

# The New Engine of Growth in Asia Conference: Investment and Technology

Korea University  
Seoul, South Korea

## Planning Committee

### Section Chair

**Robert Brown**, Lynch, Cox, Gilman & Goodman, P.S.C., Louisville, KY

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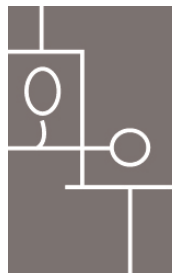
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## Wednesday, October 17, 2018

12:30 PM-1:00 PM

Registration

1:00 PM-1:45 PM

Opening Reception

*CJ Law Hall, B1F Conference Libertas Hall*

1:45 PM-2:00 PM

Opening Remarks

Robert Brown, Chair, Section of International Law  
Dean Soonkoo Myoung, Korea Univ. Law School

2:00 PM-3:15 PM

Session

*CJ Law Hall, B1F Veritas Conference Hall*

### Contribution of American Law and Lawyers to Law, Law Practice and Legal Education in Korea

American law has been instrumental in nurturing the democracy and market practices of South Korea, a country generally thought to be a civil law country nurtured in the German-Japanese legal traditions, and the roles of American lawyers in such development have not been discussed explicitly. In this session, the elements of American law and how they facilitated the development of Korean law, law practice and education will be dissected and presented to the audience by the practitioners of cross-pollination themselves, citing their best practices. Attendees will be able to learn the comparative-legal skills necessary for international lawyering practices and education in foreign jurisdictions.

**Sponsor: Korea University American Law Center**

#### Panel Chair & Speaker:

Prof. Kyungsin Park, Director, American Law Center, Korea University Law School, Seoul, South Korea

#### Moderator:

Claudia C. Hong, Kim & Chang, Seoul, South Korea

#### Speakers:

John H. Choi, Shin & Kim, Seoul, South Korea

Johneth Chongseo Park, Sheppard Mullin, Seoul, South Korea

Edward Dhong, IBM Korea Co., In-House Counsel Forum Korea Chairperson, Seoul, South Korea

Michelle Kwon, Inha University Law School, Incheon, South Korea

Prof. Soojin Kang, Center for Law & Creativity, Korea University Law School, Seoul, South Korea

3:15 PM-3:30 PM

Networking Break

*CJ Law Hall, 1<sup>st</sup> Floor Lobby*

3:30 PM-4:45 PM

Session

*CJ Law Hall, B1F Veritas Conference Hall*

### Use of Artificial Intelligence in Legal Services in Korea/Asia (Law Practice Management)

Asia was the forum where a machine beat its creators in the game of go, awakening the world to the advent of suprahuman artificial intelligence and where futuristic narratives on AI have been put to the most philosophical and emotional uses such as care of seniors, education of children, etc. Use of AI in legal services has been also most innovative as this workshop will show. On top of that, we will train attendees on unique ethical issues arising out of delivery of legal services through or using AI, especially at the crossroads of professional legal ethics and AI & ethics.

**Sponsor: Korea University American Law Center**

#### Panel Chair & Speaker:

Prof. Kyungsin Park, Director, American Law Center, Korea University Law School, Seoul, South Korea

#### Moderator:

Robert Brown, Lynch, Cox, Gilman & Goodman, P.S.C., Louisville, KY

#### Speakers:

Chung Nian Lam, WongPartnership, Singapore

Jaeger Glucina, Luminance, Singapore

Carl Im, Yulchon LLC, Seoul, South Korea

Young S. Bang, Head of Operation for Legal Korea, Thomson Reuters, South Korea

### Mentor Program Opportunity

As a service to the local community, the ABA Section of International Law is providing opportunities to Conference attendees to mentor young lawyers/law students. Please register as a mentor at <https://www.amlawcenter/aba-sil-ku-mentoring> to participate in one-on-one mentoring sessions **3:00pm - 6:00pm, October 19** at Korea University.

6:00 PM – 8:00pm

Yulchon Reception

Venue : Yulchon LLC 38th Floor, Parnas Tower  
521 Teheran-ro, Gangnam-gu, Seoul, Korea

## Thursday, October 18, 2018

8:00 AM – 8:45AM

### Registration

*CJ Law Hall, 1<sup>st</sup> Floor Lobby*

8:45 AM – 9:00 AM

### Welcome

**Jaeho Yeom, President, Korea University**

**Robert Brown, Chair, Section of International Law**

*CJ Law Hall, B1F Veritas Conference Hall*

9:00 AM – 10:30 AM

### Concurrent Sessions

#### FINANCE TRACK

#### TRADE TRACK

##### **Cryptocurrency: The Problem Child Tamed?**

*CJ Law Hall, B1F Veritas Conference Hall*

The first cryptocurrency transactions occurred almost nine years ago. Over that period, the value of such currency has exhibited great volatility, ranging from 1 cent per coin to USD 17,900. Nevertheless, governments around the world have been slow to respond and implement regulatory regimes. Not only are buyers of coins vulnerable to this astonishing variability but they have been left very susceptible to criminals hacking crypto exchanges, draining crypto wallets and infecting computers with cryptocurrency-stealing malware. In addition, while cryptocurrency transactions are being utilized for legitimate business purposes, they have also lent themselves to money laundering and terrorist financing. This session will explore what regulators in the United States and South Korea are doing to take control of this wild west atmosphere, including promulgating formal regulations, conducting enforcement actions, and issuing subpoenas, document requests and cease-and-desist orders. The session will also explore the potential civil and criminal penalties that could soon become a core focus of regulatory enforcement in the cryptocurrency world, particularly in the area of anti-corruption, anti-money laundering and economic sanctions violations. Finally, the session will touch on what remedies, including arbitration, may be available to buyers to recover stolen cryptocurrency.

**Committee Sponsors:** International Arbitration Committee, International Anti-Money Laundering Committee and the Seasoned Lawyers Interest Network

##### **Panel Chair:**

Jeffrey M. Epstein, Arnold & Porter, New York, NY

##### **Moderator:**

John E. Rollins, Ankura Consulting, New York, NY

##### **Speakers:**

Steve Ahn, SEUM, Seoul, South Korea  
Joon H. Kim, Cleary Gottlieb Steen & Hamilton LLP, New York, NY  
Michael Mancusi, Arnold & Porter, Washington, DC  
Kan M. Nawaday, Venable LLP, New York, NY  
Jongsoo (Jay) Yoon, Lee & Ko, Seoul, South Korea

##### **The Continuing Evolution of the U.S. • Republic of Korea Free Trade Agreement and the Impact on Regional and Trans-Pacific Investment and Technology Transfer**

*CJ Law Hall, B1F Conference Libertas Hall*

The free trade agreement between the United States and the Republic of Korea promised to join not only two of the world's largest trading partners but also had the potential for significant impact on geopolitical stability, territorial expansion in the South China Sea and the Rule of Law on many issues including intellectual property rights and human rights. This panel will examine the evolution of KORUS up to and including the current treatment of the FTA given political realities in South Korea and in the U.S. under the Trump Administration.

**Committee Sponsor:** Customs Law Committee

**Panel Chair:** Leslie Glick, Butzel Long, Washington, DC

##### **Moderator:**

Lawrence Hanson, The Law Office of Lawrence W. Hanson, P.C., Houston, TX

##### **Speakers:**

Kenneth Barden, Green Climate Fund, Ke Songdo Incheon, South Korea  
Katrina Chang, Kim & Chang, Seoul, South Korea  
Sungbum Lee, Yoon & Yang, Seoul, South Korea  
T. James Min II, LimNexus LLP, Washington DC, USA

10:30 AM – 11:00 AM

### Networking Break

*CJ Law Hall, 1<sup>st</sup> Floor Lobby*

11:00 AM – 12:30 PM

### Concurrent Sessions

##### **The Emergence and Growth of Fintech in Asia – Comparative study of regulations in key jurisdictions**

*CJ Law Hall, B1F Veritas Conference Hall*

Asia is expected to lead the world into the next generation of financial technology innovation. Data suggests that

##### **North Korea: from rogue state to economic partner?**

*CJ Law Hall, B1F Conference Libertas Hall*

One year ago, in June 2017, Otto Warmbier died only six days after having been repatriated in a comatose state. In November 2017, the US government restored North Korea to the list of state sponsors of terrorism. For several weeks, the Korean peninsula seemed on the brink

investors poured USD 3.85 billion into FinTech companies in Asia in 2017. According to the World Bank, three out of the top five economies with the most business-friendly environments, namely Hong Kong, Singapore, and Korea, are in Asia.

The FinTech industry in Asia is largely driven by start-ups. Governments in Asian countries are taking initiatives to encourage and support FinTech start-ups. In 2015, the federal bank of India i.e. the Reserve Bank of India issued 21 banking licenses to companies wishing to leverage technology to provide financial services to the unbanked and underbanked. Subsequently, in June 2016, the Government of India launched the 'Start-Up India initiative', which includes a USD 1.5 billion fund for start-ups. Hong Kong recently introduced an Innovation and Technology Venture Fund. Singapore is working towards ensuring access to suitable financing for nascent enterprises domiciled in the city. In South Korea, the Financial Services Commission established the FinTech Center which intends to catalyze FinTech innovation by supporting domestic startups and companies.

In light of the above said developments and growth of the FinTech industry in the Asian countries, we see great opportunities for attorneys and their firms to provide specialized legal services to emerging start-ups.

The panel will focus on the following three pertinent issues:

1. Role that regulations on FinTech can play to make the Asian economy dominant in retail banking services.
2. Potential Investment opportunities in the FinTech companies in Asia and related legal concerns.
3. The specialized legal advice and services that attorneys and their firms may provide to emerging start-ups in the FinTech industry in Asia.

**Committee Sponsor:** International Securities & Capital Markets Committee

**Committee Co-Sponsors:** International Investment and Development Committee; and South Asia/Oceania & India Committee

**Panel Chair & Moderator:** Pratibha Jain, Nishith Desai Associates, New Delhi, India

**Speakers:**

Gun Kim, Yulchon LLC, Seoul, South Korea  
Kenji Hirooka, Anderson Mōri & Tomotsune, Tokyo, Japan  
Nicholas Hanna, K&L Gates LLP, Singapore  
Samuel Yim, Kim & Chang, Seoul, South Korea

of war and Northeast Asia held its breath. The winter Olympic games in Pyeongchang contributed to ease the tension and soon after a historic meeting was held in Singapore between the leaders of the US and North Korea. Although nothing concrete was decided at the meeting, it marked the beginning of a new phase of optimism, with people cautiously exploring the possibilities of future economic cooperation with the DPRK.

In this context, it is worth examining what future economic cooperation between North Korea and its capitalist neighbors may look like. Our panel of experts will discuss the legal framework prevailing in North Korea, past experiences of doing business with North Korea, and the legal and other pitfalls to avoid when negotiating with North Korean authorities. Although it is too early to say whether the relationship will markedly improve, a review of the current situation and what has been accomplished so far will be useful to anyone with an interest in the geopolitical situation on the Korean peninsula and its legal dimensions.

**Committee Sponsors:** Planning Committee

**Panel Chair:**

Philippe Shin, Shin & Kim, Seoul, South Korea

**Moderator:**

Sumi Jeon, Yonsei Institute for North Korean Studies, Seoul, South Korea

**Speakers:**

Hee Suk Chai, Jipyong, Seoul, South Korea  
Wook Yoo, Bae Kim & Lee, Seoul, South Korea  
Patrick Zheng, Llinks, Beijing, China  
Christopher C. Swain, CDR, JAGC, USN, Seoul, South Korea

12:30 PM – 2:00 PM

Luncheon

KEYNOTE SPEAKER:

*CJ Law Hall, B1F Veritas Conference Hall*



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2:00 PM – 3:30 PM

Concurrent Sessions

TECHNOLOGY TRACK

**Compliance 3.0: Tying Technology to Advance Legal and Accounting Investigations to the Next Level**

*CJ Law Hall, B1F Veritas Conference Hall*

Traditional Compliance work is now being supplemented with technology advancements, such as AI and Data Analytics, to help organizations not only save costs but also build in-house sound capabilities for other business units. In industries, such as the pharmaceutical industry, we have seen companies develop technology platforms to determine habits, patterns, and predictive analysis for its employees to aid in internal investigations, further assisting the legal framework of investigations. There is no doubt that internal Compliance abilities are evolving beyond adhering to the company code of conduct. We have a panel of legal and investigation experts assembled to share their experiences both in advising firms and also in executing investigations when technology has played an instrumental role in the outcomes' success. Also, our experts will share their thoughts on what's next for this exciting change in a discipline that continues to have the regulators' attention.

**Committee Sponsor:** Central/East Asia & China Committee

**Panel Chair & Moderator:**

Dr. Tim Klatte, Grant Thornton, Shanghai, China

**Speakers:**

Brinton Scott, Winston & Strawn, Shanghai, China  
Adrian Jenson, Foley & Lardner, Washington, DC  
Kyungsun Kyle Choi, Kim & Chang, Seoul, South Korea  
Victor Song, Investigations, Compliance, and Security Executive, Ladera Ranch, CA

INVESTMENT TRACK

**Trends and Challenges for Indian and Chinese Outbound and Inbound Investments**

*CJ Law Hall, B1F Conference Libertas Hall*

This program will focus on the key trends and challenges relating to making investments in India and China, as well as making investments from India and China. Whether it be setting up a subsidiary, a joint venture, making an acquisition, undertaking a venture capital or a private equity investment. Panelists will discuss the peculiar legal issues that emanate from, and are critical to such transactions. Issues such as exchange controls, antitrust, enforceability of investment agreements, and dispute resolution mechanisms that must be borne in mind while structuring and negotiating such transactions will be discussed, and practical tips provided on how best to handle such issues, and mitigate risks for clients.

**Committee Sponsor:** South Asia/Oceania & India Committee

**Panel Chair & Speaker:**

Vishal Gandhi, Gandhi & Associates, Mumbai, India

**Moderator:**

Sai Ree Yun, Yulchon LLC, Seoul, South Korea

**Speakers:**

Shivapriya Nanda, Jyoti Sagar Associates, New Delhi, India  
Ying Zhang, Junhe, Beijing, China  
Hunter Qiu, Zhonglun, Shanghai, China

3:30 PM – 4:00 PM

Networking Break

*CJ Law Hall, 1<sup>st</sup> Floor Lobby*

4:00 PM – 5:30 PM

Concurrent Sessions

**What's next for the sharing economy in Asia? Trends in regulation of P2P digital platforms**

*CJ Law Hall, B1F Veritas Conference Hall*

Just 8 or 9 years ago there was virtually no sign of Airbnb, Uber, Didi, or any of the myriad "sharing economy" platforms that, in vastly expanding connectivity between sellers and consumers, have reshaped whole swathes of economic activity. Our panel will look at the shifting legal landscape for P2P online and app-driven platforms in Asia, but focusing on "disruptors" in transport and hospitality. Platforms in every sector – retail (eBay, Alibaba), services of all kinds, publishing, and so on – tend to share certain kinds of issues, such as data privacy. However, in Asia as elsewhere, ride sharing and home sharing tend to involve special constraints, and sometimes competing perspectives – policymakers' views, existing industry structures, consumer convenience and demand. Greenlighting a rideshare app in 2015, the then mayor of London observed, "You can't disinvest this thing." Whether or how to regulate is the question.

The panel will look at the shapes and types of regulation governing ride and home sharing platforms in Asia, and consider the directions of possible change. Broader aspects will be considered as well, including risk allocation (liability; insurance) and competition law, bearing on P2P lending and other areas.

**Recent Trends and Legal and Other Developments in Technology M&A in Asia**

*CJ Law Hall, B1F Conference Libertas Hall*

In Asia, we have seen increasing M&A activities, and among others, one of the hottest sectors is the technology sector, where we see large volume and increasing numbers of transactions. Within Asia, we have seen more transactions in China where Alibaba, Tencent and Baidu are the active players in the market, and we will discuss hot areas and legal issues for technology M&A transactions in China, technology dilemma in Chinese inbound business and technology focus in Chinese outbound investment. Also, in South Eastern Asian Countries, in particular, Singapore which is the financial district of the region, we have seen increasing activities of startups, in particular, Fintech-related companies, and we will discuss supportive initiatives such as the regulatory sandbox for FinTechs in Singapore, and common technology M&A structures in Singapore, including ICOs as an alternative to VC funding, and related legal challenges.

Further, we have seen increasing technology M&A transactions in other Asian countries, such as in India and South Korea, and we will discuss hot sectors, key drivers and legal and other



<p><b>Committee Sponsor:</b> Planning Committee</p> <p><b>Panel Chair:</b> Philippe Shin, Shin &amp; Kim, Seoul, South Korea</p> <p><b>Panel Chair &amp; Moderator:</b> Minwoon Yang, Bae, Kim &amp; Lee, Seoul, South Korea</p> <p><b>Speakers:</b> Elsa Chen, Allen &amp; Gledhill, Singapore Kojiro Fujii, Nishimura &amp; Asahi, Tokyo, Japan Jinrong Liu, Global Law Office, Beijing, China Mohit Saraf, Luthra &amp; Luthra, Mumbai, India</p>	<p>challenges in both inbound and outbound technology M&amp;A transactions in these countries, and among others, social impact of technology in the Indian context and role of Korean conglomerates vs. startups/SMEs in technology M&amp;A transactions.</p> <p><b>Committee Sponsors:</b> International M&amp;A and Joint Venture Committee; South Asia/Oceania &amp; India Committee</p> <p><b>Panel Chair:</b> Vishal Gandhi, Gandhi &amp; Associates, Mumbai, India</p> <p><b>Panel Chair &amp; Moderator:</b> Takashi Toichi, TMI Associates, Tokyo, Japan</p> <p><b>Speakers</b> Fang He, JunHe, Beijing, China Jang Hyuk Yeo, Lee &amp; Ko, Seoul, South Korea Upasana Rao, Trilegal, Delhi, India Chung Nian Lam WongPartnership, Singapore</p>
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**6:30 PM Reception at Korea University Museum**

**Friday, October 19, 2018**

**8:00 AM – 9:00 AM Registration**

*CJ Law Hall, 1<sup>st</sup> Floor Lobby*

**9:00 AM – 10:30 AM Concurrent Sessions**

**DISPUTE TRACK**

**INVESTMENT TRACK**

**When Money Is Not Enough: Ensuring Equitable Relief Is an Option in Arbitrating Technology Agreements**

*CJ Law Hall, B1F Veritas Conference Hall*

What happens when a contracting partner abuses a technology license or other intellectual property agreement? Will damages be enough? Or do you want to ensure that you will have options to pursue equitable relief under an international arbitration agreement? Does your arbitration clause possibly preclude seeking equitable relief in certain jurisdictions? Often times, the ability to stop infringing conduct is as important, if not more so, than eventually recovering damages. Do your arbitration clauses provide adequate abilities to do so? This program will focus on these questions as our panel explores best practices for ensuring that your international arbitration clause includes adequate options for pursuing equitable remedies and how best to enforce such equitable options. Panelists will discuss their experiences in negotiating provisions for equitable relief in arbitration clauses and in seeking equitable relief in conjunction with arbitration proceedings.

**Sponsor:**



**Committee Sponsor:** International Arbitration Committee

**Committee Co-Sponsor:** International Litigation Committee

**Panel Chair & Moderator:**

**The Role of Innovation and Technology in Competition Law and Enforcement in East Asia**

*CJ Law Hall, B1F Conference Libertas Hall*

As the global economy is transformed by new technologies and innovations, it triggers new thinking and presents new challenges to competition law and its enforcement. These new challenges have potentially major implications for cartel investigations, competition analysis in merger review, and even the very language of competition laws. Both China and South Korea are studying potential major revisions to their competition laws and enforcement regimes, while Japan has recently substantially restructured its competition law regime. How to both foster competition and encourage innovation is a common theme in these efforts.

This panel of senior enforcers, leading scholars and expert practitioners will discuss the actual and potential changes in these 3 important jurisdictions and their likely impact, particularly on merger control and antitrust investigations procedurally and substantively, as well as potentially on innovation. The panel will share their insights on the optimal statutory and procedural frameworks to evaluate innovation effects in mergers, the analytical tools in competition law generally, and effective constraints on administrative action and judicial review.

**Sponsor:** Korea University School of Law Innovation, Competition & Regulation Law Center

**Committee Co-Sponsors:** International Antitrust Law; Central/East Asia and China; Northeast Asia, Japan and Korea; International M&A and Joint Venture; International Intellectual Property Law Committees

**Panel Chair & Moderator:**

Hwang Lee, Korea University School of Law, Seoul, South Korea

<p>Keith Fichtelman, California International Arbitration Council, Los Angeles, CA</p> <p><b>Speakers:</b>  Matthew Kendrick, Daimler Greater China Ltd., Beijing, China  Young Seok Lee, Rosetta Legal. Seoul, South Korea  Ping Gu, Zhong Lun Law Firm, Beijing, China  Eric D. Olson, Lee, Hong, Degerman, Kang &amp; Waimey, Newport Beach, CA  Seung Min Lee, Shin &amp; Kim, Seoul, South Korea</p>	<p><b>Panel Chair &amp; Speaker:</b> Elizabeth Xiao-Ru Wang, Compass Lexecon, Boston, MA</p> <p><b>Speakers:</b>  Hideo Nakajima, White &amp; Case, Tokyo, Japan  Hyung Bae Kim, Director General, Market Structure Policy Bureau, Korea Fair Trade Commission, Seoul, South Korea  Yanbei Meng, Renmin University, Beijing, China</p>
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**10:30 AM – 11:00 AM** **Networking Break**  
*CJ Law Hall, 1<sup>st</sup> Floor Lobby*

**11:00 AM – 12:30 PM** **Concurrent Sessions**

<p><b>TECHNOLOGY TRACK</b></p> <p><b>Corporate Cyber Fraud: Global Strategies to Enhance Recovery Efforts in The Event of Asset Theft</b>  <i>CJ Law Hall, B1F Veritas Conference Hall</i></p>	<p><b>TRANSACTION TRACK</b></p> <p><b>Understanding CFIUS Review Process and “National Security” Concerns: What Every Cross-Border M&amp;A Lawyer Must Know about the CFIUS Review Process and Potential Risks When Representing Non-US Buyers of U.S. Businesses and Assets</b>  <i>CJ Law Hall, B1F Conference Libertas Hall</i></p>
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2017 was a record year for reported incidents of cyber hacking or phishing affecting global corporations, and the rate of attacks is expected to increase. Despite persistent media coverage surrounding the massive data breaches of major companies like Equifax, Yahoo!, and Sony, phishing attacks have remained a principal risk to companies. Though hackers routinely defeat company security protocols to gain access to accounting and payment systems, it takes most businesses more than 195 days to detect a breach on their network, by which time the stolen funds are usually long gone. Asia’s major financial hubs and offshore locations, such as the British Virgin Islands and the Cayman Islands, are among the most common destinations for these stolen funds. This type of fraud has cost businesses billions in recent years, including in several high-profile cases where the consequences have gone beyond financial loss.

This panel session will cover some of the steps companies and their advisers can take to maximize the odds of retrieving stolen assets, including coordinating with local and international law enforcement, conducting a forensic investigation and tracing and freezing of assets.

**Committee Sponsor:** International Criminal Law Committee

**Panel Chair & Speaker:**  
Robin J. Baik, Kobre & Kim, Seoul, South Korea

**Speakers:**  
David White, AlixPartners, New York, NY  
Rafael Myung Sung Kim, Deloitte Korea, Seoul, South Korea  
Jiho Park, Yoon & Yang, Seoul, South Korea  
Mark Ray, Nardello & Co., Atlanta, GA

Back in March, President Trump blocked one of the largest transactions in the high-tech space -- Broadcom’s bid for Qualcomm - - on national security grounds, after rejecting a Chinese Government-backed private equity firm from acquiring a U.S. chipmaker, Lattice Semiconductor. The Obama administration also used CFIUS review to block a number of foreign acquisitions of US businesses on national security grounds.

In this session, you will learn about the CFIUS review process and the meaning of “national security” to help you navigate through the process that has always been something of a “black box.” CFIUS practitioners from leading U.S. law firms will provide in-depth analysis of recent blocked transactions and discuss the recent legislative development to expand the scope of transactions that are subject to CFIUS review.

**Panel Chair & Moderator:**  
Nelson K. Ahn, Lee & Ko, Seoul, South Korea

**Speakers:**  
Yong (Alex) Hao, JunHe LLP, New York, NY  
Hermann Knott, Andersen Tax & Legal, Cologne, Germany  
Brian Egan, Steptoe & Johnson LLP, Washington, DC  
Barbara D. Linney, Miller & Chevalier Chartered, Washington, DC

**12:30 PM – 2:00 PM** **Luncheon**  
**KEYNOTE SPEAKER: James Kim, Chairman, AmCham South Korea**  
*CJ Law Hall, B1F Veritas Conference*



Sponsored by:

**2:00 PM – 3:30 PM** **Concurrent Sessions**

**How U.S. Tax Changes Will Affect U.S.-Asian Transfers of Investment and Technology**

*CJ Law Hall, B1F Veritas Conference Hall*

The U.S. tax law in 2018 dramatically changed the U.S. taxation of foreign investors in U.S. businesses and of foreign technology companies with U.S. subsidiaries. Likewise, the U.S. tax law in 2018 dramatically changed the U.S. taxation of U.S. investors in foreign businesses and of U.S. technology companies with foreign subsidiaries. The panelists will review these 2018 U.S. tax changes, and how they are likely to change the flows of investment and multinationals' spending on developing technology, between the U.S. and Asia. The new U.S. tax rules will affect the advice that attorneys will give on structuring or restructuring cross-border investments, presenting opportunities but potential pitfalls.

**Committee Sponsor:** International Tax Committee

**Committee Co-Sponsors:** Northeast Asia, Japan & Korea, Central/East Asia & China, Cross-Border Real Estate Practice, South Asia/Oceania & India, International Trade, Transnational Practice Committees

**Panel Chair & Moderator:**

Alan S. Lederman, Gunster, Fort Lauderdale, FL

**Speakers:**

Bobbe Hirsh, Skarzynski Black LLC, Chicago, IL  
Heejoong Kim, HwaHyun (Jung & Sohn), Seoul, Korea  
David Liu, FuJae Partners, Shanghai, China  
Makoto Sakai, Mori Hamada & Matsumoto, Tokyo, Japan

**Recent Developments on the F/RAND Debate: A Comparative Analysis of US, EU and Asia**

*CJ Law Hall, B1F Conference Libertas Hall*

Over the last decade, issues related to the commitment to license standard essential patents (SEPs) on fair, reasonable and non-discriminatory (F/RAND) terms have received tremendous attention from the courts and antitrust agencies around the world. Courts and competition authorities in numerous jurisdictions have made important decisions in recent cases on issues related to F/RAND rates, licensing terms, and injunctive relief.

This panel will compare and contrast policies and recent court decisions in jurisdictions including US, Europe, and Asia. The program will bring together attorneys and economists to provide a detailed, comparative view of the enforceability of licensing and contractual limitations in more restrictive jurisdictions that could undermine global strategies in business licensing or distribution.

**Committee Sponsor:** International Antitrust Law Committee

**Panel Chairs:**

Elizabeth Xiao-Ru Wang, Compass Lexecon, Boston, MA  
Cecil Saehoon Chung, Yulchon LLC, Seoul, South Korea

**Moderator:** Yee Wah Chin, Ingram Yuzek Gainen Carroll & Bertolotti, LLP, New York, NY

**Speakers:**

Ye Zhao, Jingtian Law, Beijing, China  
Justin Coombs, Compass Lexecon, London, UK  
Peter Kang, Sidley Austin LLP, Palo Alto, CA  
Kyoung Yeon Kim, Yulchon LLC, Seoul, South Korea

**3:00 PM – 6:00 PM**

**Mentoring Sessions**

During the Conference, registrants or ABA SIL members can have one-on-one mentoring opportunities for Korea University Law School students, its alumni, or even some of practicing attorneys in Korea graduated Korea University who want to broaden their views in international legal markets. Based upon mentors' profiles, expert areas, and topics of interest, American Law Center will matchmake mentee students or Korean attorneys with similar interests. Mentoring program will take place at CJ Law Hall (each room number to be announced), Korea University on the Oct. 19th after 3 PM.

For those who want to take part in this mentoring program, please fill up the below application forms. For mentors, Conference attendees or ABA SIL members ONLY. For mentees, Korea University School of Law students and its alumni or Korea University alumni attorneys admitted in Korean Bar ONLY

Please register as a mentor at <https://www.amlaw.center/aba-sil-ku-mentoring>

**3:30 PM – 4:00 PM**

**Networking Break**

*CJ Law Hall, 1<sup>st</sup> Floor Lobby*

**4:00 PM – 4:15 PM**

**Closing Remarks**

*CJ Law Hall, B1F Veritas Conference Hall*

**4:15 PM – 5:45 PM**

**Concurrent Sessions**

**How to deal with GDPR and data privacy laws in Asia around new technologies, such as AI, BigData, and IoT**

*CJ Law Hall, B1F Veritas Conference Hall*

Welcome to the world of privacy. On May 25, 2018, the EU General Data Protection Regulation (“GDPR”) became effective in the EU. However, GDPR affects globally. So do other local privacy related laws. With the development of AI, BigData, and IoT, practical implication of privacy laws becomes so complicated and it would be almost impossible to harmonize the new developing industry and the privacy laws.

This program is intended to cover legal and business issues involved in GDPR, local privacy laws and new technology in the 4th Industrial Revolution. The panel will explore the laws in various countries including Europe, Asia, and U.S. in the areas of AI, BigData and IoT.

**Committee Sponsor:** Northeast Asia, Japan and Korea Committee

**Committee Co-Sponsors:**

**Panel Chair:** Jai Lee, Yulchon, Seoul, South Korea

**Moderator:**

Susan Park, Bae, Kim & Lee, Seoul, South Korea

**Speakers:**

Carlos Eduardo Elizario de Lima, Dannemann Siemsen, Rio de Janeiro, Brazil  
Seungmin Jasmine Jung, Jipyong, Seoul, South Korea  
Angela Shapiro, Butzel Long, Detroit, MI  
Jacqueline Klosek, Goodwin Procter LLP, New York, NY  
Tania Pavaskar, LexisNexis, Singapore

**Global Sports Corruption: A Challenging Frontier in International Business and International Law**

*CJ Law Hall, B1F Conference Libertas Hall*

Sports, a multi-billion-dollar industry, provides rich opportunities for corruption. In the wake of the 2018 Olympics Winter Games in Pyeongchang, South Korea, Asia will soon welcome another two big games - Tokyo 2020 and Beijing 2022.

In 2017, the Russia doping scandal, a state-sponsored doping scandal, had drawn overwhelming international attention. In the meanwhile, the U.S. Department of Justice had also elevated its investigation into international sports corruption in January 2018. The investigation involves organizations such as the FIFA, the International Olympic Committee (IOC), and the U.S. Olympic Committee, as well as people involved in bids to host international sporting competitions.

This program is intended to cover legal, ethical, and business issues involved in global sports corruption, across both international organizations’ authorities and national authorities.

**Committee Sponsor:** UN and International Organizations Committee

**Committee Co-Sponsors:** International Anti-Corruption Committee, Young Lawyer’s Interest Network; Young Lawyers Division International Law Committee

**Panel Chair:** Hong Tang, San Francisco, CA

**Moderator:**

Caroline E. Kim, U.S. District Court for the Northern District of Illinois, Chicago, IL

**Speakers:**

Kurt Kawafuchi, Law Offices of Kurt Kawafuchi, LLLC, Honolulu, HI  
Mikhail Reider-Gordon, NCI, Los Angeles, CA  
Rieu Kim, Barun Law, Seoul, South Korea  
Nana K. Asare, Texas Southern University College of Education, Houston, TX

**6:30 PM**

**Gala Dinner at Samcheong-Gak, hosted by International Association of Korean Lawyers**

**Keynote Speaker, The Hon. Harry B. Harris, Jr., U.S. Ambassador to the Rep. of Korea**

**Performances by members of “Rivers Crew”, Internationally-ranked B-Boy Dance Troupe from Seoul, South Korea**

**CLE Information**

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, ME, MN, MS, MO, MP, MT, NH, NJ, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 14.5 CLE credit hours in 60-minute states, and 17.4 credit hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit our meeting website or contact [Thomas.Happell@americanbar.org](mailto:Thomas.Happell@americanbar.org). A limited number of registration fee reductions are available for this program upon application. The fee-reductions will be determined on a one-time only, case-by-case, first-come first-serve basis. Requests must be received at least three weeks before the program start date. You will be notified prior to the program if your application is approved. A minimal fee may be charged on all approved applications to defray expenses. For programs with tuition costs of \$500 or more, qualifying attorneys will receive at least a 50% reduction in the course fee(s) only. To apply, send a letter outlining the basis for your request of a fee reduction to [intlawmeetings@americanbar.org](mailto:intlawmeetings@americanbar.org)