



律师

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陈姣姣 Jolene Chen

专业资格

2017 年取得中华人民共和国律师执业证

2010 年取得中华人民共和国法律职业资格证书

学历

- 华东政法大学法学硕士 (2014)
- 美国威斯康星大学法学硕士 (2013)

经历

- 上海理慈律师事务所 (2016.4-至今)
- 罗思(上海)咨询有限公司 (2014.1 – 2015.10)

专门领域

- 公司法律事务
- 知识产权案件
- 劳动争议案件
- 一般民刑事案件
- 反垄断法及反不正当竞争法案件

办案经历:

- 协助完成私募基金集团投资中国公司过程中的法律尽职调查及相关公司、投资法律问题咨询;
- 协助提供知名公司投资过程中的法律尽职调查

并提供相关法律意见;

- 协助海外客户签订涉外房屋买卖协议, 完成房屋付款、交付以及过户;
- 出具与客户公司的人事制度相关的法律意见书, 包括公司合并过程中劳动关系转移事项办理, 员工调换岗位后解雇的争议风险评估, 员工接受培训后的服务期限设定等等;
- 代理公司处理解雇员工的劳动争议案件;
- 代表公司与因工受伤无法继续工作员工达成和解协议;
- 处理公司与离职员工的竞业限制纠纷案;
- 负责知识产权案件的办理, 包括网页公证保全, 提起阿里巴巴、京东、微信投诉维权, 完成商标、专利、著作权侵权对比, 提出无效对方专利的方案, 起草警告信或者律师函, 发起工商投诉或者提起诉讼;
- 出具反不正当竞争法、反垄断法领域的法律意见书, 例如海外竞争者购买公开市场发行的股票是否需要进行经营者集中申报, 合同内容是否属于反垄断法中禁止的限定交易行为。

著作:

- 论我国专利药与仿制药规制体系完善——以美国经验为视角 (论文, 2014)
- 我国“平面到立体”复制权立法问题研究 (2014年5月)
- 中国政府采购系列问题 (Getting the Deal Through) (合著) (2018年11月)

语言

- 国语、英语

Jolene Chen Associate
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Obtained Attorney's License, 2017, China
Admitted to the Bar, 2010, China

EDUCATION

- LL.M., East China University of Political Science and Law (2014)
- LL.M., University of Wisconsin-Madison. (2013)

EXPERIENCE

- Shanghai Lee, Tsai & Partners
Attorneys-at-Law
(April 2016 –)
- Rouse Consultancy (Shanghai) Limited
(January 2014 – October 2015)

FIELDS OF EXPERTISE

- Corporate Law
- Intellectual Property Law
- Labor Law
- General Civil and Criminal Law
- Antitrust law and Unfair Competition Law

PREVIOUS PROJECTS AND CASES

- Assisted a foreign private equity group in its investment of a Chinese company, including conducting due diligence and providing advice on investment and general corporate law issues.
- Advised a well-known company on various legal issues with respect to due diligence in its investments.
- Assisted overseas clients to sign real estate contracts and completing the whole transaction.
- Provided legal advice with respect to client company's human resources management, including the transfer of the labor relations in a merger, risk assessment of termination after changing employee's position, the service period for employees after staff training, etc.
- Represented an employer in handling a labor dispute arbitration over a terminated employee.
- Represented an employer in reaching settlements with injured employees injured on the job and unable to continue to work.

- Handled a dispute over non-compete clauses for depart employees.
- Responsible for handling intellectual property cases, including notarization of website in dispute, filing complaints on Alibaba, Jingdong, WeChat systems, conducting infringement comparisons for patents, trademarks and copyrights, proposing arguments for invalidating other side's patents, drafting warning letters or attorney letters, filing complaints to the Administration for Industry and Commerce or the People's Court.
- Provided legal opinions in the field of Anti-Unfair Competition Law and Anti-Monopoly law, including whether it is necessary to make merger filings if an overseas competitor purchased stock from the open market; whether the content of the contracts may constitute a prohibited restriction of transactions in violation of Anti-Monopoly Law.

PUBLICATION

- On the perfection of regulation system of patent and generic drugs in China -- from the perspective of American experience (Thesis, 2014)
- The "Plane to Stereo" copyright in China (May, 2014)
- Chinese Government Procurement Issues, Getting the Deal Through, November 2018 (Co-Author)

LANGUAGES

Mandarin, English