

MICHAEL HAN

Partner, Fangda Partners

+86 10 5769 5600 (Beijing)

+852 3976 8888 (Hong Kong)

michael.han@fangdalaw.com



PRACTICE AREAS

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.

Michael 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.

Before joining the firm, Michael 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). Michael 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, Michael had extensive experience in dealing with the other two anti-monopoly enforcement agencies that regulated conduct under the anti-monopoly 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 Michael to keep clients abreast of legal developments in a timely fashion, while providing practical compliance advice.

Michael 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 **Höegh Autoliners**, an international shipping company, on the first successful defense against an NDRC cartel investigation in the PRC;

- Advised **three state-owned 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 Chang'an 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 high-tech company** in handling an SAIC antitrust investigation;
- Advised **a US high-tech 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 company's 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 US\$21.4 billion acquisition of **GE's Healthcare Life Science** division;
- Advised **Infineon Technologies AG** on its €9 billion acquisition of **Cypress Semiconductor Corporation**;
- Advised **Novelis** on its US\$2.6 billion acquisition of **Aleris Corporation**;
- Advised **Boeing** on its US\$3.8 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 US\$30 billion merger with **United Technologies**;
- Advised **Linde AG** on its €6 billion merger with **Praxair, Inc.**;
- Advised **Walt Disney Company** on its US\$71 billion acquisition of **21st Century Fox**;
- Advised **DuPont** on its US\$130 billion merger with **The Dow Chemical Company**;
- Advised **Becton, Dickinson and Company** on its US\$24 billion merger with **C.R. Bard, Inc.**;

- Advised **AB InBev** on its US\$104 billion acquisition of **SAB Miller**;
- Advised **St. Jude Medical** on its US\$25 billion acquisition by **Abbott Laboratories**;
- Advised **Nokia** on its €15.6 billion acquisition of **Alcatel-Lucent**;
- Advised **Canon** on its RMB 38.3 billion acquisition of **Toshiba Medical**;
- Advised **Broadcom** on its proposed US\$117 billion acquisition of **Qualcomm**;
- Advised **EMC** on its US\$67 billion acquisition by **Dell**;
- Advised **Merck** on its acquisition of **Sigma-Aldrich** for US\$17 billion;
- Advised **Albermarle** on its US\$6.2 billion acquisition of **Rockwood**;
- Advised **Novartis** on its three global joint ventures with **GSK** for US\$20 billion;
- Advised **Holcim** on its US\$43 billion acquisition of **LaFarge**;
- Advised **Hapag-Lloyd AG (HL AG)** on its US\$4.6 billion acquisition of **CSAV**'s container shipping business;
- Advised **Dresser Rand** on its US\$7.6 billion acquisition by **Siemens**;
- Advised **Halliburton** on its US\$36 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*

Education

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

Professional Qualifications

- Admitted to practice in the PRC
- Admitted to practice in the State of New York

Languages

- Chinese and English