in China are noted for their ability to "answer almost any question with a limited amount of research — [which] really saves time and money." — 2011 *Chambers Global*

Active in the Greater China market since the 1970s, Kaye Scholer expanded its China Practice with the arrival of Abe Ribicoff, the former senator who sponsored the bill granting China "most favored nation" status, opening up trade between the US and China. Building upon his legacy, Kaye Scholer was the first New York-headquartered law firm to obtain the approval of the Ministry of Justice of the People's Republic of China to establish an office in Shanghai. Today, our China practice is distinguished by our unparalleled ability to provide excellent around-the-clock, China-focused advice and counseling to clients from our offices in China and in the United States.

What We Offer

We counsel major U.S., Asian, European and Latin American companies, financial institutions and individuals on inbound China matters, representing clients in mergers and acquisitions, corporate, operations and compliance, foreign direct investment, technology and outsourcing, renewable and alternative energy, and intellectual property issues. In addition, we advise a number of Chinese companies with respect to their outbound investments and activities.

Who We Are

Kaye Scholer's cross-cultural China practice includes lawyers who are Chinese-born, foreign nationals who have been educated in top law schools in China and the US, or who have extensive experience in China, including managing and structuring cross-border transactions in and out of China. More than 33 attorneys advise on China and Asia-Pacific related matters.

Representative Matters

- Represented Barnes and Noble regarding copyright issues in China with respect to the JK Rowling's *Harry Potter* series.
- Represented Rockefeller International in the development of a large, multipurpose commercial real estate project in a prominent historical district of Shanghai through a joint venture with a State-owned enterprise.

KAYE SCHOLER LLP

To learn more about how we can help you with inbound or outbound transactions or provide regulatory counseling or litigation assistance for China-related matters, please contact:

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Receiving "uniformly positive feedback from a number of loyal clients, Kaye Scholer lawyers have a unique ability to bridge the cultural and communication divide between the USA and China."
2010 Chambers Asia

- Represented Hyatt in the restructuring of a joint venture with a PRC company relating to, and licensing and management issues in connection with, the Park Hyatt Hotel and Park Hyatt branded residences in Beijing. Also represented Hyatt on its introduction of three hotels in Shanghai.
- Counseled major medical device manufacturer with respect to sensitive PRC national and regional regulatory issues regarding hospital and healthcare provider contributions, relating to R&D institutes, universities, hospitals and doctors in China.
- Provided investigatory and strategic business and governmental advice on the feasibility of registering genome patents and testing in China for a major pharmaceutical company.
- Represented Staples Inc. as primary outside counsel for its various entities in China on all aspects of its business operations including corporate structuring, tax, trademark, employment considerations, FCPA training of its employees in the Chinese language, and litigation.
- Represented MOMA and the Metropolitan Museum regarding the trademark licensing of museum products and use of the museum names in Asia.
- Advised Auburn University on their project to partner with several Chinese universities, their alumni and a Chinese municipality to establish an Auburn University Chinese campus, providing Auburn University degrees.
- Advised the U.S.-China Cultural Institute, a 501 (c)(3) corporation, regarding cultural events in China, including cultural exchanges of renowned Chinese and Western musicians and dancers, use of name of major New York and national cultural institutions in marketing, PRC government restrictions on fees and expenses, foreign exchange issues and visas.
- Advised Aspen Institute regarding the global use of the Aspen name and logo, as well as partnership arrangements with Aspen affiliates worldwide.

Kaye Scholer LLP provides strategic counsel and legal services to the Fortune 500, middle-market companies and government entities on a full range of U.S. and international matters. Founded in New York in 1917, Kaye Scholer's 450 lawyers regularly advise on matters across multiple legal jurisdictions, including the U.S., UK, EU and China. For more, visit www.kayescholer.com.