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The GC Handbook

(This conference will be conducted in English)

Tuesday, 24 April 2018, 8:50am – 4:50pm

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SPEAKERS



Julian Cohen
Barrister, Gilt Chambers
Chairman – AM Session



Charlie Manzoni Q.C.
39 Essex Chambers
Keynote Speaker



François Renard
Registered Foreign Lawyer,
Head of Greater China Antitrust
Practice, Allen & Overy
Moderator – 3rd Grand Panel



Doug Clark
Barrister, Gilt Chambers, Hong
Kong and Adjunct Professor,
University of Hong Kong



Ravi Shankar
Senior Partner, Law Senate



Allison Goh
Associate Counsel, Singapore
International Arbitration Centre



Yen T. Florczak
Assistant Chief Intellectual
Property Counsel, APAC, 3M



Adrian Emch
Partner, Hogan Lovells
Chairman – PM Session



Robert W. Wachter
Co-head of the International
Dispute Resolution Group,
Lee & Ko
Moderator – 1st Grand Panel



Geert Goeteyn
Partner, Shearman & Sterling



Timothy Blakely
Partner, Morrison & Foerster



Catrina Lam
Barrister, Des Voeux Chambers



Henry Huang
Managing Partner,
Grandall Law Firm, Shanghai



Barbara Tsai
APAC Anti-Bribery and
Corruption Head & China Head
of Financial Crime Compliance,
USB



Dr. Ma Yi
Vice Chairman and Secretary-
general, Shanghai International
Economic and Trade Arbitration
Commission (Shanghai International
Arbitration Center (SHIAC))
Opening Address



Shaun Wu
Partner, Kobre & Kim
Moderator – 2nd Grand Panel



Djordje Petkoski
Partner, Shearman & Sterling



Charles Allen
Partner, Orrick,
Herrington & Sutcliffe



Wenny Huang
ICC Arbitration & ADR,
North Asia



William Tan
Managing Counsel, BASF China



Jingzhou Tao
Managing Partner, Dechert LLP

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(on or before 31 March 2018)

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SCHEDULE

8:50 – 9:05	Opening Welcome by Chairman Julian Cohen, Barrister, Gilt Chambers	12:45 – 13:55	Networking Lunch
9:05 – 9:25	Opening Address by Shanghai International Economic and Trade Arbitration Commission (SHIAC) Dr. Ma Yi, Vice Chairman and Secretary-General, SHIAC	13:55 – 14:00	Opening Welcome by Chairman Adrian Emch, Partner, Hogan Lovells
9:25 – 9:55	Keynote Session – Recent Developments Affecting Global International Arbitration and its Effects in China – 2018 Charlie Manzoni Q.C., 39 Essex Chambers	14:00 – 14:50	2nd Grand Panel – Understanding and Managing Internal Investigations in China Moderator • Shaun Wu, Partner, Kobre & Kim Panellists: • William Tan, Managing Counsel, BASF China • Yen T. Florczak, Assistant Chief Intellectual Property Counsel, APAC, 3M • Barbara Tsai, APAC Anti-Bribery and Corruption Head & China Head of Financial Crime Compliance, USB
9:55 – 10:20	Advising on M&A Disputes – China and Regional Focus Jingzhou Tao, Managing Partner, Dechert LLP	14:50 – 15:25	Dealing with Cartels – What to look out for in 2018 • Geert Goeteyn, Partner, Shearman & Sterling • Djordje Petkoski, Partner, Shearman & Sterling
10:20 – 10:45	Cross Border IP disputes – Can Arbitration Play a Role Doug Clark, Barrister, Gilt Chambers & Adjunct Professor, University of Hong Kong	15:25 – 15:50	Short Break & Afternoon Refreshment
10:45 – 11:10	Networking & Morning Refreshment	15:50 – 16:40	3rd Grand Panel – Ask the Experts – Panel Regional Discussion – Grasping Leniency in Different Regions (China, US, HK Focus) Moderator • François Renard, Registered Foreign Lawyer, Head of Greater China Antitrust Practice, Allen & Overy Panellists: • Doug Clark, Barrister, Gilt Chambers & Adjunct Professor, University of Hong Kong • Catrina Lam, Barrister, Des Voeux Chambers • Djordje Petkoski, Partner, Shearman & Sterling
11:10 – 11:40	FCPA – Trends and Challenges for Counsel Timothy Blakely, Partner, Morrison & Foerster	16:40 – 16:50	Closing Remarks & Lucky Draw
11:40 – 12:00	Insolvency in Hong Kong: Southwest Pacific Bauxite Delivers A Victory to the Arbitration Community, But at a Cost to Creditors Charles Allen, Partner, Orrick, Herrington & Sutcliffe	17:00 – 18:00	Networking Cocktail Party
12:00 – 12:45	1st Grand Panel – Expedited Procedures and Costs in International Arbitration – Regional Panel Moderator • Robert W. Wachter, Co-head of the International Dispute Resolution Group, Lee & Ko Panellists: • Ravi Shankar, Senior Partner, Law Senate • Wenny Huang, ICC Arbitration & ADR, North Asia • Allison Goh, Associate Counsel, Singapore International Arbitration Centre • Henry Huang, Managing Partner, Grandall Law Firm, Shanghai		

Julian Cohen, Barrister, Gilt Chambers

Julian has nearly 25 years of specialist experience of heavyweight international commercial arbitration in Asia Pacific, the Middle East and Europe. In addition to acting as counsel, he also acts sits regularly as an arbitrator. His areas of practice include a wide range of company and commercial disputes as well as construction and engineering arbitrations. He was called to the Bar in England in 1990, became a solicitor in 1993, and moved to Hong Kong in 1998. He was a Partner in the Construction and Engineering Disputes practice of Pinsent Masons before moving to the Hong Kong Bar in 2010. Julian has been recognised as one of the world's leading construction disputes lawyers (Expert Guides 2013 and 2015) and lectures and writes regularly on arbitration related topics.

Adrian Emch, Partner, Hogan Lovells

Adrian Emch started focusing on antitrust law while at university. After graduation, he first worked at the Directorate-General for Competition (DG COMP) at the European Commission, and then spent several years in private practice in Brussels working on EU competition law matters. In July 2008, a month before the country's Anti-Monopoly Law came into force, Adrian made his second move to China. Since that time he has been stationed in Beijing, working on Chinese (and more recently Hong Kong) antitrust matters.

Dr. Ma Yi, Vice Chairman and Secretary-general, Shanghai International Economic and Trade Arbitration Commission (Shanghai International Arbitration Center (SHIAC))

Dr. Ma Yi is the Vice Chairman and Secretary-General of Shanghai International economic and Trade Arbitration Commission (Shanghai International Arbitration Center) (SHIAC). Dr. Ma serves as the arbitrator of various arbitration institutions, including South China International economic and Trade Arbitration Commission (SCIA), Shanghai arbitration Commission (SHAC) and so on. Before joining SHIAC, Dr. Ma engaged in lawyer management and relative legal works in long term. He was the former Director of the Department of Managing Lawyers of Shanghai Bureau of Justice, and Deputy Secretary of CPC Committee of Shanghai Bar association.

Dr. Ma was actively involved in the opening up of lawyer service market in the China (Shanghai) Pilot Free Trade Zone. HE is one of the principal drafters of the Implementation Measures for Mutual assignment of Lawyers to Serve as Legal Consultants by Chinese and Foreign Law Firms in China (Shanghai) Pilot Free Trade Zone and the Implementation Measures for joint operation between Chinese and Foreign Law Firms in China (Shanghai) Pilot Free Trade Zone.

Charlie Manzoni Q.C., 39 Essex Chambers

As a qualified Mechanical and Electrical Engineer, Charles worked in the international development department of a multi-national blue chip industrial company for five years before qualifying as a lawyer and entering private practice. Charles's work involves mainly international litigation, arbitration and mediation across a broad spectrum of commercial work. He acts as counsel in the High Courts of London and Hong Kong, in international and domestic arbitrations, acts as a mediator and conciliator in cross border disputes and regularly sits as a sole arbitrator or as part of a three man tribunal. He has an expanding Sports law practice, and sits as an arbitrator with the Court of Arbitration for Sport He was appointed QC in London in 2009 and SC in Hong Kong in 2012.

Robert W. Wachter, Co-head of the International Dispute Resolution Group, Lee & Ko

Robert Wachter is co-head of the International Dispute Resolution Group at Lee & Ko. Together with Sean Lim, he leads the team specializing in international arbitration and cross-border disputes.

Mr. Wachter has acted as counsel, arbitrator or arbitral secretary in international arbitration cases brought under the ICC, KCAB, VIAC, Swiss Chambers, SIAC, SCC, JCAA and UNCITRAL arbitration rules. He has represented corporations, trusts, and governmental entities in a wide range of contract disputes arising under shareholders agreements, joint venture agreements, M&A contracts, construction contracts, public private partnership (PPP) contracts, and long term energy and industrial supply agreements. He has worked extensively in a broad range of industries including the construction, automotive, shipping, energy and telecommunications sectors.

Mr. Wachter has lectured as an adjunct professor at Seoul National University School of Law, the Supreme Court of Korea (Judicial Research and Training Institute), and Ewha Womans University. He also regularly participates in conferences and seminars on international arbitration. He has published various academic articles about international arbitration and Korean law.

François Renard, Registered Foreign Lawyer, Head of Greater China Antitrust Practice, Allen & Overy

François Renard, a EU qualified lawyer with 20 years of experience in the antitrust field, has managed Allen & Overy's Greater China antitrust practice since November 2008. François has extensive experience advising Western and Asian clients on China, APAC, EU and other national competition laws, including merger control, anti-competitive agreements and concerted practices; intellectual property and antitrust interface; abuse of dominant position, market investigations and antitrust compliance. François is listed as a leading lawyer in PLCs antitrust cross border category in China, International Who's Who of Competition Lawyers, Global Competition Review (GCR), Chambers APAC and IFLR 1000, respectively. He is also the ILO Client Choice Award 2015 for the Competition & Antitrust category in China. François is regularly invited to speak at conferences throughout the APAC region and in Europe, and has published numerous articles on antitrust matters in Europe and China. He is a lecturer at the Institute of European Studies (Brussels) and he was invited as a visiting professor to one of the major Beijing universities (CUPSL) in 2014.

Timothy Blakely, Partner, Morrison & Foerster

Timothy Blakely is head of Morrison & Foerster's Hong Kong Litigation Department and a partner in the firm's Securities Litigation, Enforcement, and White-Collar Criminal Defense practice group. Mr. Blakely's practice focuses on government and internal investigations and complex commercial litigation and arbitration matters.

Mr. Blakely is a member of the firm's global anti-corruption and compliance team. He conducts internal investigations throughout Asia of potential violations of anti-corruption laws, leads pre-acquisition anti-corruption related due diligence and post-closing remediation, and regularly provides advice, counseling, and training to clients about FCPA and anti-corruption related issue.

Mr. Blakely is consistently ranked by Chambers as a leading lawyer in China for Corporate Investigations/Anti-Corruption, and was named to Global Investigation Review's inaugural "40 Under 40" list of the world's leading investigations lawyers under the age of 40. He is a regular speaker and writer on topics including international anti-corruption matters, cross-border shareholder litigation, government enforcement and investigations, international arbitration, and risk mitigation.

Geert Goeteyn, Partner, Shearman & Sterling

Geert Goeteyn, a partner in the firm's Brussels office, advises on all areas of EU competition, merger and regulatory law. He is qualified to practice law in Belgium as well as in England and Wales, and holds an LLM in European Law.

Mr. Goeteyn has represented a large number of clients in a wide variety of industries including agricultural seeds, automotive, aviation, biotechnology, consumer goods, oil, paper, telecommunications and high-tech. He advises clients on complex antitrust issues including merger remedy cases, cartel related issues (both in the context of European Commission investigations and private damages actions) and abuse of dominance cases.

Djordje Petkoski, Partner, Shearman & Sterling

Djordje Petkoski is a partner in the Antitrust practice.

He focuses on cartel investigations, complex antitrust litigation, and strategic counseling with an emphasis on antitrust and competition law.

Djordje has a broad competition law practice with a focus on criminal antitrust matters. He has represented over a dozen corporate and individual clients in cartel investigations by the U.S. Department of Justice and enforcers in other jurisdictions, including as lead counsel for significant corporate clients. He has also served as lead counsel for corporate clients involved in civil class actions that follow Department of Justice investigations.

Djordje conducted internal investigations relating to potential criminal violations of the Foreign Corrupt Practices Act, U.S. international trade laws, environmental laws and obstruction of justice conduct. He has also represented plaintiffs and defendants in multi-district and other complex litigation involving a variety of antitrust, RICO, Lanham Act, and other claims.

He regularly counsels clients on a variety of antitrust and competition matters and works with clients to design and implement compliance programs and incorporate compliance into corporate strategy. Djordje has written extensively on compliance and antitrust issues, has served as a panelist on these issues at American Bar Association events and has taught classes on compliance and antitrust at the Wharton Business School, including executive education courses attended by Fortune 500 compliance officers and senior risk managers.

Doug Clark, Barrister, Gilt Chambers, Hong Kong and Adjunct Professor, University of Hong Kong

Doug Clark is a barrister and arbitrator practising in Hong Kong. He has handled competition law related cases for over 15 years. Doug was formerly the managing partner of international law firm Hogan Lovells' Shanghai office. He has acted in a number of major SEP licensing disputes and has recently acted for a number of clients in relation to NDRC investigations and Anti-Monopoly Law lawsuits relating to licensing practices. Doug is an Adjunct Professor at the University of Hong Kong and the author of a number of legal texts as well as a history of British and American extraterritoriality in China and Japan between 1842 and 1943. He speaks Mandarin Chinese and Japanese.

Shaun Wu, Partner, Kobre & Kim

Shaun Z. Wu is a China-focused litigator and investigations lawyer who acts as lead counsel in high-stakes multijurisdictional litigation and internal investigations. He leads on Greater China-related matters and has extensive experience representing clients across the Asia-Pacific.

Mr. Wu often advises multinational corporations, boards of directors, audit committees and senior company executives in white collar criminal defense and internal investigations. In particular, he focuses on the U.S. Foreign Corrupt Practices Act (FCPA), anti-corruption, anti-bribery, fraud or other regulatory enforcement matters in which clients rely on his deep business knowledge and language skills. Chambers Global 2018 and Chambers Asia-Pacific 2018 ranked Mr. Wu as a leading individual for Dispute Resolution (International Firms). The Legal 500 Asia Pacific 2017 also recognized Mr. Wu for Dispute Resolution: Litigation and noted that he "is praised for his handling of China-related matters and 'does an excellent job conveying the case across cultural and linguistic barriers.'"

Mr. Wu has acted in a wide range of Asia-foreign disputes involving governments, state-owned enterprises, multinational corporations and high-net-worth individuals, including litigation and arbitration under the International Chamber of Commerce (ICC), Hong Kong International Arbitration Centre (HKIAC), Singapore International Arbitration Centre (SIAC), United Nations Commission on International Trade Law (UNCITRAL) and other rules. Such matters include many joint venture, project, infrastructure, energy, oil and gas, construction, telecommunications, media, technology, financial services and general commercial disputes.

In recognition of his achievements, Mr. Wu won an "Individual of the Year" Award for Dispute Resolution at the ALM China Law & Practice Awards 2015 in Beijing, and was named one of a select few finalists for "Disputes Star of the Year" at the Asialaw Asia-Pacific Dispute Resolution Awards 2016 and 2017. Mr. Wu is a frequent speaker at international conferences, and has also contributed as expert and author to many leading publications. He is a native Mandarin Chinese speaker and also speaks Cantonese.

Charles Allen, Partner, Orrick, Herrington & Sutcliffe

Charles Allen, a partner in Orrick's Hong Kong office, heads the Commercial Litigation and International Arbitration practice in Hong Kong. Charles Allen has over 20 years' experience conducting high-value complex commercial litigation and arbitration in the Asia Pacific Region. Advising and assisting on a variety of business disputes, as well as regulatory and other investigations, employment law issues and transactions, Charles acts for a range of clients, including individuals, private and listed companies, multinationals, conglomerates and financial institutions. Charles conducts litigation in the High Court of the Hong Kong SAR, and is regularly involved in cases taking place in courts in other jurisdictions around the Region, including Mainland China, Singapore and India.

On behalf of clients, Charles has handled numerous ad hoc and institutional arbitrations in Hong Kong, London, Lausanne, Paris and elsewhere under various rules including ICC, LCIA, UNCITRAL and LMAA, and has handled some of the highest profile arbitration-related litigation adjudicated on by the Hong Kong courts in recent years. He also sits as an arbitrator, and has been appointed to the Singapore International Arbitration Centre's Reserve Panel of Arbitrators.

Charles has been consistently recognized by various prestigious legal publications such as Chambers Asia, Asia-Pacific Legal 500 and Who's Who Legal. He gains high praise from his clients and peers for being "very knowledgeable, experienced and down-to-earth". One impressed source refers to him as a "shrewd tactician" who "brings a wealth of experience to his cases," adding that he is "very hands-on in his approach." He is "a very sharp and tactical lawyer - one of the best people to instruct in Hong Kong." Prior to joining Orrick, Charles was since 2007 a partner and a member of the Office of General Counsel of Sidley Austin in Hong Kong.

Ravi Shankar, Senior Partner, Law Senate

S. Ravi Shankar is an International arbitration lawyer practising in the field of arbitration and corporate dispute resolution. He is a Senior partner in the New Delhi based Lawsenate law firm. He is a qualified Advocate on Record in the Supreme Court of India. He is also the president of "Arbitration Association of India" which is a national body of practitioners, arbitrators and users. He is holding a Post graduate degree in Business Administration and a degree in the field of law. He is having about 20 years of experience in the field of dispute resolution and has travelled across the globe on various assignments. He has published various publications in the field of law particularly in the field of Arbitration. He also has addressed various international and domestic conferences in the field of Dispute resolution. He has handled various high value arbitrations and litigations in India and outside India. He is an active member of various international professional organisations including IBA, ICCA, IAA, IAI, AAI etc..

Catrina Lam, Barrister, Des Voeux Chambers

Catrina was called to the Bar in 1999 and enjoys a broad and robust civil practice covering a wide range of commercial disputes, as well as competition, securities and public law. Katrina has considerable experience in handling competition law matters. She has been advising and appearing in Competition Commission v Nutanix Hong Kong Ltd & Ors, the first case commenced before the Competition Tribunal after the Competition Ordinance came into effect in December 2015.

She has advised major telecommunication companies on licensing and competition issues. She appeared on behalf of PCCW-HKT in two of the first cases on competition law before the then Telecommunications (Competition Provisions) Appeal Board (led by Sir Peter Roth QC, currently The Hon Mr Justice Roth of the High Court of England and Wales and the President of the Competition Appeal Tribunal in the United Kingdom). She is on the Competition Commission's Panel of External Counsel and was recently appointed as a Non-Governmental Adviser to the International Competition Network. She is also a member of the Hong Kong Bar Association's Special Committee on Competition Law. In October 2016, she was selected by the HKBA as one of four counsel to undertake a secondment at Monckton Chambers, a leading London set specializing in competition law. She completed a Postgraduate Diploma in EU Competition Law at King's College London in 2017 and was ranked an Up and Coming Barrister in Chambers & Partners Asia Pacific 2018.

Wenny Huang, ICC Arbitration & ADR, North Asia

Ms. Wenny Huang works for International Chamber of Commerce, Arbitration & ADR for North Asia. Ms. Huang holds LL.M degree specializing in Arbitration and Dispute Resolution from City University of Hong Kong (CityU) and LL.B degree (major in International Economic Law) from East China University of Political Science and Law. Ms. Huang also holds the Fellowship of Chartered Institute of Arbitrator (FCIArb).

Before joined the ICC, Ms. Huang worked as the legal counsels in several Fortune 500 companies and she has served as the in-house counsel to participate several arbitrations cases (including HKIAC, SIAC, SHIAC, CIETAC, etc.).

Allison Goh, Associate Counsel, Singapore International Arbitration Centre

Allison graduated with a LL.B. (Hons) from the National University of Singapore and a LL.M. from Peking University. She is admitted to practice as an Advocate & Solicitor of the Supreme Court of Singapore. Prior to joining SIAC, Allison was an associate at a leading law firm in Singapore.

Allison is fluent in English and Mandarin.

Henry Huang, Managing Partner, Grandall Law Firm, Shanghai

Mr. Huang has rich experience in the following areas: crossborder investment and financing, M&A, financial service innovation, commercial dispute settlement. His services include the structural design of cross-border investment, management of onshore and offshore M&A; financial services, in particular, the services relating to innovation and financial regulatory compliance. He is also an expert in corporate and commercial dispute settlement.

William Tan, Managing Counsel, BASF China

Managing Counsel for BASF China Functional Materials and Solutions, and Agricultural Solutions, PhD. East China University of Political Science and Law, CIETAC Arbitrator

Before joining BASF, William worked for BP for 7 years and BorgWarner (a US auto part manufacturer) for 3 years. William used to work for Boss & Young, attorney at laws; and CMS Shanghai Office before turning to in house jobs.

Yen T. Florczak, Assistant Chief Intellectual Property Counsel, APAC, 3M

Yen Florczak is the Assistant Chief Intellectual Property Counsel, APAC since 2016 where she leads a team of IP professionals supporting 3M's APAC subsidiaries. Prior to assuming her current role, Yen served as Assistant Chief IP counsel to multiple 3M St. Paul and Austin based businesses. During her 3M career, Yen has also been product development engineer at 3M. Prior to joining 3M, Yen was at Abbott Laboratories in Chicago, Illinois.

Yen received her J.D. from the University of Minnesota Law School. She has been admitted to the Minnesota Bar and the United States Patent & Trademark Office. Prior to law school, Yen received her Bachelors of Science degrees from the University of Minnesota in Chemical Engineering and in Material Science and Engineering.

Barbara Tsai, APAC Anti-Bribery and Corruption Head & China Head of Financial Crime Compliance, USB

Ms. Tsai is a senior compliance counsel with deep experience in the financial services industry. She is currently the APAC Head of Anti-Bribery and Corruption at UBS, based in Shanghai. She also serves as the China Head of Financial Crime Compliance. UBS is a global bank headquartered in Switzerland with a platform that includes wealth management, investment banking and asset management. Ms. Tsai is responsible for overseeing UBS's APAC-wide anti-bribery & corruption program, including annual risk assessments, the gifts & entertainment program, third-party intermediaries, due diligence processes, training, internal investigations, among others. She is also responsible for managing UBS's China Financial Crime Compliance program across its China entities.

Prior to joining UBS, Ms. Tsai was in private practice and advised multi-national corporate clients across different industries on anti-corruption compliance matters. Ms. Tsai began her career in the U.S. Department of Commerce's Office of General Counsel for International Trade Administration and represented the U.S. government's interests before U.S. courts, NAFTA and WTO panel proceedings. Ms. Tsai holds a Bachelor of Science from Georgetown University's School of Foreign Service and attended law school at the George Washington University Law School. She has been based in China since 2006.

Jingzhou Tao, Managing Partner, Dechert LLP

Jingzhou Tao is the Managing Partner at Dechert LLP responsible for developing the firm's Asian practice. He has more than 30 years of experience advising Fortune 500 companies on China-related matters. He has acted as counsel, chief arbitrator or party-nominated arbitrator in over a hundred international arbitration proceedings. International arbitration related positions currently held by Jingzhou include: Member of the Court, ICC International Court of Arbitration since 1999; Member of the Advisory Committee of China International Economic and Trade Arbitration Commission (CIETAC); Member of Arbitration Advisory Board of Hong Kong International Arbitration Centre (HKIAC); Member of the Board of Trustee of Foundation International for Arbitration Advocacy; Member of the Editorial Board of Global Arbitration Review.

He is a listed arbitrator for arbitration institutions including AAA, HKIAC, SIAC, VIAC, KLRCA, CIETAC, SHIAC, BAC, as well as the Court of Arbitration for Sport.

Mr. Tao is a frequent speaker among the legal world and has also published many articles in Chinese and international legal and business publications. He is also an adjunct professor at Peking University Law School, East China University of Political Science and Law, China University of Political Science and Law for the MBA program, and a specially-invited professor of law for the International Arbitration Program at Tsinghua University School of Law.

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The Organiser

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