

## China Competition Law

### OVERVIEW

The economy of the People's Republic of China (PRC) has undergone a rapid transformation in a relatively short time—as have its antitrust and competition laws and regulations. Since the country's Anti-Monopoly Law (AML) was implemented in 2008, the Supreme Court of China (SPC) has redefined many of its judicial procedures, while the Ministry of Commerce (MOFCOM), the National Development and Reform Commission (NDRC) and the State Administration of Industry and Commerce (SAIC), among other bodies, have begun to aggressively enforce the newly enacted law.

MWE China Law Offices is a well-recognized leader in the field of antitrust and competition law in China, and has been advising clients on the potential effects of the AML even while it was still under development. MWE China lawyers have firsthand knowledge of legislative, judicial and enforcement agency practices, and are among the select group of practitioners permitted to work directly with local and state officials. In recognition of the quality of its antitrust counsel, MWE China won the Competition Law Award in 2012 for PRC law firms by *China Law & Practice*, a leading law and business publication in China.

MWE China provides legal counsel in the full range of competition issues in China, including dominant business operator (dominant market player) behavior, multi-jurisdictional merger planning and review strategies, joint venture and strategic alliance structuring, leniency application strategies in international cartel investigations, antitrust issues arising from intellectual property transactions, and the negotiation of innovative remedies to regulatory and law enforcement investigations.

To provide even more efficient discovery and document-review services in relation to high-data transactional, litigation and regulatory matters, the MWE China Data Center was established in 2014—the first-ever e-discovery center of its kind in the PRC.

### KEY CONTACTS



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### RESULTS

- A global pharmaceutical company in the NDRC's anti-monopoly investigation into several of the client's pharmaceuticals and medical device divisions
- A multinational producer of nutritional products in an AML investigation by China's enforcement agencies and in leniency negotiations
- A global health care company in its filings with PRC antitrust authorities in relation to its merger with another multinational in one of the largest mergers in China's history
- A global producer in the confectionary industry with conducting an antitrust/competition audit of its Chinese subsidiary
- A global diversified manufacturing company in its antitrust filing with MOFCOM relating to its acquisition of a global chemical manufacturer
- A global manufacturer of paints and coatings, and PRC-listed company, in their antitrust filing with MOFCOM for a joint venture
- A global engineering company in its antitrust filing with MOFCOM relating to its acquisition of a local steel manufacturer
- A global steel producers in its filings with PRC antitrust authorities in relation to its acquisition of a PRC iron and steel manufacturer
- A manufacturer and supplier of process control and yield management solutions for the electronics industry in its filings with PRC antitrust authorities related to its acquisition of a manufacturer of inspection and measurement systems for the semiconductor industry
- A Chinese food agricultural products and food ingredients producers on a range of matters concerning PRC antitrust law, including drafting legal opinions and providing in-depth research and analysis for significant antitrust cases brought by PRC antitrust authorities