

Lushen HONG Partner

Antitrust and Competition | Regulatory and Compliance Dispute Resolution



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Lushen Hong is a partner at Merits & Tree. Prior to joining M&T, Mr. Hong worked at Zhong Lun Law Firm and King & Wood Mallesons.

Mr Hong's main practice areas include antitrust and competition, regulatory and compliance, dispute resolution. His experience covers various industries such as IT, pharmaceutical and health, energy, automobile, real estate, semiconductors, finance, retail, shipping, and chemicals.

Mr. Hong has extensive experience in antitrust and competition law. He has advised numerous multinational companies and Chinese companies on various aspects of antitrust and competition law. He regularly advises clients in the merger filings with MOFCOM and SAMR in the PRC, and coordinates with the filings across multi-jurisdictions. He also represented clients in investigations and inquiries initiated by SAMR, NDRC, SAIC and local antitrust authorities. In addition, he advises clients on antitrust litigation, delivers antitrust compliance training, conducts antitrust self-audits, and provided behavioral advice in the context of daily operations, M&A transactions and other business cooperation. Based on his understanding of the industries, Mr. Hong excels in comprehensive analyses from the perspectives of both law and economics, and providing pragmatic advice.

Achievements

Antitrust: Merger Control Filing

- Advised PipeChina in its purchase of pipeline assets of China National Petroleum Corporation, Sinopec Group and CNOOC;
- Advised Shandong Energy Group and Yankuang Group in the PRC merger filing regarding their group restructuring and mergers,

and coordinated the merger filings in Australia and Indonesia;

- Advised Sany Group in the PRC merger filing regarding proposed joint venture with DEUTZ and coordinated the merger filings in Austria, Germany and France;
- Advised Magna International in the PRC merger filing regarding its acquisition of Chongqing Hongli Zhixin, and coordinated the merger filing in Belarus;
- Advised GIC and GDS in a series of joint ventures and acquisitions in the area of IDC;
- Advised BPEA in its sale of shares to EQT AB;
- Advised Apple Operations in its acquisition of shares in several companies in the area of new energy;
- Advised Magna International in its acquisition of the equity and asset of Veoneer;
- Advised Macquarie in its acquisition of equity in Daesung Industrial Gases;
- Advised FAW Jiefang and CATL in their proposed joint venture in the area of new energy.

Antitrust: Investigation, Litigation and Report

- Advised a Fortune 500 multinational software enterprise in an antitrust investigation initiated by SAIC;
- Advised a multinational technology enterprise in an antitrust investigation initiated by NDRC;
- Advised a Fortune 500 multinational pharmaceutical enterprise in an antitrust investigation initiated by NDRC;
- Advised a Fortune 500 multinational automotive components enterprise in an antitrust investigation initiated by SAMR;
- Advised a major Internet enterprise in reporting transactions that fail to notify;
- Advised a major Internet enterprise in antitrust reporting and antitrust litigation against abusive practice of market dominance in the industry;
- Advised a domestic state-owned gas enterprise in an antitrust investigation initiated by the Jiangsu AIC;
- Advised a Fortune 500 multinational software enterprise in an antitrust investigation initiated by the Beijing AIC;
- Advised an IP fund management company in handling an antitrust report in the PRC;
- Advised a listed pharmaceutical enterprise in an antitrust investigation initiated by the Liaoning AMR.

Antitrust: Compliance Consulting, Self-audits and Training

- Provided comprehensive antitrust compliance self-audits to a globally renowned automotive enterprise, covering dealership agreements, sales policies, licensing, and business models, and delivered antitrust compliance training and consulting;
- Provided comprehensive antitrust compliance self-audits to a Fortune 500 pharmaceutical equipment enterprise, evaluating pricing models, sales channels, market position, etc.;
- Provided in-depth antitrust compliance consulting to an international hotel group regarding its business cooperation with a domestic hotel group, including information exchange guidance and merger filing evaluation;
- Provided internal antitrust guidelines drafting and antitrust compliance consulting to a Fortune 500 IT enterprise;
- Provided antitrust compliance self-audits and consulting to a Fortune 500 pharmaceutical enterprise;
- Provided antitrust compliance consulting and training to GIC on its PRC merger filings;
- Provided antitrust compliance consulting to Mercedes-Benz;
- Provided localization services to Dolby for its internal antitrust compliance guidelines;
- Provided antitrust compliance consulting to FAW Group;
- Provided antitrust compliance consulting to Three Gorges Group on PRC antitrust laws and EU foreign subsidy regulation.

Education

LL.M., New York University

LL.M., Tsinghua University

Bachelor of Economics, Peking University

LL.B., Tsinghua University

Admissions

- PRC Bar

- New York State Bar

Language

Chinese, English