



China Practice

Overview

Where others see borders, Archer's China Practice Group sees opportunities. We get things done for our clients effectively and efficiently, based on our deep understanding of and respect for the subtle differences between the Asian and Western business cultures.

Archer's China Practice Group was established to assist Chinese entrepreneurs and companies with legal needs in China and the United States. Our clients are leading companies that span across multiple industries, including alternative energy, petroleum, pharmaceutical, life sciences, manufacturing, retail, consumer goods, transportation, financial, real estate, and agriculture.

The attorneys in our group understand the law, legal system, and business environment of China and the culture that drives it. They are fluent in Mandarin, having previously lived and worked in China for over a decade. Their legal and business experience in China and the United States affords our clients unique resources in order to navigate both markets in many areas of the law.

Working closely with attorneys in related Archer practices, including Business Counseling; Bankruptcy, Restructuring, and Insolvency Litigation; Business Litigation; Intellectual Property; Real Estate; Immigration; and Tax, our China Practice Group provides clients with full-service representation with global capabilities and local know-how.

We advise clients in the following areas:

- Sophisticated commercial litigation matters
- Insolvency (including enforcement of creditor claims in the U.S.)
- Enforcement of Chinese Court Money Judgement Arbitral Awards in the U.S.
- Dispute resolution, mediation and arbitration
- Intellectual property protection and litigation
- Distribution chains and sales
- Due diligence (including Pre-IPO DD for U.S. subsidiaries of Chinese issuers)

- Entity formation (in multiple jurisdictions, including Delaware, New Jersey, New York, Pennsylvania, and Texas)
- Data privacy and cybersecurity
- Cross-border investigations
- Labor and employment
- Mergers and acquisitions
- Joint ventures
- Corporate finance and securities matters
- Petroleum
- Renewable energy projects
- Real estate
- Tax

Representative Experience

Results may vary depending on your particular facts and legal circumstances.

- Counsel to a leading Chinese-owned aquaculture company specialized in genetic selective breeding, in winning a 10-million-dollar federal jury verdict after 5 years of cross-border litigation in the Middle District of Florida.
- Represent multiple Chinese medical device and pharmaceutical companies in IP litigation and compliance.
- Represented the Unsecured Creditors Committee, consisting of Chinese manufacturers, in a Chapter 11 proceeding in Colorado and successfully achieved a greater-than-50% recovery rate for the class of unsecured creditors.
- Represented Zhejiang Topoint Photovoltaic Co., Ltd. in its Chapter 15 proceeding in the New Jersey bankruptcy court, which was the first Chinese bankruptcy proceeding recognized in the U.S.
- Counsel to Hefei Ziking Steel Pipe Co., Ltd. in winning a multimillion-dollar federal court judgment involving contracts governed by the United Nations Convention on Contracts for International Sales of Goods (CISG) in the Southern District Court of Texas.
- Represented a major Chinese manufacturer of air conditioner parts in defending product liability claims brought by Goodman (owned by Daikin Industries, Ltd.) in the Southern District of Texas. Case was settled



to client's satisfaction.

- Counsel to Chinese EB-5 investors in preparing and filing the whistleblower complaint to the SEC and suing the regional center and its principals in a U.S. federal court proceeding. Case involves cross-border securities fraud, negligent misrepresentation and breach of fiduciary duties and was settled promptly in client's favor.
- Counsel to foreign EB-5 investors in a U.S. federal receivership proceeding. Case involves the SEC and FBI. Successful recovery for clients.
- Represented Chinese EB-5 investors in forming the Committee of Investors, calling meeting of shareholders, monitoring the then ongoing relevant bankruptcy proceeding.
- Foreign Representative of mainland China debtors, Zhejiang Topoing Photovoltaic Company, Ltd, et al, in Chapter 15 contested proceedings in the Bankruptcy Court for the District of New Jersey. Case involves multimillion-dollar litigation proceedings.
- Counsel to Chinese petitioning creditors in multiple involuntary bankruptcy petition proceedings in the Bankruptcy Court for the Northern District of Texas. Cases involving tens of millions of dollars.
- Counsel to the owner of a major Chinese medical device researcher, developer and manufacturer in a US federal court proceeding. Case involves AAA international arbitration and litigation in Chinese court and settled.

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Related Services

- Alternative Dispute Resolution
- Bankruptcy
- Business Counseling
- Business Litigation
- Data Privacy & Cybersecurity
- Energy & Utilities
- Immigration & Global Mobility
- Intellectual Property
- Labor & Employment
- Mergers & Acquisitions
- Private Wealth, Estates & Trusts
- Real Estate
- Tax

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