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金茂簡介

金茂律师事务所（“金茂所”或“本所”）于1988年12月24日在中国上海市正式成立，是中国历史最悠久的合伙制律师事务所之一，三十多年来持续为客户提供高水准专业法律服务，并稳健地朝着“百年金茂”的目标迈进。金茂所拥有律师和辅助人员超过二百位，现有一级律师两位、高级职称律师七位以及大批具备专业特长并曾在海外留学或在国际律师事务所积累了丰富经验的律师。

过去三十多年来，金茂律师在上海及中国的多项里程碑式交易中发挥了重要作用，是中国改革开放当之无愧的历史见证者。继往开来，金茂所业务范围不仅涵盖金融证券、外商投资与公司、基础设施房地产与城市更新、海事海商与物流、劳动与人力资源、国际国内争议解决等传统强项，也与时俱进地开拓了环境资源与能源、医疗健康与生命科学、知识产权与信息技术、体育艺术教育与、家事法商与财富管理、两岸法律事务、网络安全和数据保护、公司调查与刑事合规、反垄断与竞争法等前沿领域，该等业务板块基本覆盖了各个重要及新兴的法律领域。

金茂所扎根上海，在国际化战略指导下稳健发展。本所总部位于上海，在香港特别行政区、江苏省昆山市、江苏省常熟市和中国（上海）自由贸易试验区临港新片区设有分所，并与日本东京岩田合同律师事务所、香港黄新民律师行、台湾立勤国际律师事务所、北京望衡律师事务所等建立合作。自创建以来，金茂所与美国、加拿大、英国、德国、瑞士、挪威、澳大利亚、韩国、新加坡、巴西和台湾等多个国家与地区的优秀律师事务所建立了长期稳定的合作关系。

JIN MAO Law Firm

金茂榮譽

由于在专业领域取得的杰出业绩以及在国际同业中的良好声誉，金茂所多次获得国际性专业荣誉，包括 **CHAMBERS & PARTNERS、ASIA LAW、LEGAL 500、ALB、CHINA BUSINESS LAW JOURNAL** 等专业法律刊物多次将金茂所列为**中国排名领先的律师事务所之一**。

以下的“金茂荣誉年鉴”简要回顾自成立以来，金茂所在中国所获的多项荣誉、表彰和认可：



■ Chambers and Partners

大中华区推荐领域：
公司 / 商事(上海)

■ China Business Law Journal

卓越综合实力律所(上海)
卓越表现律所
卓越公益律所
银行及金融
金融科技及区块链
政府与公共事务
建筑及基础设施
知识产权(版权)

■ ALB

中国十五佳成长律所
中国十五佳长三角地区本地律所
解决纠纷律师事务所大奖
上海律师事务所大奖
最具潜力律师事务所大奖



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金融證券

■ 銀行

银行融资法律业务是金茂所的传统优势法律服务领域。金茂所曾为浦东新区首批国际银团贷款项目、世界银行及亚洲开发银行的基础设施贷款项目提供法律服务，并参与了法国兴业银行、荷兰合作银行、瑞银集团、新加坡星展银行等多家外资银行的人民币融资项目。上海浦东发展银行、中国工商银行、中国农业银行、国家开发银行作为牵头人的多个人民币银团贷款项目，金茂所均作为银团律师提供全过程法律服务。金茂所曾协助多个银行开展供应链金融业务、发放 FTN 贷款以及开展银信证保合作、理财资金投资等项目，并协助企业客户获取境内外银行融资支持。

作为中国人民银行主管的中国银行间市场交易商协会首批中介机构会员单位，金茂所已经为多家大型企业的超短期融资券、短期融资券、中期票据、统一注册债务融资工具等品种的债务融资成功发行提供了法律服务。

■ 證券

金茂律师事务所是 1993 年经中国司法部及证监会批准，第一批取得从事证券法律业务资格的律师事务所。2000 年金茂所又获中国司法部及证监会认定为首批具有从事拥有境内权益的境外上市公司股票发行和上市法律业务资格的律师事务所。

自 1993 年以来，金茂所为数百个中国企业和海外企业的重组、改制和股票发行、上市项目提供了法律服务，其中包括中国首例 B 股配股、中国首例纯 B 股增发 A 股、中国首例两家上市公司“并壳让壳”重组、首例中国企业直接收购海外上市公司、首批中国企业赴香港创业板上市、首批外商投资企业上市、股权分置改革后首例国有大型企业集团换股吸收合并整体上市、首批上市公司公司债、首批中小企业私募债、全国首家自贸试验区债务融资工具、上海地方国企首家银行间市场统一注册债务融资工具（DFI）等多起著名案例。金茂所在企业境外发行可交换债券、高级美元债券、境外银行融资等方面也有较多成功案例，参与的项目曾获评 CHINA LAW & PRACTICE 中国法律商务年度杰出交易奖。

由金茂所提供上市法律服务的多家企业已经在美国纳斯达克（NASDAQ）、香港主板（HKEX）、香港创业板（GEM）、新加坡证券交易所（SGX）、瑞士、德国以及中国主板、创业板、科创板等证券市场上市，并编著了《科创企业运营与上市法律实务》等相关专著。

■ 保險

中国保监会于 2010 年起陆续公布关于保险资金运用的一系列规章制度，金茂所已适时投身于该项新兴法律业务。2015 年 1 月 22 日，金茂所全程参与的“太平洋—大唐重庆渝能债权投资计划”在中国保险资产管理业协会“保险资产管理产品注册发行系统”完成电子化注册流程，成为该系统上线运行后注册成功的首单产品。目前，金茂律师已经为中国人保、太平保险、太平洋保险、光大永明、工银安盛等保险机构发起的数百单保险资金投资计划成功提供了法律服务。

■ 信託和資產證券化

金茂所与多家信托公司、证券公司和基金管理公司建立了长期稳定的合作关系，金茂律师出任国内首批基金管理公司的独立董事。自 2014 年起，金茂所积极参与了多单资产证券化产品的法律服务。

■ 證券投資基金和私募股權基金

金茂所已为多个国际和国内私募股权基金的募集、投资、管理和退出项目提供了法律服务，系上海股权投资协会会员单位。金茂所积极参与上海市关于 QFLP、QDLP 等跨境私募投资基金试点政策的调研，为洲岭资本（LYFE CAPITAL）、汇勤集团（WELKIN CAPITAL）、世邦魏理仕投资集团（CBRE INVESTMENT）、邀问创投等境内外基金管理人和投资企业提供法律服务。同时，金茂所熟悉基金境外直接投资（ODI）的境内监管政策，为鼎晖百孚、上海国和、千骥医疗等多支基金投资境外项目和红筹架构境外主体提供法律服务，在符合国家大政方针的前提下支持基金开展理性境外投资。

■ 地方金融行業

金茂所积极参与融资租赁、商业保理、典当、融资担保、小额贷款、互联网金融、地方资产管理公司、大宗商品现货交易市场的设立、变更和经营管理法律服务，先后成为上海市担保行业协会和上海小额贷款公司协会的会员、中国服务贸易协会商业保理专业委员会创始会员，当选上海市商业保理同业公会监事长和上海浦东商业保理行业协会副会长，参与主编了全国首批“商业保理培训系列教材”；当选上海市融资租赁行业协会理事，并成为上海市互联网金融行业协会的会员单位。

■ 期貨和衍生品行業

金茂所在期货和衍生品领域有着丰富的服务经验。金茂所担任上海期交所的常年法律顾问，并且为上海市场外大宗商品衍生品协会的会员单位。期货业务方面，为期货经营机构提供合规、风险管理等法律服务。衍生品业务方面，金茂所为工商银行上海分行、永丰（中国）银行总行、日本瑞穗银行多家内外资银行提供 ISDA 协议和 NAFMII 协议相关的法律服务，包括但不限于法律意见书的出具、合同审核以及交易谈判；亦擅长对衍生品交易纠纷的处理，承办或参与多件衍生品交易纠纷案件。

外商投資與公司

■ 外商投资

在外商在华投资领域，金茂所于 2000 年 9 月即经上海市外国投资工作委员会批准授予外商投资项目咨询代理资格。金茂律师具有以英语、法语、德语、韩语和日语等多种语言工作的能力。自 1990 年以来，金茂所为多家世界五百强的跨国公司在华直接投资和再投资设立中外合资企业、中外合作企业、外商独资企业，外商在华股权或资产兼并收购、外商投资企业资产重组及清算提供了全面的法律服务。上海汽车与德国大众的合作谈判，是金茂律师办理的典型案例之一。2010 年 10 月，金茂所因在涉外法律服务领域的突出成绩，被上海市商务委员会和上海市司法局认定为首批“上海市专业服务贸易重点单位（法律服务类）”并获得持续政府资金支持至今。金茂注重理论与实践相结合和相促进，编著了《外商投资法律实务》等相关专著。

■ 破产与重组

金茂所于 2015 年入编上海市企业破产案件管理人名册，现已形成一支由近三十名执业经验丰富的合伙人律师牵头组成的专业法律服务团队，通过分组高效办案和重大案件整合的灵活办案方式，探索建立繁简分流的办案制度，勤勉履行法院指定的破产管理人职责，维护债权人、债务人合法权益，致力于企业挽救重整、和解与清算退出事务。

金茂所重视破产与重组业务的深耕与拓展，金茂所律师专注于包括债务重组、破产重整、和解、清算、公司解散与清算、不良资产投资、金融机构风险处置等在内的相对独立、自成一体业务模块，在相关业务领域积累了丰富的经验。金茂所与审计、评估、拍卖、产权交易、资产管理、银行证券、公共媒体及公证、税务、工商等政府部门、具有公共事务管理职能的组织均保持着良好的沟通，可为企业相关问题提供整体性解决方案和系统性支持。

■ 境外投资

在境外投资领域，金茂所通过香港分所和合作所日本岩田合同法律事务所、立勤国际法律事务所，以及数十年来与美国、英国、德国、法国、瑞士、挪威、澳大利亚、加拿大、巴西、韩国、新加坡和台湾地区等各家律师机构建立的稳定合作网络，帮助多家国内大型企业投资境外，包括设立离岸公司。金茂所成功地为上海国际港务（集团）股份有限公司等多家国企和民营企业及人民币和美元基金境外直接投资收购（ODI）项目提供了法律服务。

■ 公司并购

在国内资产重组和并购领域，金茂律师具有招投标见证资格、外经贸企业改制主协调人资格、国有产权界定业务资格、企业登记代理资格和产权、文化经纪人资格。曾为多家国有和民营企业的改制、重组和资产并购提供法律服务。



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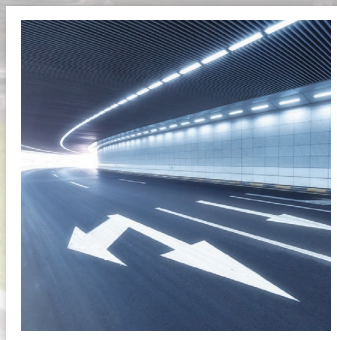
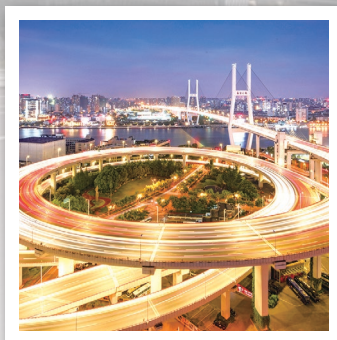
基礎設施、房地產與城市更新

■ 房地产法律服务

自二十世纪九十年代起，金茂律师即活跃于房地产法律服务市场，所提供服务贯穿融资、前期、规划、开发、建设、销售、出租、物业管理全过程，曾为多宗商业、办公和住宅项目提供法律顾问服务。金茂服务的地产项目包括金茂大厦、上海证券大厦、国家开发银行大厦、市政大厦、中国银行大厦、工商银行大厦、世博中心、东方体育中心等一大批上海地标性建筑。近年来，金茂所承办了多个“示范性”房地产项目，为多个重大项目提供房地产全流程法律服务，成功代理多起土地出让、房地产类诉讼、仲裁案件等。同时，作为国内外多家房地产私募基金的法律顾问，金茂也参与了大量的房地产收购和转让项目。

■ 城市基础设施和建设工程施工

金茂所在城市基础设施和建设工程施工法律服务领域一直居行业领先地位，对采用工程总承包、施工总承包等方式进行重大基础设施建设、工程项目建设极富法律经验。



数十年来，金茂律师积极参与了重大基础设施的全过程法律工作。

- 上海地铁建设工程
- 南浦大桥
- 杨浦大桥
- 内环线高架
- 南北高架
- 延安路高架
- 沪嘉高速(中国第一条高速公路)
- 莘松高速
- 沪宁高速上海段
- 沪杭高速上海段
- 上海大连路隧道
- 上海复兴东路隧道
- 上海崇明长江隧道
- 东海大桥
- 洋山深水港
- 延安东路隧道复线(BOT)
- 上海东南郊环高速公路(BOT)
- 上海莘奉金高速(BOT)
- 北郊环高速(BOT)
- 宁波常洪隧道(BOT)
- 浙江省钱江通道及接线工程(BOT)
- 浙江奉化三高速公路(BT)
- 昆明市三环闭合工程(BT)
- 成都北部污水系统总体工程—城市污水处理厂三期工程 PPP 项目
- 邵武市生活垃圾焚烧发电厂 PPP 项目

近年来，金茂所在建设工程项目招投标管理、索赔与反索赔、竣工验收、保修、抵押、工程争议解决等全过程法律实务中，持续为政府、投资方、总包单位、运营商等多类型项目参与方提供不同视角的、精湛的全流程法律服务和解决方案。成功代理多起重大建设工程类诉讼、仲裁案件。同时，作为国内外多家金融证券企业的法律顾问等，金茂也积极参与政府、地方政府融资平台公司及社会资本方等的各项基础设施投融资项目。

■ 城市更新法律服务

近年来，金茂所深入跟进上海及长三角地区“标杆性”的城市更新项目，持续为城市更新和治理等工作的法律研究和项目推进建言献策，承办了多个“示范性”项目，为客户提供包括方案论证、交易架构搭建、项目融资、项目用地取得与施工建设、项目招商、项目运营等在内的全流程法律服务。

金茂所在提供城市更新领域专精法律服务方面始终处于前沿，受聘为上海市土地交易市场和上海联合产权交易所的首宗“场所联动”模式交易的城市更新项目——弘安里公司股权转让项目(虹口17街坊)、上海黄浦城市更新公司、无锡市首宗城市更新项目——火车站南广场片区等多个重要的城市更新项目及公司提供优质、专业、高效的法律服务的法律服务。



海事海商和物流

金茂律师致力于为港口和船公司、海空及陆上运输经营人、无船承运人、空运间接承运人、多式联运经营人、保险公司、保赔协会等提供海商海事、航空货物运输和物流，以及货运保险和运输责任保险等方面的法律服务，包括审查各种国际贸易单证、提供有关合规、安全保障和风险管理和控制的咨询意见和培训、申请无船承运人备案登记等。

JIN
MAO
Law Firm

勞動和人力資源

金茂劳动法专业律师均具有劳动人事法律业务的专业背景，不仅为客户提供劳动法律纠纷争议解决服务，更擅长于企业人力资源管理和规章制度的设计，各类企业和个人合作关系的建立和相关合同的设定，各项社会保险、公积金、商业保险和职工福利待遇的安排和索赔，企业职工持股和股权激励计划的制度性和合法性咨询等非诉讼劳动法律服务。

■ 人力资源法律培训

由培训讲师开发覆盖人力资源管理的法律实务课程，通过内训、沙龙、座谈等方式，为企业提供针对性的实务培训，提升其劳动合规能力，及时更新知识，把握趋势。

■ 劳动人事专项服务

根据客户的委托，由专门的律师团队帮助企业对人力资源管理中的劳动合同、特殊员工管理、灵活用工、企业工会、集体谈判、企业关停并转中的员工安置、员工股权激励计划、员工个人信息本地化存储及跨境传输等提供专项解决方案。

■ 劳动人事争议解决

由专门的律师团队协助企业处理劳资争议，寻求协商、谈判等辅助解决方案，并代理仲裁和诉讼，协助办理生效裁判文书的执行等。

國際國內爭議解決

争议解决为金茂所实力最为突出的业务板块之一，相关律师分为国际争议解决、国内民商事争议解决、国内行政争议解决和国内刑事诉讼等多个团队，并有多位律师被知名仲裁机构聘任为仲裁员和调解员。

在国际争议解决领域，金茂律师在海商海事纠纷、国际贸易纠纷、国际工程承包纠纷和国际投资争端解决领域享有盛名，所服务客户包括中外银行和保险公司、大型商社、港口企业和国际知名海运、货运和物流企业、保赔协会、外贸公司、具有对外贸易经营资格和对外承包工程经营资格的中国企业等，在各级法院的涉外民商事审判部门和各地海事法院、中国国际经济贸易仲裁委员会及其分会、中国海事仲裁委员会代理了大量国际争议解决案件，并与国际商会仲裁院（ICC）、伦敦国际仲裁院（LCIA）、香港国际仲裁中心（HKIAC）、新加坡国际仲裁中心（SIAC）等境外仲裁机构长期保持相互交流。

在国内民商事争议解决领域，三十多年来金茂律师在自最高人民法院以下各级人民法院、上海仲裁委员会、上海国际经济贸易仲裁委员会以及各地方仲裁委员会代理和办理了大量的民商事诉讼和公司解散清算等非诉案件。对公司、证券、保险、票据、破产清算、产品责任、婚姻家庭、继承、侵权、知识产权纠纷等疑难案件的处理尤其具经验。

在国内行政争议解决领域，金茂律师借助于长期服务多家政府部门的独特优势和参与行政许可、行政处罚、行政强制、政府信息公开、国有土地上房屋征收、集体土地征收等领域的多个重大司法调研课题起草的实务经验，深入参与重大征收类、许可类、处罚类行政案件以及行政协议、金融监管、政府采购、行政指导、行政复议和行政诉讼等各类型行政案件。

在国内刑事诉讼领域，金茂的刑事业务团队秉承一体化团队服务理念，整合所内各专业领域资源，为客户提供一站式的刑事法律服务。刑事业务团队承办各类刑事案件，特别是在细分领域，如金融证券犯罪、知识产权犯罪、上市公司犯罪、职务犯罪等金融、经济案件的辩护方面，团队都有深入、全面的研究，也曾承办过公安部、最高人民检察院等督办或交办的具有重大影响的刑事案件。



環境資源與能源



■ 环境保护

金茂所具备环境和法律行业双重背景的专业律师团队，多年来为众多知名世界 500 强企业、大型国企和上市公司提供环境法律服务，包括各类环境审批和许可、营运阶段的环境合规咨询培训和评估、并购过程中的尽职调查与合同谈判、争议解决过程中的调解、听证、行政复议、诉讼等，帮助诸多公司企业提升环保合规水平，防范和降低环境法律风险。编著《企业环境法律风险管理实务》《环境法律实务 争议解决与合规发展》等专著。

金茂所为众多环境治理项目提供了卓有成效的法律咨询服务，包括城镇生活污水处理、工业废水处理、生活垃圾焚烧发电与填埋、危险废物处置、静脉产业园等。

■ 碳和 ESG

积极应对气候变化，金茂所持续为客户提供双碳法律服务，包括碳政策法规标准的收集和分析解读，并为客户就碳排放战略、碳排放配额履约、碳交易、合同能源管理、争议解决等提供专项服务，就碳资产相关金融产品开发提供法律支持。金茂所还参与相关绿色金融政策及产品研究，为金融机构相关绿色金融产品的创新提供支持。

金茂所致力于可持续发展法律服务，通过及时准确地识别风险并提供切实可行方案，帮助客户提升在可持续发展、环境社会和治理（ESG）方面的表现。金茂所律师熟悉监管机构的信息披露准则和 ESG 报告要求，并就 ESG 报告提供专业验证服务。金茂所近年来持续为境内外上市公司及其供应商提供环境、社会及公司治理（ESG）内控管理现状评价与咨询、供应链风险管理合规服务、指导客户持续提升 ESG 相关指标的表现。与研究机构合作编写出版《ESG 理论与实务》专著。

■ 资源能源

金茂在资源能源领域的主要客户为外资、国企和民营企业，所涉及资源能源种类包括煤炭、石油、天然气等传统资源能源，也包括太阳能光伏发电、风能、氢能等新能源的开发利用；所提供的服务包括尽职调查、合同谈判、兼并收购等全过程法律服务。金茂律师的足迹已经踏遍陕西、新疆、内蒙、山西、贵州等众多省市。

JIN MAO Law Firm

醫療健康與生命科學

■ 医疗健康与生命科学

金茂所长期专注于医疗健康与生命科学领域，拥有专业知识深厚且法律经验丰富的优秀律师团队，同时具备医疗健康卫生行业和法律行业双重行业背景的合伙人律师，能充分应对不断发展和变化的医疗健康市场，满足客户的各方面需求，致力于为该领域客户提供一站式的全维度、全周期法律服务。

金茂所在医疗健康与生命科学领域拥有丰富的实战经验，长期担任多家医疗产业集团、生物医药企业、养老机构、医疗服务机构的法律顾问，既为其提供运营管理方面的专业法律服务，也提供境内外投融资、收并购、跨境交易服务、技术转让及许可服务(LICENSE-IN-/OUT)、机构运营风险控制服务、药品集中采购等全方位的法律服务支持，内容包括展开尽职调查、设计交易架构、参与商业谈判、起草交易文件、配合交割交接、协调政府关系等。客户的范围覆盖国有企业、民营企业和跨国公司，其中既包括成熟的大型企业，也包括成长期以及初创期的各类企业。

经过三十多年的耕耘与开拓，医疗健康与生命科学领域已成为金茂所的优势专业领域之一，金茂亦成长为目前国内为数不多、拥有医疗健康与生命科学全产业链、全生命周期的大型综合性律师事务所之一。

■ 健康与安全

在职业健康领域，金茂相关律师拥有在企业职业健康管理的丰富实践经验，在指导客户预防职业病、加强职业危害控制、职业病诊断鉴定、降低职业健康法律风险，维护劳动者权益等方面，拥有丰富的法律服务经验和诸多成功案例。

在安全生产和应急管理领域，金茂相关律师拥有国家注册安全工程师资格，具有在知名跨国公司从事安全管理的丰富实践经验，多年来为诸多公司和机构提供涉及安全生产、危险化学品、建设工程安全、物流安全、生物安全、公共安全、事故与危机管理等领域的法律服务。

知識產權與信息技術

■ 版权与商标

金茂所创立正值中国知识产权法律制度开始建立之时。多年来，金茂律师代理了一大批知识产权名案、大案和要案。其中如吴冠中画作赝品拍卖案、鲁迅稿酬案、越剧《红楼梦》版权案、芭蕾舞剧《白毛女》版权案、真假“英飞凌(INFINEON)”商标权和企业名称权冲突纠纷案，真假“钱柜(PARTYWORLD)”商标侵权和不正当竞争纠纷案均为经典知识产权案例，并被收录入相关法院案例选编或中国知识产权法律文书网。近年来，金茂所也为众多知名品牌提供从商标监控、申请、复审、异议、无效、撤三、行政诉讼，到侵权调查、投诉、诉讼等全流程的确权和维权服务。

■ 专利法律事务

在专利法律事务服务领域，本所拥有一支涵盖电子、通信、机械、化学、生物等领域的双证律师团队(专利代理人执业证、律师执业证)，能够通过专利预警、专利布局、专利检索分析，为权利人提供知识产权发展规划，协助企业提升知识产权竞争优势，建立专利保护壁垒；通过专利申请或专利无效复审，帮助权利人进入新市场、突破不利竞争局面、获取稳定而全面的专利权利。

金茂专利团队针对技术型、创新型企业在IPO上市过程中所涉知识产权权属、知识产权风险、核心知识产权及技术信息披露、研发投入绩效、核心技术范围及价值确认等重要事项进行专项尽职调查并出具专项法律意见。

金茂专利团队针对具备核心技术价值的公司之投资并购项目，进行知识产权专项尽职调查，对交易涉及核心技术的专利权属、专利价值、专利稳定性等核心指标及潜在风险等提供评议服务。针对核心产品进行技术可自由实施(FTO)调查，并基于以上尽职调查为后期交易架构及法律文件关键条款设计提供依据和参考。

对核心技术及配套专有技术进行梳理和评价，为企业预防核心技术认定偏差造成的交易风险提供专业支持。

为涉及核心技术转移的技术转让、技术许可、技术服务、技术开发等技术交易行为规划实现流程，帮助客户进行商业谈判，并撰写定制化的关键法律文件。

协助企业围绕核心产品建立知识产权侵权风险控制及预警机制。以FTO报告、专利侵权报告等知识产权专项法律调查报告为核心梳理企业核心产品和技术的知识产权侵权风险，并做出风险规避设计建议，避免企业在进入资本市场时遭遇知识产权纠纷。

金茂专利律师曾服务客户包括：华为、中兴、阿里巴巴、奇虎360、京东方、中石化等国内知名企业，以及清华、北大、中国农大、中科院计算机研究所等知名科研院所。

■ 信息技术与数据

随着计算机网络和电子商务行业的兴起，金茂所积极投身于这一新兴法律服务领域。金茂律师能够为数据驱动型企业建立用户信息数据合规体系，避免数据违规侵权风险。

金茂律师不仅为电子广告、电子游戏和网上商店企业提供法律顾问服务，还代理了大量电子商务行业不正当竞争纠纷、计算机软件著作权纠纷、计算机网络著作权纠纷和计算机软件产品质量纠纷等新类型案件，在业内树立了良好声誉。





藝術、體育與教育

■ 艺术与创意产业

金茂所在艺术与创意产业的经验广受尊敬，为客户提供的法律服务涵盖艺术展览举办、艺术衍生品开发、艺术品捐赠和收购等诸多事务。中华艺术宫、上海当代艺术博物馆、刘海粟美术馆、程十发美术馆、上海市文史研究馆、吴昌硕艺术研究协会、上海辞书出版社等文化艺术出版单位均长期聘任金茂所为其提供法律服务。

■ 体育产业与国际法

金茂所致力专注体育产业的精品法律服务，除为机构客户如国际国内体育组织、俱乐部等提供服务外，金茂所体育业务亦特别关注体育人的权益和可持续发展，成功代理多位足球运动员及教练员解决争议，并有意识、有能力为客户挽回濒临破裂的商业关系，善于探索并达成令当事人互利共赢的争议解决方案。此外，金茂所体育业务并致力于青少年运动员权益保护，主办律师曾通过独立判断局势，在关键时刻挽救了一名青少年运动员的职业生涯，也为相关俱乐部避免了重要损失。

金茂所的经验涵盖各类体育项目，包括 F1 中国电竞冠军赛为代表的电竞等新兴项目，专长涉及体育组织治理、争议解决，以及体育的商业层面。通过坚持与体育的管理者（协会）、法院等机构保持专业的良性互动，致力于推动规则与制度层面的变革。金茂所体育法领域的律师常受邀在国际会议发表演讲，并入选北京仲裁委员会一年一度的《中国商事争议解决年度观察》撰稿团队，自 2020 年开始连续两届负责编写北京仲裁委员会首次发布的《中国体育争议解决观察》中英文版本。

■ 教育

艺术与体育始终应是个人教育与发展的有机组成部分，将教育与艺术、体育有机融合，是金茂所对这一原则的实践与提倡。在教育领域，金茂的客户包括上海戏剧学院、上海戏剧学院附属舞蹈学校、上海市农业学校、上海市教育督导事务中心、上海市黄浦区校园安全管理中心等院校机构。

家事法商與財富管理

金茂所在传统婚姻家事、继承析产等争议解决方面积累丰富经验，婚姻家事团队坚持“非冲突、私密性、最优解”的纠纷调解业务特色，提供“法律 + 心理”的综合型服务，协助梳理和处理婚姻家庭各方当事人的情绪和需求，斡旋各方关系和冲突。金茂婚家团队与专业心理咨询师合作，辅导婚家客户改善亲密关系、防范婚家风险，或通过和平友好协商的方式解除婚姻关系、处理继承纠纷。2020 年度金茂婚家团队所承办案件的调解率达 65%，为维护客户利益和隐私提供更好服务体验，获得高净值客户群体的认可。

金茂婚家团队亦关注高净值人群的婚姻及财富传承风险防范，提供私人及家庭（家族）境内外婚姻家庭财富法律规划和传承法律规划、以及涉股权、保险、信托、跨境投资、身份规划等家庭 / 家族财富保障架构的合理设置等诸多层次法律服务，致力于融合法律、心理、金融等各方面专业知识辅导婚家客户建立和维护健康、安全、幸福的婚家亲密关系、法律关系及财富架构，防范婚姻风险和传承风险。

金茂婚家团队已被上海市妇女联合会列入“妇女之家”资源配送平台讲师库、被上海市新虹桥公证处纳入“遗产管理人推荐库名录”。



兩岸法律事務

金茂所在大陆涉台法律事务、台湾涉陆法律事务、陆资入台法律事务等领域具有领先的实务经验，侧重在两岸金融服务、房地产、生技医药、高新技术、文创等行业提供专业法律服务。

金茂所目前已有两位两岸持牌律师（台湾籍）及具有两岸法律事务背景的资深合伙人、律师团队，并与台湾地区多家大中型律师事务所、大专院校、科研机构以及官方单位等保持密切合作与定期互访，能为两岸客户提供跨区域、高效率、深层次的法律服务。

金茂所已为多家台湾上市（柜）公司（包括金融机构、房地产集团、科技企业）赴大陆展业以及大陆企业赴台投资提供全方位法律服务，并成功办理了多起具有影响性的台商至大陆投资、陆商至台湾地区投资争议案件。

WAO
Law Firm

網絡安全和數據保護

金茂所在网络安全和数据保护领域具有丰富的项目处理实战经验，团队成员具有欧洲数据隐私保护专家（CIPP/E）、CSA 认证数据保护官等资质，并编著《数据与个人信息疑难问题法律指引》等相关专著，擅长从理论结合实务角度为客户提供个人信息合规审计、安全影响评估、安全事件应急处理、跨境传输风险评估、网络安全等级保护定级备案等服务，对于用户画像、自动化决策、人工智能、区块链、数字证书、数据领域不正当竞争等积累了较多的经验，致力于通过“法律+技术+管理”三位一体的合规方法论助力客户数据治理体系建设，协助客户在复杂的境内外法律和监管框架下有效应对数据流动和变现的各项挑战。

金茂所的客户涉及行业包括金融证券、IT 与互联网、网络支付、智慧出行、车联网、医疗健康和生命科学、环境能源、终端零售、房地产等多个领域。金茂还与欧盟、英国、美国等国家和香港地区数据合规专家建立了合作关系，致力于为客户提供全球数据合规一站式服务。



JIN MAO Law Firm

公司調查與刑事合規

公司调查与刑事合规是金茂所长期深耕领域之一。作为该领域中领先的律师事务所之一，备受客户青睐。金茂为众多不同领域的国内、跨国公司等企业提供全方位的专业法律服务，包括建立和完善合规体系，开展公司内部合规调查，评估业务模式合规风险，应对政府调查，组织合规培训，帮助企业增强管理实效，实现企业内部管理的合法、高效。

金茂的公司调查团队具有丰富的经验以及多元的专业背景，团队成员中既有曾在医药健康行业、金融行业、制造业、快速消费品行业等合规重点监管行业工作和服务的律师，亦有曾就职于公安、市场监督管理、税务等部门执法者。团队的执业背景和从业经验能帮助客户深刻理解、满足合规需求，并提供务实有效的解决方案。

金茂由刑事争议解决和特定行业律师共同组成的刑事合规团队，为企业提供符合企业客户实际的合规解决方案，致力于根据不同企业的实际情况，结合对所处行业刑事风险评估，帮助企业优化内部管理机制，从源头上避免刑事风险的出现；同时，通过构建企业运营管理体系框架、企业刑事风险处置体系来为企业刑事风险规避和化解提供有效的制度保障。团队成员关注、研究相关领域内最新的法律法规、政策及市场热点等，始终保持对最新法律知识的学习，通过与客户的交流了解市场发展趋势，以期提供优质的法律服务。团队中部分律师入选上海市检察院、上海市自贸区等涉案企业合规第三方监督评估机制专业人员库。

反壟斷與競爭法

金茂所已在反垄断与竞争法领域建立了一支专业的团队，团队成员执业经验丰富，与国内政府监管部门保持着紧密联系和畅通的沟通途径，曾承办某日本汽车零部件公司接受国家发改委的反垄断调查、某跨国航运巨头接受国家发改委的反垄断调查，协助某国有商业银行因滥用优势地位进行不公平交易接受工商部门的反垄断调查，代表某跨国航运巨头因集中协议向商务部进行经营者集中反垄断申报等典型案例。

竞争法与反垄断团队通过为客户制定合规政策、开展法律咨询和法律培训，帮助客户减少合规风险，能够为客户提供经营者集中反垄断申报、不正当竞争及反垄断合规及咨询服务、民事和行政诉讼、应对不正当竞争或垄断行为调查等专业服务。



JIN MAO Law Firm

JIN MAO Law Firm

Jin Mao Law Firm (“Jin Mao” or “Our Firm”), established on 24th December 1988 in Shanghai, enjoys the reputation as one of the first private law partnerships in China’s Mainland with steady, incremental expansion. To date, Our Firm has grown into a leading law firm in China offering a comprehensive range of professional legal services with high level of specialisation. Jin Mao’s expertise encompasses not only the major legal areas but also those cutting-edge, industry-pioneering domains, with particular strength in guiding its clients through the interplay of the traditional and cutting-edge dimensions of law.

Over the past three decades, Jin Mao professionals have taken critical roles in milestone deals both in Shanghai and across China that marked the historic “Reform and Opening” of the People’s Republic of China. Recognising the evolving needs of our society while honouring its proud tradition, Our Firm has consciously built up specialised practice groups around the following themes:

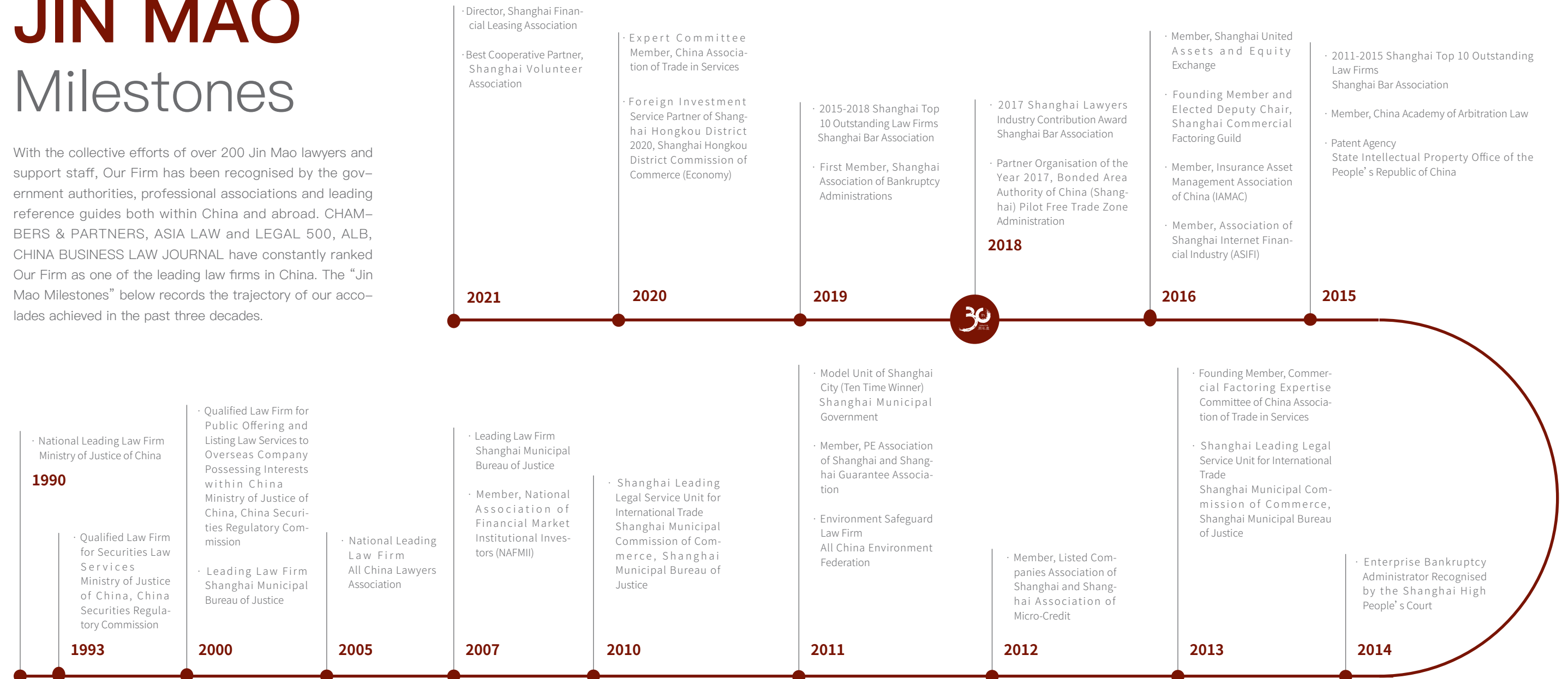
Finance and Securities; Foreign Investment and Corporate Governance; Infrastructure and Real Estate; Maritime and Logistics; Employment and Human Resources; Dispute Resolution (International and Domestic) ; Environment, Energy and Natural Resources; Healthcare and Life Sciences; Intellectual Property and Technology; Sports, Arts (Creative Industry) and Education; Family Law and Wealth Management; Mainland-Taiwan Exchanges; Cybersecurity and Data Protection; Investigations and Criminal Compliance; Antitrust and Competition.

Embracing its deep roots in Shanghai, Jin Mao is headquartered in Shanghai with branch offices in Hong Kong, Kunshan, Jiangsu Province, Changshu, Jiangsu Province and China (Shanghai) Pilot Free Trade Zone LIN-GANG Special Area. Jin Mao also has operations through strategic alliances with Iwata Godo Law Office (Tokyo, Japan), WONG AND CHAN (Hongkong, China), TaipeiLaw Attorneys-at-Law (the Philippines, Taiwan, China), and Vision & Balance (Beijing, China), with further international additions in the pipeline following the existing, productive cooperation with law firms in the United States, United Kingdom, Germany, Switzerland, Norway, Australia, Canada, South Korea, Singapore, Brazil and Taiwan.

JIN MAO

Milestones

With the collective efforts of over 200 Jin Mao lawyers and support staff, Our Firm has been recognised by the government authorities, professional associations and leading reference guides both within China and abroad. CHAMBERS & PARTNERS, ASIA LAW and LEGAL 500, ALB, CHINA BUSINESS LAW JOURNAL have constantly ranked Our Firm as one of the leading law firms in China. The “Jin Mao Milestones” below records the trajectory of our accolades achieved in the past three decades.



JIN MAO Law Firm

International Honors

■ Chambers and Partners


Great China Region: Corporate/Commercial:
Shanghai (PRC Firms)

■ China Business Law Journal

Best Overall Law Firms (Shanghai)
Notable Achievers Law Firm
Pro-Bono Law Firm
Banking & finance
Fintech & blockchain
Government & public
Construction & infrastructure
Intellectual Property (Copyright)

■ ALB

China Fastest Growing Law Firms
China Top 15 Local Firms in Yangtze River Delta
Shanghai Law Firm of the Year
Dispute Resolution Law Firm of the Year
Rising Law Firm of the Year



JIN
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Finance and Securities

■ Securities

Jin Mao was one of the first law firms in China approved by the Ministry of Justice and China Securities Regulatory Commission to undertake securities legal practice. In 2000, Jin Mao was authorized by the Ministry of Justice and China Securities Regulatory Commission to issue public offerings for overseas listed companies.

Since 1993, Jin Mao assisted hundreds of Chinese and foreign companies with corporate restructuring, securities issuance and IPO. Landmark deals include China's first B shares rights issuance, China's first A shares issuance of genuine B shares, China's first restructuring of two listed companies by means of shell merger and transfer, the first direct acquisition of a foreign listed enterprise by a domestic enterprise in China, the first domestic enterprise listed in Hong Kong GEM, some of the first listing deals of foreign investment enterprise in China, the first IPO of large State Owned Enterprise ("SOE") after China's share structure reform, which involves merge by share exchange, the first bond discount amortization of quoted companies, and the first privately raised company bonds of small and medium scale enterprises, the first debt financing instrument in the country's pilot free trade zone, the first unified registered debt financing instrument (DFI) in the interbank market for local state-owned enterprises in Shanghai, and many other famous cases. Jin Mao also has series of successful cases in issuing exchangeable bonds, senior US dollar bonds and offshore bank financing for enterprises outside China. The projects that Jin Mao participated in were recognised by the CHINA LAW & PRACTICE Awards.

Many corporate enterprises we have worked with are listed in the NASDAQ, HKEX, GEM, SGX and securities markets in Switzerland and Germany. Jin Mao has edited related monographs such as *Operation and Listing Legal Practice of Science and Technology Enterprises*.

■ Banking and Project Development Financing

Jin Mao possesses a wealth of expertise in the banking industry ranging from bank loans to financing practices of foreign financial institutions. Jin Mao has provided legal services for the first international syndicated loan project for the development of Shanghai Pudong New Area, the infrastructure loan project of the World Bank and Asian Development Bank, as well as the RMB financing projects of various foreign banks such as Société Générale, Rabobank, UBS, DBS Group, to name but a few. As the legal counsel for the syndicate banks, Jin Mao's comprehensive legal services played instrumental roles in several bank-syndicated loan projects led by Shanghai Pudong Development Bank, Industrial and Commercial Bank of China, Agricultural Bank of China, and China Development Bank.

Jin Mao has assisted banks in providing supply chain finance services to carry out financial derivatives trading and to facilitate business cooperation among banks, trustees, brokers and insurance companies. Jin Mao has also assisted corporate clients to obtain loans from domestic and international banks.

As one of the first member intermediary agencies of the National Association of Financial Market Institutional Investors, supervised by the People's Bank of China, Jin Mao has provided legal consultation services for the successful issuance of super-short-term financing bills, short-term financing bills, medium-term notes and Uniform registration of debt financing instruments for a large number of sizeable corporate enterprises.

■ Insurance

Jin Mao developed its expertise in insurance law since the announcement of the rules and regulations governing the use of insurance funds by China's Insurance Regulatory Commission in 2010. On 22 January 2015, the "Pacific-Da Tang Chongqing Energy Debt Investment Plans", a deal with which Jin Mao assisted throughout, completed its registration on the "Insurance Assets Management Product Registration and Issuance System", marking the first successful registration on the system since launched by the Insurance Asset Management Association of China. Jin Mao lawyers have developed a wealth of expertise in the insurance industry, and have successfully provided legal services for hundreds of investment programs of insurance funds initiated by insurance asset management institutions, including those owned by IPCC, Tai Ping Insurance Company Ltd., Pacific Insurance Company, Sun Life Everbright, ICBC-AXA and other insurance institutions.

■ Trusts and Asset Securities

Jin Mao maintains stable and long-term partnerships with many trust corporations and fund management companies. Jin Mao professionals have been appointed to independent director of the earliest Mutual Fund Companies in China.

■ Securities Investment Fund and Private Equity

Jin Mao has been actively involved in a number of PE funds (both domestic and foreign) deals in relation to the fund's formation, investment, management and exit. Our Firm's PE related work has been widely acknowledged across the industry, including being recognized by the PE Association of Shanghai as an official member.

Jin Mao's PE team is particularly strong with respect to providing efficient legal services for QFLP, with the PE team actively participating in the legislation of Shanghai QFLP and QDLP pilot policy. We have provided efficient QFLP legal services for clients such as LYFE CAPITAL, WELKIN CAPITAL, CBRE INVESTMENT, CM Venture Capital, among others. At the same time, Jin Mao is familiar with the domestic regulatory policies of the fund's overseas direct investment (ODI). We have provided legal services for CDH Investments, SHAGHAI GUOHE, CENOVA VENTURES and many others to invest in overseas projects and Red chip architecture.

■ Local Finance Industry

Jin Mao has been actively involved in the professional services for the incorporation, change and management of financial lease enterprises, pawn enterprises, financing guarantee enterprises, small loan companies, factoring companies, local asset management companies and commodity spot trading markets. Jin Mao's contribution to the New Finance Industry is highly respected — Our Firm is the founding member of the Commercial Factoring Expertise Committee of China Association of Trade in Services; the founding member of the Financial Leasing Expertise Committee of Shanghai Pudong Service Centre (Platform) for Corporate Headquarters and of the Association of Shanghai Internet Financial Industry; the founding member and elected Deputy Chair of Shanghai Pudong Factoring Expertise Association as well as the Supervisory Director of Shanghai Commercial Factoring Guild. Our Firm is also a member of the Shanghai Guarantee Association and Shanghai Association of Micro-credit. Jin Mao participated in editing the first batch of "Commercial Factoring Training Series" in China; and became the Director of Shanghai Financial Leasing Association.

■ Futures and Derivatives

Jin Mao has extensive experience in providing services in the field of futures and derivatives. Jin Mao serves as the legal advisor of Shanghai Futures Exchange and is also the member of Shanghai OTC Commodity Derivatives Association. For business involved with futures, we provide legal services to futures operators for compliance and risk management. In terms of derivatives business, Jin Mao has provided legal services related to ISDA agreement and NAFMII agreement for Shanghai Branch of ICBC, Bank SinoPac (China), Mizuho Bank of Japan and many other banks from domestic and foreign. Our expertise encompasses both transactional and dispute resolution matter.

Foreign Investment and Corporate Governance

■ Foreign Investment

Jin Mao enjoys a long history of advising foreign investment dating back to September 2000, when the Foreign Investment Working Committee of Shanghai granted Jin Mao the qualification to provide consultation service for foreign investment projects. Staffed with our multilingual professionals capable of working in English, French, German, Korean and Japanese, Jin Mao provided comprehensive legal services for foreign investment, including Fortune 500 companies in relation to the multinational enterprises' foreign direct investment (FDI) and re-investment of sino-foreign joint venture, sino-foreign cooperation enterprises, WFOE (Wholly Foreign Owned Enterprise), mergers and acquisitions, assets restructuring and liquidation etc.

We assisted with striking the historic, landmark deal between SAIC Motor (China) and Volkswagen (Germany). In October 2010, Jin Mao's contribution to foreign related legal services was recognised by Shanghai Municipal Commission of Commerce and Shanghai Municipal Bureau of Justice as "Shanghai Leading Legal Service Unit for International Trade". Since been selected as the Leading Legal Service Unit for International Trade, Jin Mao has been continuously awarded with government support funding. Jin Mao focuses on combining theory with legal practice. Our Firm has edited *Foreign Investment Law Practice and other related monographs*

■ Outbound Investment

Jin Mao assisted a great number of large enterprises including the Shanghai International Port Company, with their outbound or offshore investment, in collaboration with our Hong Kong branch office, the Iwata Godo Law Office in Japan and Taipei Law Attorneys-at-Law in Taiwan and the Philippines. We also draw support from our long-term, stable network of law firm partners across the globe, in jurisdictions like the United States, United Kingdom, Germany, France, Switzerland, Norway, Australia, Canada, Brazil, South Korea, Singapore and Taiwan.

■ Mergers & Acquisitions

Regarding domestic assets reorganization and mergers & acquisitions, Jin Mao lawyers possess qualifications as the witness in bidding events, chief coordinator in reorganization of foreign-capital enterprises, assessor of state-owned assets, agent for registration of enterprises, and broker of property rights and cultural assets. Jin Mao has advised many state-owned enterprises and private enterprises regarding corporate restructuring, reorganization and assets acquisition.

■ Bankruptcy & Restructuring

Jin Mao Law Firm has been on the roster of approved bankruptcy administrators by Shanghai Higher People's Court since 2015. Now we have formed a professional bankruptcy and restructuring team, consisting of nearly 30 experienced partners. The team has explored and established a case handling system involving the diversion of complexity and simplicity by grouping and integrating. The team diligently performs the duties of the court-appointed bankruptcy administrator, safeguards the legitimate rights and interests of creditors and debtors, and is committed to saving enterprise at the brink of bankruptcy from reorganization, reconciliation and liquidation exit.

Jin Mao Law Firm attaches great importance to deep cultivating and exploiting the business of bankruptcy and restructuring. Our lawyers focus on relatively independent and self-contained business modules, including but not limited to debt restructuring, bankruptcy reorganization, bankruptcy reconciliation, bankruptcy liquidation, corporate dissolution and liquidation, non-performing asset investment, risk disposal of financial institutions, and have accumulated rich experience in related business fields. We maintain good communication with audit agencies, evaluation agencies, auction agencies, assets exchange institutions, asset management agencies, banks, securities companies, public media as well as government and public administration departments including notary office, tax department, market supervision and administration department, so that we can provide integrated solutions and systematic service support for enterprise related problems.



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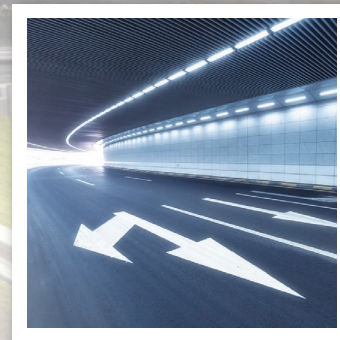
Infrastructure, Real Estate and Urban Renewal

■ Real Estate

Jin Mao lawyers started to advise clients on real estate projects since the 1990s, thoroughly involved in the whole process of financing, programming, exploration, construction, sale, renting and management of commercial, administrative and residential estates. Some of the major real estate projects that Jin Mao actively participated include the Jin Mao Tower, Shanghai's Stock Exchange Building, the State Development Bank Building, the Expo Center, the City Hall, the Bank of China Tower, ICBC Building, Shanghai Oriental Sports Center, to name but a few. In recent years, Jin Mao has undertaken a number of "exemplary" real estate projects, provided full process legal services for a number of major projects, and successfully represented a number of land transfer, real estate litigation and arbitration cases. As the legal counsel for multiple real estate PE funds (both domestic and foreign), Jin Mao has also been involved in a significant number of real estate acquisition and conveyance projects.

■ Urban Infrastructure and Construction

Jin Mao has always enjoyed a high reputation in the urban infrastructure and construction practice. Our lawyers possess a wealth of experience in massive infrastructure construction projects, with particular specialty in general contracting and general construction contracting for major infrastructure construction and engineering projects.



For decades, Jin Mao has actively provided legal services for the complete cycle of the following large-scale infrastructure projects:

- The Shanghai Metro System
- The Nanpu Bridge
- The Yangpu Bridge
- Shanghai's Inner Ring Viaduct
- The North-South Viaduct
- The Yan'an Road Viaduct
- The Hujia Expressway (China's first expressway)
- The Xingsong Expressway
- The Shanghai sections of Shanghai-Nanjing Expressway and of Shanghai-Hangzhou Expressway
- The Shanghai-Dalian Road Tunnel
- The Shanghai East Fuxing Road Tunnel
- The Shanghai Chongming Yangtze River Bridge and Tunnel
- The East Sea bridge, the Yangshan Deep-Water Port
- The second line of east Yanan Road Tunnel (BOT)
- The Shanghai South-Eastern suburbs ring expressway (BOT)
- The Shanghai Xingfengjin Expressway (BOT)
- The Shanghai North Suburbs Ring Expressway (BOT)
- Ningbo Changhong Tunnel (BOT)
- Qianjiang Passageway and linking road projects (BOT)
- Fenghua's 3 Expressways (BT) in Zhejiang province
- Third Ring Highway Project in Kunming
- Yunnan province (BT)
- North Chengdu sewage system overall project – city sewage treatment plant III (PPP)
- Shaowu Municipal Domestic Waste Incineration Power Plant (PPP)

■ Urban Renewal

In recent years, Jin Mao has followed up on "benchmark" urban renewal projects in Shanghai and the Yangtze River Delta region, and continued to provide advice on legal research and project promotion for urban renewal and governance, undertaking a number of "exemplary" projects and providing clients with the whole process of legal services, including proposal We have undertaken a number of "exemplary" projects, providing clients with the whole process of legal services, including proposal demonstration, transaction structure construction, project financing, project land acquisition and construction, project investment, project operation, etc.

Jin Mao is always at the forefront of providing specialized legal services in the field of urban renewal, and has been engaged to provide legal services for the first urban renewal project traded on the Shanghai Land Exchange and Shanghai United Assets and Equity Exchange in the mode of "venue linkage" – Hong'anli Ltd., Equity Transfer Project (Hongkou 17 Neighborhood), Shanghai Huangpu Urban Renewal Ltd., and Wuxi City's first urban renewal project, the South Square Area of Railway Station, etc., providing high-quality, professional and efficient legal services.



Maritime and Logistics

JIN MAO Law Firm

Jin Mao offers legal services relating to maritime commerce and affairs, air cargo transport and logistics, cargo insurance and cargo transportation insurance for harbor management companies, hull companies, aeronaval and land transport operators, non-vessel operation carriers, airlift indirect carriers, multimodal transport operators, insurance companies, protection and indemnity clubs, among others. Our services cover conducting investigation into varieties of international trade documents, providing advisory opinions and training on compliances, security ensuring, risk control, and application for registration of non-vessel carriers

JIN MAO Law Firm

Employment and Human Resources

Jin Mao's Employment and Human Resources practice group consists of lawyers with professional backgrounds in both employment law and human resources development. In addition to safeguarding out clients' interests in labor dispute, Jin Mao lawyers stand out for their professional skills in human resource management and regulation, structuring of employment or contractual relations between enterprises and individuals, arrangement and claims in relation to social insurance, provident funds, commercial insurance and workers' benefits. We have also advised on the legality of employee stock ownership and option schemes.

■ HR Legal Training

Our Firm has developed Legal practice courses covering human resource management by training instructors to provide companies with targeted practical training through in-house training, salons and seminars to enhance their labor compliance capabilities, update their knowledge and grasp trends in a timely manner.

■ Specialized labor and personnel services

A team of specialized lawyers provides companies with targeted solutions for human resources manages ranging from labor contracts to special employee management, flexible employment, corporate labor unions, collective bargaining, employee placement in corporate shutdown and transfer, employee equity incentive plans, localized storage and cross-border transfer of employee personal information, etc.

■ HR Dispute Resolution

A team of specialized lawyers assists enterprises in handling labor disputes through litigation, labor arbitration and amicable negotiations. Our Firm also provides support in the enforcement of judicial rulings.

Dispute Resolution (International and Domestic)

Dispute resolution is one of the areas where we excel. We have several professional dispute resolution teams specialised in international dispute resolution, (domestic) civil dispute resolution, administrative dispute resolution and criminal defence. Several lawyers of our Dispute Resolution practice group have been appointed to the list of arbitrators by well-known arbitral institutions.

■ International Dispute Resolution

Our international dispute resolution team enjoys great reputation in handling disputes involving maritime commercial matters, international trade, international projects and investment. The clients we have been assisting in this area include major banks (both domestic and foreign), insurance companies, international and national sport organizations, large trading firms, harbor enterprises, globally-recognized ocean carriage, freight transport and logistics enterprises, protection and indemnity associations, foreign trade corporations, domestic enterprises qualified for foreign trade operation and foreign contract project operation, and more.

Jin Mao lawyers also acted as counsel in many international disputes at different levels of people's court and maritime court. We represented clients before arbitral institutions such as the China International Economic and Trade Arbitration Commission and its branches, and the China Maritime Arbitration Commission. We also maintain long-term, mutual exchange with foreign arbitral institutions, such as the Court of Arbitration of the International Chamber of Commerce, the London Court of International Arbitration, Hong Kong International Arbitration Centre and the Singapore International Arbitration Centre.

■ (Domestic) Civil Dispute Resolution

Our civil dispute resolution team has acted as counsel in a large number of civil and commercial dispute cases, and non-contentious cases, such as dissolution and liquidation of companies. Jin Mao lawyers have appeared at courts of different levels up to the Supreme People's Court, and at various local arbitration committees, such as the Shanghai Arbitration Commission, SHIAC. Jin Mao is particularly experienced in handling difficult cases of corporate disputes and disputes arising from securities, insurance, bill, product liability, marriage, inheritance, tort and intellectual property.

■ Administrative Dispute and Criminal Defence

Our administrative dispute resolution team is uniquely positioned, drawing from Jin Mao's rich experience in advising various government departments and active involvement in government affairs such as levy, administrative licensing, administrative penalties, disclosure of government information, government procurement and financial regulations.

Our criminal defence division primarily adheres to the concept of integrated team service and integrates resources from various professional fields within the firm to provide clients with one-stop criminal legal services. The criminal practice team undertakes all kinds of criminal cases, especially in specific areas, such as white-collar criminal offense, intellectual property-related crimes, crimes related to listed companies etc. The team has conducted in-depth and comprehensive research, and has also undertaken criminal cases with significant impact that have been supervised or referred by the Ministry of Public Security and the Supreme People's Procuratorate.



Environment, Energy and Natural Resources



■ Environment

Jin Mao's environment law specialists have remarkable track record of supporting Fortune 500 enterprises, SOEs and listed companies to fulfill the companies' environment protection obligations. Our professional services span from the permit application process for various environmental approval projects to environmental legal compliance consultation. We also regularly assist clients in non-contentious matters such as project operation, due diligence and contract negotiation in merge and acquisition transactions, as well as contentious proceedings such as administrative hearing, arbitration, mediation and civil litigation. Jin Mao has edited monographs such as *Corporate Environmental Legal Risk Management Practice*, *Environmental Legal Practice Dispute Resolution and Compliance Development*.

■ Carbon and ESG

Actively responding to climate change, Jin Mao continues to provide clients with dual carbon legal services, including the collection and analysis and interpretation of carbon policies and regulations standards, and provides clients with special services on carbon emission strategies, carbon emission allowance compliance, carbon trading, contractual energy management, dispute resolution, etc., and provides legal support on the development of financial products related to carbon assets. Jin Mao also participates in the research of relevant green financial policies and products, and provides support for the innovation of relevant green financial products for financial institutions.

Jin Mao is committed to sustainable development legal services, helping clients improve their sustainability, environmental social and governance (ESG) performance by identifying risks and providing practical solutions in a timely and accurate manner. Jin Mao lawyers are familiar with regulatory disclosure guidelines and ESG reporting requirements, and provide professional validation services on ESG reports. In recent years, Jin Mao has continued to provide domestic and overseas listed companies and their suppliers with ESG internal control management status evaluation and consultation, supply chain risk management compliance services, and guidance to clients to continuously improve their performance on ESG-related indicators. The firm has co-authored and published *ESG Theory and Practice* with research institutions.

■ Energy and Natural Resources

Jin Mao's main client base in the energy and natural resources industry consists of foreign, state-owned, and private enterprises with operations in various natural resources ranging from traditional sources such as metal, coal, coalbed methane and refined oil, to new energy such as solar power and wind power. Clients engage Jin Mao's expertise to assist in due diligence, contract negotiation and other phases of deals. Our Energy and Natural Resources team has done deals all over China, leaving their mark in many provinces and cities such as Shanxi, Xinjiang, Inner Mongolia and Guizhou etc.

JIN MAO Law Firm

Healthcare and Life Sciences

■ Healthcare and Life Sciences

Jin Mao's commitment to the healthcare industry is supported by a dedicated team of lawyers possessing dual backgrounds in law and medicine. We can therefore fully keep up with the challenges posted by the rapidly changing healthcare market and provide a full range of legal services to clients.

Jin Mao has rich practical experience in the field of healthcare and life sciences, and has long been the legal advisor of many medical industry groups, biopharmaceutical companies, elderly institutions and medical service organizations, providing not only professional legal services in operation and management, but also domestic and foreign investment and financing, M&A, cross-border transaction services, technology transfer and license-in/out services, institutional operation. We provide a full range of legal services, including due diligence, transaction structuring, commercial negotiation, drafting of transaction documents, coordination with delivery and handover, and government relations, etc. Our clients cover state-owned enterprises, private enterprises and multinational corporations, including both mature and large enterprises, as well as growth and start-up companies.

After more than 30 years of cultivation and development, the field of healthcare and life sciences has become one of the recognised expertise of Jin Mao, and Jin Mao has grown into one of the few large comprehensive law firms in China with the whole industry chain and life cycle of healthcare and life sciences.

■ Occupational Health and Safety

In the field of occupational health, Jin Mao lawyers accumulated rich experience in occupational disease prevention, occupational diagnosis and identification, occupational hazard control and occupational health safeguard. Our Firm continues to impress clients with its successful track record in mitigating occupational health risks and safeguarding worker's rights.

In terms of safety and emergency management related legal service, Jin Mao professionals with Certified Safety Engineers qualification are experienced in supporting clients involved in production safety, hazardous chemicals, construction safety, distribution safety, biosafety as well as public safety. Many clients are multinational enterprises.

Intellectual Property, Data and Technology

■ Copyright

Jin Mao was established precisely at a time when China's intellectual property protection framework took shape. For the past three decades, Jin Mao acted as counsel for a number of landmark intellectual property cases, some of which have been selected to the relevant court jurisprudence and China Net of Legal Instruments on Intellectual Property. Some of the high profile cases we dealt with involved the auction of art works under the name of world-famous artist Wu Guanzhong, author's remuneration due to the well-known writer Lu Xun, the copyright dispute over Ballet the *White-haired Girl*, and the dispute over the Yue Opera *Dream of the Red Chamber*.

■ Trademark

Jin Mao's expertise in trademark is evidenced in both contentious and non-contentious work. Our Firm has been involved in litigation over the trademark rights of the globally-recognized trademark "Infineon", as well as the infringement of trademark and unfair competition in relation to the trademark "Party-world". In terms of non-contentious service, Jin Mao proactively advises clients on advance planning and adjustment of the overall strategy to protect their intellectual property. In recent years, Jin Mao has also provided many famous brands with the whole process of rights determination and maintenance services from trademark monitoring, application, re-examination, opposition, invalidation, withdrawal, administrative litigation, to infringement investigation, complaint and litigation.

■ Patent

Our top-tier patent legal services are provided by professionals qualified as both lawyer and patent agent, with specialist knowledge in the fields of electronics, communication, mechanics, biology and chemistry etc., ranging from non-contentious services of risk control to contentious dispute resolution. Our lawyers are capable of providing one-stop, comprehensive intellectual property development strategy by means of patent precautions, patent planning and patent search analysis, as well as enhance IP competitive advantage and build a patent protection barrier. We assist our clients with application for patents, patent invalidation and reexamination reviews, so that our clients may overcome unfavorable competition obstacles when entering into new markets, with full enjoyment of sustainable and complete patent rights protection afforded by law.

Jin Mao patent team conducts special due diligence investigations and issues special legal opinions on important matters such as IPR ownership, IPR risks, core IPR and technology information disclosure, R&D investment performance, core technology scope and value confirmation in the IPO process of technology-based and innovative companies.

Jin Mao patent team conducts IPR due diligence for investment and M&A projects of companies with core technology value, and provides evaluation services on core indicators and potential risks such as patent ownership, patent value and patent stability of the core technology involved in the transaction. We conduct Free To Operate (FTO) investigations for core products. Based on the above due diligence, we will provide the basis and reference for the design of key terms and conditions of the transaction structure and legal documents.

We provide professional support to enterprises in preventing transaction risks caused by deviations in the identification of core technologies by sorting out and evaluating core technologies and supporting proprietary technologies.

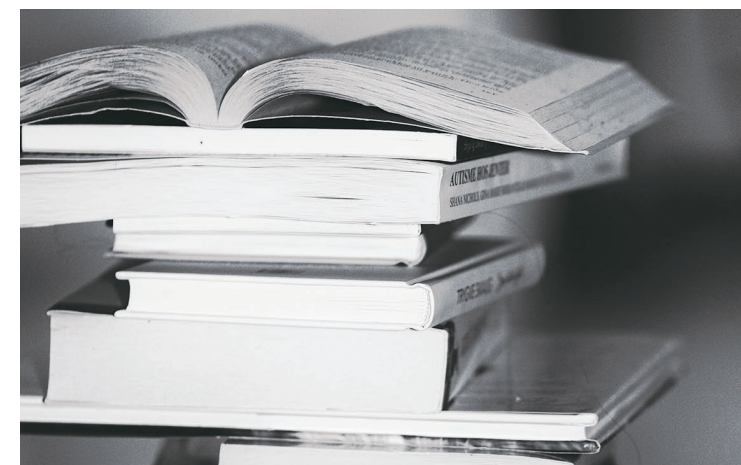
Planning the realization process for technology transfer, technology licensing, technology services, technology development and other technology transactions involving core technology transfer, helping clients with commercial negotiations, and writing customized key legal documents.

Assist enterprises to establish IPR infringement risk control and early warning mechanism around core products. Sort out the IP infringement risks of the enterprise's core products and technologies with the core of FTO report, patent infringement report and other IP special legal investigation reports, and make risk avoidance design suggestions to avoid IP disputes when the enterprise enters the capital market.

Jin Mao lawyers with patent agent licenses have served many nation-wide well-known enterprises including HUAWEI, ZET, ALIBABA, QIHOO360, BOE, SINOPEC, as well as famous science and research institutions such as Tsinghua University, Peking University, China Agricultural University, Institute of Computer Science of Chinese Academy of Sciences.

■ Data and Technology

Jin Mao has always been at the forefront of cutting-edge legal issues driven by technology development. Our data specialists are capable of establishing a compliance system managing user information data for data-driven companies to avoid data infringement, enjoys professional reputation in providing proactive consultation for emerging legal issues arising from electronic advertisements, electronic games, web shops, unfair competition disputes in the e-commerce industry, disputes over computer software copyright and computer software product quality disputes.





Arts (Creative Industry), Sports and Education

■ Arts and Creative Industry

Jin Mao's experience in arts and creative industry is highly respected for our active involvement in staging of art fairs and exhibitions, commercialisation of artworks, as well as the donation, auction and acquisition in relation to artworks. Among the prominent art institutions we regularly work with are China Art Museum, Power Station of Art, Liu Haisu Gallery, Cheng Shifa Gallery, Shanghai Research Institute of Culture and History, Changshuo Art Association and Shanghai Lexicographical Publishing House.

■ Sports and International Law

Jin Mao is one of the first Chinese law firms with a team dedicated to sports and international law. In addition to institutional clients such as clubs, national and international governing bodies, our sports law practice cares about individuals involved in sports, such as the athletes, coaches and protection of minors.

Our experience covers various types of sports, including the emerging e-sport sector, ranging from sports governance, sports diplomacy, dispute resolution proceedings at People's Court, FIFA, CAS, Swiss Federal Tribunal and European Court of Human Rights, to commercial aspects of sports. Jin Mao leaves its mark in the Chinese sports market through persistence in difficult cases, making breakthroughs in jurisprudence, while consciously engages with courts and regulators to drive systematic reforms. Our sports and international law team receives regular invitation to speak at international events, and have been recognized as a Global Leader in sports sector by *Who's Who Legal*, and Rising Star award presented by *China Business Law Journal*. Our team is the co-author of the inaugural Sports Dispute Resolution in China (for consecutive years of 2020 and 2021), as part of the Commercial Dispute Resolution in China (An Annual Review and Preview) published by the Beijing Arbitration Commission.

■ Education

Arts and Sports always mean to be part of education and human development. By integrating education with our arts and sports practice groups, we advocate for the principle in practice. Among the educational institutions we represent are Shanghai Theatre Academy, STA Shanghai Dance School, Shanghai Vocational College of Agriculture and Forestry, Shanghai Education Affairs Supervision Centre and Shanghai Huangpu Campus Security Management Centre.

Family Law and Wealth Management

Jin Mao has accumulated rich experience in traditional marriage and family matters, inheritance and estate settlement, etc. The family law and wealth management team stands out for its "non-conflict, private and optimal resolution" characteristics, and "law + psychology" expertise to help sort out and deal with the emotions and needs of the parties in the marriage and family, and mediate the relationship and conflicts between the parties. In 2020, the mediation rate of cases handled by Jin Mao Marriage Team reached 65%, providing a better service experience to protect the interests and privacy of clients and gaining the recognition of high net worth clients.

Jin Mao also pays attention to the risk prevention of marriage and wealth inheritance of High Net Worth Individuals, and provides legal services such as domestic and foreign marriage and family wealth planning and inheritance legal planning for private and family (family), as well as the reasonable setting of family wealth protection structure involving equity, insurance, trust, cross-border investment, identity planning, etc., and is committed to integrating legal, psychological and financial expertise to counsel. The team is dedicated to providing legal, psychological and financial expertise to help clients establish and maintain healthy, safe and happy marital and family intimacy, legal relationships and wealth structures to prevent marital and inheritance risks.

Jin Mao has been listed in the "SH-LADY" resource distribution platform lecturer pool by SH Women, and included in the "Heritage Administrator Recommendation Pool List" by Shanghai New Hongqiao Notary Office.



Mainland–Taiwan Exchanges

Jin Mao is a market leader in legal matters involving Mainland–Taiwan exchanges with respect to investment, financing, real estate and construction, biopharmaceuticals, new technology, as well as cultural and creative industry.

Jin Mao's Mainland–Taiwan practice group is staffed by dual qualified lawyers (Taiwan citizens) licensed to practice law on both sides of the strait. The team is led by senior partners highly experienced in cross–strait legal matters and has maintained close cooperation with large or medium–sized law firms, academic institutions, research institutions and official units in Taiwan. We have the tradition of making regular visits to our partners in Taiwan and receive guests from therein. Our team has therefore developed in–depth understanding of the Taiwan market, capable of providing more efficient guidance on the ground.

Jin Mao has provided legal services for many Taiwan listed (or OTC listed) companies (including financial institutions, property development groups and technological enterprises) regarding their business expansion in Mainland. We have also acted for numerous Mainland companies regarding their investments into Taiwan. Meanwhile, the team successfully handled influential dispute cases arising from cross–strait investments.

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Cybersecurity and Data Protection

Jin Mao has rich experience in the field of network security and data protection, and the team members have the qualifications of European Data Privacy Protection Expert (CIPP/E), CSA Certified Data Protection Officer, etc., and edited "Legal Guidance on Data and Personal Information Difficulties" and other related monographs. He has accumulated rich experience in user profiling, automated decision–making, face recognition, artificial intelligence, blockchain, digital certificates, unfair competition in the data field, etc. He is committed to helping clients to comply with the law through the "law + technology + management" trinity. We are committed to helping clients build their data governance management systems through our "legal + technology + management" trinity of compliance methodologies, and assisting them to effectively address the challenges of data flow and realization under complex domestic and international legal and regulatory frameworks.

Jin Mao's clients in Cybersecurity and data compliance cover a wide range of industries including finance and securities, IT and Internet, online payment, smart mobility, connected vehicles, healthcare and life sciences, environment and energy, end–to–end retail, and real estate. Jin Mao has also established in–depth partnerships with data compliance experts in the EU, UK, and US and Hong Kong, and is committed to providing clients with a one–stop service for global data compliance.



JIN MAO Law Firm

Investigations and Criminal Compliance

Corporate investigations and criminal compliance is one of the long-standing areas in which Jin Mao has been deeply involved. As one of the leading law firms in this field, it is highly sought after by clients. Jin Mao provides a full range of professional legal services to domestic and multinational companies in many different fields, including establishing and improving compliance systems, conducting internal corporate compliance investigations, assessing business model compliance risks, responding to government investigations, organizing compliance training, and helping companies enhance management effectiveness and achieve legal and efficient internal management.

Jin Mao corporate investigation team has rich experience and diverse professional backgrounds, including lawyers who have worked and served in compliance-focused industries such as the pharmaceutical and health industry, financial industry, manufacturing industry, and FMCG industry, as well as law enforcement officers who have worked in public security, market supervision and management, and taxation. The team's background and experience can help clients understand and meet their compliance needs, and provide pragmatic and effective solutions.

Jin Mao criminal compliance team consists of criminal dispute resolution and industry-specific attorneys to provide compliance solutions that meet the actual needs of our clients, and is committed to helping companies optimize their internal management mechanisms to avoid criminal risks at the source, based on the actual situation of different companies and the assessment of criminal risks in their industries. At the same time, we provide effective institutional guarantee for corporate criminal risk avoidance and resolution by building the framework of corporate operation management system and corporate criminal risk disposal system. The team members pay attention to and study the latest laws and regulations, policies and market hotspots in related fields, always keep learning the latest legal knowledge, and understand the market development trend through communication with clients in order to provide quality legal services. Some of the lawyers in the team have been selected as a pool of professionals for the third-party supervision and evaluation mechanism for compliance of enterprises involved in Shanghai Municipal Procuratorate and Shanghai Free Trade Zone.

Antitrust and Competition

Jin Mao has established a professional team in the field of antitrust and competition law. The team members are experienced in practice and maintain close contact and open communication channels with the domestic government regulatory authorities, and have undertaken the antitrust investigation of a Japanese auto parts company by the National Development and Reform Commission, the antitrust investigation of a multinational shipping giant by the National Development and Reform Commission, assisted a state-owned commercial bank in the antitrust investigation of the industry and commerce department for unfair trade through abuse of dominant position, and represented a multinational shipping giant in the antitrust declaration of operator concentration to the Ministry of Commerce for the concentration agreement.

The Competition Law and Antitrust team helps clients reduce compliance risks by formulating compliance policies, conducting legal consultation and legal training, and is able to provide clients with professional services such as operator concentration antitrust filings, unfair competition and antitrust compliance and consulting services, civil and administrative litigation, and responding to investigations of unfair competition or monopolistic practices.



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