

MICHAEL HAN

Partner·Shanghai

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PRACTICE AREA

MR. HAN'S PRACTICE FOCUSES ON CHINESE COMPETITION ISSUES RELATING TO M&A, JOINT VENTURES, HORIZONTAL AND VERTICAL ARRANGEMENTS, ANTITRUST INVESTIGATIONS AND LITIGATION, AND COMPLIANCE ADVISORY.

Education

- Harvard Law School, LL.M
- Wuhan University Law School, Ph.D in law

Professional Qualification

- Admitted to practice in the PRC
- Admitted to practice in New York
- Registered Foreign Lawyer in Hong Kong SAR

Work Language

- Chinese
- English

Mr. Han has more than 15 years of experience in advising clients on all aspects of Chinese competition law, covering a broad range of industry sectors, including chemicals, consumer products and retail, container shipping, energy and natural resources, financial institutions, healthcare, high-tech, infrastructure and transport, private equity and telecoms. Mr. Han also has extensive experience advising clients on issues relating to PRC national security review for foreign investment.

Before joining the firm, Mr. Han was based in China as a partner of a leading international law firm, heading its antitrust practice in the Greater China region. Michael has also worked as an official with MOFTEC (now the Ministry of Commerce, or MOFCOM). He offers clients advice drawn from his rich experience as both a regulator in China and as a practitioner.

In addition to his understanding and knowledge of MOFCOM, Mr. Han had extensive experience in dealing with the other two antimonopoly enforcement agencies that regulated conduct under the antimonopoly law, the National Development Reform Commission (NDRC) and the State Administration for Industry and Commerce (SAIC) before their merger with MOFCOM into the State Administration for Market Regulation (SAMR). This experience enables him to keep clients abreast of legal developments in a timely fashion while providing practical compliance advice.

Mr. Han has been ranked as a Band 1 lawyer in Chinese competition/antitrust law by Chambers Asia every year since 2009. He is also recognized as a leading antitrust practitioner in China in Global Competition Review's International Who's Who of Competition Lawyers and PLC's Which Lawyer.

REPRESENTATIVE MATTERS AND CASES

Antitrust

- Advised Eastman Chemical Company, a global manufacturer of chemical products, on the first abuse of dominance investigation initiated by the SAIC in the industry, as well as on an NDRC investigation into resale price maintenance

- Advised Hegh Autoliners, an international shipping company, on the first successful defense against an NDRC cartel investigation in the PRC
- Advised three stateowned port groups (Tianjin Port, Dalian Port and Yantian Port) on reaching favorable results in an NDRC antitrust investigation into alleged abuses of dominance
- Advised Singamas on reaching a favorable settlement in an antitrust investigation by Tianjin DRC
- Represented Medtronic, a multinational medical devices company, in successfully obtaining reduced fines in an NDRC investigation
- Advised Chrysler, Daimler and Changan Ford in successfully obtaining reduced fines in three out of the five published NDRC resale price maintenance cases against multinational automobile companies
- Advised three multinational automobile companies in similar resale price maintenance investigations initiated by the NDRC
- Advised GN Audio, a global producer of headset and conference equipment, on responding to a local DRC investigation into resale price maintenance
- Advised a leading global hightech company in handling an SAIC antitrust investigation
- Advised a US hightech company in reaching a favorable settlement in an NDRC antitrust investigation
- Advised a multinational auto parts company on its strategies in applying for leniency from the NDRC in a cartel case
- Advised a German manufacturing company in handling a dawn raid and antitrust investigation initiated by the NDRC
- Advised a European IT company in an NDRC antitrust investigation into the companys licensing practices
- Advised a multinational manufacturer in handling an SAIC antitrust investigation
- Advised a multinational technology company in conducting a full antitrust audit of its China business
- Advised a Chinese internet services company on alleged abuse of dominance issues in the IT sector

PRC merger control

- Advised Danaher on its US21.4 billion acquisition of GEs Healthcare Life Science division
- Advised Infineon Technologies AG on its 9 billion acquisition of Cypress Semiconductor Corporation
- Advised Novelis on its US2.6 billion acquisition of Aleris Corporation
- Advised Boeing on its US3.8 billion acquisition of a controlling stake in the commercial aircraft arm of Brazilian planemaker Embraer
- Advised Cargotec on its 87 million acquisition of TTS Group's marine and offshore business
- Advised Rockwell Collins on its US30 billion merger with United Technologies
- Advised Linde AG on its 66 billion merger with Praxair, Inc.
- Advised Walt Disney Company on its US71 billion acquisition of 21st Century Fox
- Advised DuPont on its US130 billion merger with The Dow Chemical Company
- Advised Becton, Dickinson and Company on its US24 billion merger with C.R. Bard, Inc.
- Advised AB InBev on its US104 billion acquisition of SAB Miller
- Advised St. Jude Medical on its US25 billion acquisition by Abbott Laboratories
- Advised Nokia on its 15.6 billion acquisition of AlcatelLucent
- Advised Canon on its RMB 38.3 billion acquisition of Toshiba Medical
- Advised Broadcom on its proposed US117 billion acquisition of Qualcomm
- Advised EMC on its US67 billion acquisition by Dell
- Advised Merck on its acquisition of SigmaAldrich for US17 billion
- Advised Albermarle on its US6.2 billion acquisition of Rockwood
- Advised Novartis on its three global joint ventures with GSK for US20 billion
- Advised Holcim on its US43 billion acquisition of LaFarge
- Advised HapagLloyd AG (HL AG) on its US4.6 billion acquisition of CSAVs container shipping business
- Advised Dresser Rand on its US7.6 billion acquisition by Siemens

- Advised Halliburton on its US36 billion proposed acquisition of Baker Hughes

OTHER INFORMATION

"Michael Han is one of the country's leading experts on competition law. His expertise is routinely sought after by some of the world's largest multinationals operating in China who find themselves facing antitrust investigations. 'Michael Han's skills are very good,' confirms one client, going on to describe him as 'very rich in experience."'——Chambers Asia 2020