



## → Michael X.Y. Zhang

### Partner

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Michael Zhang is a partner in the Corporate Practice Group, Antitrust Practice Group and the Intellectual Property Practice Groups. Michael is also the Managing Partner of the firm's Shanghai office. He has a deep understanding of China's legal system and business practices.

### Areas of Practice

Michael has broad experience in the areas of corporate law, corporate restructuring, antitrust law, intellectual property law, cybersecurity law and personal information protection law in China.

He has represented many U.S. and European clients in a wide range of industries with respect to their mergers and acquisitions, joint venture projects, operations and debt restructurings in China and Asia regions, including life science and healthcare, internet technology, co-working space, automobile, logistics, material hi-tech, telecommunication and software sectors.

With extensive knowledge of international business transactions, Michael has represented leading Chinese companies in their outbound equity and asset transactions outside Mainland China, in the industries of life science and healthcare, e-commerce and green technology.

Michael is experienced with IP licensing, IP due diligence and corporate IP protection within M&A transactions and joint venture projects. He also has expertise with the protection of his client's IP rights against counterfeiting and piracy in China.

With rich knowledge of China's and other East Asian countries' antitrust laws, Michael counsels U.S. and international clients, as well as Chinese local companies on international and PRC antitrust issues, with respect to pre-merger control, price fixing and monopolistic agreement issues.

Michael has intimate knowledge of PRC personal information protection laws and cybersecurity laws, and he has advised many U.S. and international clients on PRC privacy and data security issues.

### Honors

A-List: Growth Drivers, China Business Law Journal, 2023-2024

Thought Leader, Antitrust/Competition Law, *Mondaq*, Autumn 2023

Best Lawyers in China, *Best Lawyers*, 2020-2021

China's Elite 100 lawyers (Foreign firm), *China Business Law Journal*, 2019-2023

Client Choice Top 20 Lawyers in China, *Asian Legal Business*, 2016-2018

Recommended by China Business Law Journal at Healthcare, Pharma & Life Science Award of 2016 China Business Law Awards

## Experience

### Representative Matters

#### *Corporate and M&A.*

Represented a leading Chinese pharmaceutical group in multiple equity investment transactions in the US and European countries.

Represented ad hoc note holders committee in restructuring and liquidation of joint venture in China.

Represented a leading Chinese state-owned pharmaceutical group handling in its US equity investment projects.

Represented a leading US pharmaceutical company in its acquisition of a Chinese medical software company.

Represented a US Nasdaq listed pharmaceutical company in its joint venture transaction with a leading private pharmaceutical group in China.

Represented multiple venture capital funds in their strategic investment transactions in target companies in China and East Asia.

Represented a leading Chinese co-working space company in its investment projects in Vietnam, UK and Australia.

#### *Compliance (Antitrust, data privacy and labor).*

Represented international textile labelling company for its PRC pre-merger filing under a global acquisition transaction, and advised client re pre-merger filings at Asian jurisdictions.

Advised a world leading apparel brand company on personal information protection compliance and multi-level protection scheme.

Assisted a world leading shoe brand company on updating PRC customer privacy policy.

Advised a world education brand company on issues regarding PRC employee privacy policy.

Advised a US SaaS company on entering PRC market and data security issues.

Advised a world leading apparel brand company on data cross-border transfer issues.

Advised world leading sports brand company for its antitrust compliance action, and provided antitrust training for its China sales team; handled multiple complicated China related commercial contractual disputes for this client.

Advised Chinese leading mobile service carrier group regarding global and China antitrust issues of a patent pool.

Advised an US cold-warehousing company in setting up its Asian executive employment policies and contractual arrangements.

#### *Dispute*

Represented a famous capital management company in an international arbitration case at CIETAC involving a famous Chinese SOE.

## Articles

- Eye on Privacy 2021 Year in Review  
01.11.2022
- Suggestions On Regulatory Compliance With The New Anti-monopoly Law For Multinational Companies In China  
*China Law & Practice*, 10.01.2007
- Impact of New Anti-Monopoly Law of PRC on International Mergers and Acquisitions  
*China Legal Review*, 09.01.2007

## China Law Blog Posts

- "Amendment to China's Company Law (1): Contribution of Capital and Authorized Capital Concept," April 19, 2024
- "China Issues Regulations on Facilitating and Regulating Cross-Border Data Flow," April 11, 2024
- "Overview of Recent Anti-Corruption Enforcement Actions in the Pharmaceutical Industry in China," September 27, 2023
- "Regulatory Framework for Privately-Offered Investment Funds in China: Implications and Compliance," July 24, 2023
- "China to Establish National Bureau of Data," March 10, 2023
- "China Securities Regulatory Commission Issued Proposed Rules on Offshore Listing," January 13, 2022
- "Overview on China's New Draft Measures for Data Cross-border Transfer," November 5, 2021
- "HSR Considerations For Chinese Investors In U.S. Companies HSR," October 11, 2021
- "New Export Control Law: China Strengthens its Regulatory 'Great Wall'," November 17, 2020
- "Certainties and Uncertainties Under China's New Unreliable Entity List," September 22, 2020
- "Shanghai Pilot Free Trade Zone (PFTZ)," October 9, 2013
- "New Developments for Foreign Special Purpose Companies and Round-Trip Investment", July 5, 2011
- "Chinese Pre-Merger Notifications: Anti-monopoly Bureau of MOFCOM Plans to Launch Series of New Rules", March 17, 2009

## Antitrust Law Blog Posts

- "China Hands Milk Producers the Largest Anti-Monopoly Violation Fine," August 19, 2013
- "*Qihoo 360 v. Tencent*: A Landmark Decision under China's Anti-Monopoly Law," July 22, 2013
- "China's Supreme Court Issues New Rules On Civil Cases Based On Monopolistic Conduct," May 31, 2012
- "China Announces First Administrative Anti-Monopoly Case," August 22, 2011
- "Chinese Authorities Reject Coke-HuiYuan Acquisition Deal," May 13, 2009

- "Chinese Pre-Merger Notifications: Anti-monopoly Bureau of MOFCOM Plans to Launch Series of New Rules," March 6, 2009
- "China's New Merger Rules," August 15, 2008
- "Private Civil Lawsuits Under China Anti-Monopoly Law," April 7, 2008
- "The Current Anti-Monopoly System of China and Impact of New Anti-Monopoly Law," November 14, 2007
- "Covenant Not to Sue and Its Technology Monopoly Impact," June 6, 2007
- "China Premerger Notification Rules," May 7, 2007

## **U.S. Legal Insights for Korean Businesses Blog Posts**

- "New Red Flag for Multinationals: Retail Price Maintenance on Chinese AML Regulator's Radar," May 10, 2015

## **Privacy Law Blog Posts**

- "China Draft PIPL Measures Outlines Thresholds for CAC Security Assessments," November 11, 2021

## **Global Trade Law Blog Posts**

- "Potential Sanctions for Alleged Intellectual Property Theft on the Horizon?," January 19, 2023

## **Speaking Engagements**

Co-Presenter, "Establish Your U.S. Compliance System: A Strategic View from China and the United States," China Intellectual Property Magazine, October 21, 2021

Speaker, "Recent Trends in Inbound and Outbound M&A Transactions for China," Sheppard Mullin, Seoul, Republic of Korea, August 2017

Speaker, "Are You Really Ready To Be a Transactional Lawyer?" East China University of Politics Science and Law, Shanghai, China, October 2016

Speaker, "On Your Way to China? – Basic ABCs for Corporate Investment in China," Korea In-house Counsel Association, Seoul, Republic of Korea, October 2014

## **Events**

China Evergrande and Current Financial Issues for Chinese Real Estate Developers  
Webinar, 03.10.2022

When Your Customer Declares Bankruptcy in the United States: How to Do Business with Financially Troubled Companies, and What to Do After They File Bankruptcy  
Webinar, 07.07.2020

New Trends in Life Science Transactions in the US and China  
05.24.2018

## Podcasts & Webinars

Nota Bene Episode 167: New Restrictions on Investment in China with Michael Zhang and Reid Whitten of Sheppard Mullin  
08.24.2023

Nota Bene Episode 91: China Q3 Check In - Trade Wars, GDP Growth, Pandemic Comparatives, and Hong Kong with Michael Zhang  
08.05.2020

When Your Customer Declares Bankruptcy in the United States: How to Do Business with Financially Troubled Companies, and What to Do After They File Bankruptcy  
07.06.2020

Nota Bene Episode 74: Emerging from COVID-19: China Restarts Its Engine with Shanghai's Michael Zhang  
03.25.2020

Nota Bene Episode 41: China's Perspective on the U.S.-China Trade War and the Impact on Both Economies with Michael Zhang  
06.26.2019

## Practices

Corporate

Mergers and Acquisitions

Antitrust and Competition

Healthcare

Intellectual Property

International Reach

China

Korea

Antitrust Counseling and Compliance

Bankruptcy Litigation

Criminal Antitrust and Cartel Investigations

Distressed Acquisitions Under Bankruptcy Code  
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Governmental Practice

Intellectual Property / Antitrust

International Counseling

Privacy and Cybersecurity

## Industries

Healthcare  
Life Sciences  
Semiconductors  
Transportation

## Education

LL.B., Law School of Shanghai University of International Business and Economics (formerly Shanghai Institute of Foreign Trade)

## Admissions

National Bar Exam  
Non-practicing People's Republic of China attorney

## Languages

Chinese (Mandarin)