

OVERVIEW

China Trade

Our China Trade Practice offers a unique combination of services bringing together prominent policy, regulatory and government relations capabilities in China with premier in-country business and transactions experience.

While China's rapidly restructuring and growing economy offers uniquely attractive trade and investment opportunities, capitalizing on those opportunities presents particular challenges. An intricate variety of legal, regulatory, governmental and cultural barriers confront companies trying to do business in China. Yet as China continues to open its economy, increasingly sophisticated investment and financing choices for structuring transactions are becoming available to investors, as are an array of approaches to regulatory barriers and in-country operations.

To assist clients with these challenges and opportunities, our China Trade Practice offers a unique combination of services bringing together prominent policy, regulatory and government relations capabilities in China with premier in-country business and transactions experience. This combination

allows the China team to offer clients significant depth and scope of service, keeping with our tradition of sophisticated problem solving at the intersection of business, government and regulation.

The firm's core China team was established by Ambassador Charlene Barshefsky, former United States Trade Representative (USTR), and Robert Novick, former USTR General Counsel. They are joined by prominent China attorney Lester Ross, a Partner in the Corporate and Antitrust and Competition Departments, and a group of lawyers and staff who are widely recognized as one of the strongest China-based legal teams for corporate, financial services and intellectual property work, including M&A, venture capital, private equity, foreign direct investment, banking and finance, insurance, telecommunications and technology.

Our commitment to the China market, its Fortune 100 and major multinational clientele doing business in or exporting to China, and Chinese entities doing business abroad is deep and growing. The firm's establishment of a Beijing office demonstrates this commitment. The Beijing office is led by Lester Ross.

This team of professionals, with many years of experience operating in and negotiating with all levels of the Chinese government, has unique understanding of the challenges and has the skills and insight needed to succeed on behalf of our clients. The team possesses world-recognized negotiating experience and savvy; a proven ability to solve highly complex business, legal and regulatory problems; exceptional experience in Chinese law and international business transactions; and strong relationships with political, private sector, media and opinion leaders throughout China and East Asia as a whole.

The China Team

The China team includes professionals who have operated at the highest levels of the US Executive Branch—including the Executive Office of the President and the Office of the United States Trade Representative—and whose members have lived in mainland China and Hong Kong for many years and speak fluent Chinese. Members of the team structured, negotiated and concluded a range of landmark agreements with China, most notably China's intellectual property rights agreements, market access agreement and the comprehensive US-China bilateral agreement that paved the way for China's World Trade Organization membership, covering all goods, services and agriculture in the Chinese economy.

The team has represented clients across a range of industries in many types of business dealings, including real estate transactions and structuring, negotiating and documenting business transactions, and has been involved in precedent-setting foreign investment transactions. These industries include agriculture, automotive, aviation, chemicals, consumer products, cosmetics, electric power, electronics, energy-related equipment and services, environmental technologies, financial services, logistics, machinery, manufacturing, media, medical devices, mining, oil and gas, pharmaceuticals, professional services, publishing, retailing, semiconductors, software and telecommunications. Moreover, the team has substantial experience and relationships throughout China, including Shanghai, Tianjin, Guangdong, Jiangsu and other provinces and localities, in addition to Beijing.

They have also advised Chinese entities on their outbound commercial and trade relations, particularly in obtaining regulatory approvals, the structuring of transactions and defending against trade actions.

Serving global client needs from any of its offices, the team has implemented investment strategies and structured business transactions and sophisticated market access strategies for multinationals around the world and has negotiated with, and, when necessary, litigated against virtually every major trading nation, as well as emerging market countries. We invite you to view biographies of our China Team members.

Other Professionals

Supporting the legal and government relations work of the Beijing office are a fully bilingual team of legal assistants and professional translators with law and other professional degrees from Chinese and American universities. The firm has full Chinese language document translation and Chinese word processing capabilities in Beijing and Washington, as well as an extensive collection of Chinese law materials.

Capabilities and Services

The unsurpassed combination of talents of the firm's China team, supported by the depth and breadth of our United States and European offices, allows the firm to marshal superior resources on behalf of our clients. The firm includes among its other practices venture capital, with particular strength in technology and life sciences; intellectual property, including intellectual property litigation; international trade, with particular strength in resolving difficult foreign market access problems across the globe; a preeminent securities regulatory and enforcement practice; and, among its litigation capabilities, international arbitration and trade litigation.

Our international arbitration and dispute resolution practice is consistently ranked as one of the best in the world. We have been involved in more than 250 proceedings in recent years for a variety of leading international corporations as well as for and against sovereign states and state-owned businesses. Our experience spans virtually all forms of international arbitration, and we have represented clients in a broad range of disputes in numerous forums and under many different substantive and procedural laws.

While the practices listed above are routinely integrated into client representations, the full range of the firm's capabilities is available to advance a client's interests in tax, antitrust, and export controls, and with respect to particular industries. All WilmerHale offices are connected by advanced telecommunications and computer networking equipment; the firm draws resources from all locations to provide "around-the-clock" service to clients.