



**Cross-Border M&A in China: A New Paradigm for IP, Engineering Talent,
and R&D Capability**

Tuesday, October 25, 2011
Garden Court Hotel, Palo Alto, California

AGENDA

11:30 a.m. – 12:00 p.m. Registration and Networking Lunch

12:00 p.m. – 12:10 p.m. Welcome Remarks

Hon. Sharon R. Barner, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director, United States Patent and Trademark Office (2009 – 2011), and IP Partner, Foley & Lardner LLP

12:10 p.m. – 1:15 p.m. Panel #1 Discussion: Nuts and Bolt of Cross-Border China Deals

Specific topics to be addressed include:

- Current M&A landscape in China
- How to target a Chinese company for acquisition
- Typical acquisition structures
- Tax issues
- Common obstacles and deal-breakers
- Key cultural issues
- Negotiating with the Chinese seller

Moderator: **James C. Chapman**, Partner, Private Equity & Venture Capital Practice, Foley & Lardner LLP

Panelists: **Linda Ji**, Senior Counsel, Transactional & Securities Practice, Foley & Lardner LLP

Sharon Chow, Tax Manager, China Services Group, Deloitte

Chad Keck, Vice Chairman, Needham & Co.

Hanson Li, Managing Director, Hina Group



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1:15 p.m. – 1:30 p.m. Break

1:30 p.m. – 2:30 p.m. **Panel #2 Discussion: Navigating an M&A Deal: IP, FCPA and Financial Due Diligence (The Advanced Course)**

Specific topics to be addressed include:

- The impact of the new U.S. patent law on M&A transactions in China
- IP due diligence and traps to avoid
- Protecting IP as part of the M&A deal
- Post-acquisition IP strategies
- Conducting due diligence for FCPA compliance
- Structuring the investigation
- Strategies for when potential FCPA violations are discovered
- Dealing with multiple sets of books
- Penetrating the financial records to determine the “*actual*” financial performance of the target
- Areas where problems are commonly found

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Panelists: **Ivonne Mena King**, Partner, Government Enforcement, Compliance & White Collar Defense Practice, Foley & Lardner LLP
Alex Nie, Associate, IP Department, Foley & Lardner LLP
Brent Carlson, Vice President, AlixPartners, LLP



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