

# Jay YU

Partner

Dispute Resolution | Intellectual Property Antitrust and Competition



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Shanghai

Jay (Jie) Yu is a partner at Merits & Tree. Before joining Merits & Tree, he was a partner at Guantao Law Firm. He also worked at an international law firm in its New York office, and as a visiting lawyer at Monckton Chambers in London.

Mr. Yu has extensive experience in representing clients in litigations and arbitrations, and has successfully advocated in many complex cases involving finance, corporate, commercial, intellectual property rights ("IPR"), competition matters, etc.

Mr. Yu specializes in financial, securities investment, asset-management disputes, shareholders' disputes, derivative suits, dissolution lawsuits etc. In terms of IPR disputes, he is an expert in software, online copyright, and new-type anti-competition disputes. One of the cases he represented was selected by Shanghai High People's Court as a top-ten guiding IPR case.

## Achievements

### Financial, Corporate and Commercial Disputes

- Represented an asset management company in a securities investment fund transaction dispute in the re-hearing litigation, where the key issue in dispute being whether (and how) a court shall decide on the scope of damages to be borne by a private equity fund manager due to its breach of duty of appropriateness, if the damage consequence has not yet been determined;
- Constantly represent investment institutions in litigations/arbitrations concerning investment contract disputes, financial product disputes, and asset management disputes;

- Represented a major state-owned asset management company in PRC litigations concerning shareholders' derivative dispute and corporate dissolution dispute;
- Represented a leading food company in a series of corporate and shareholder litigations in Cayman court.

## Intellectual Property Right Disputes

- Represented a PRC infrastructure company in a trade secret dispute litigation in the PRC court against a U.S. leading power corporation;
- Represented a copyright infringement dispute litigation in China between a copyright owner and a Multi-Channel Network (MCN) entity, which was the first of its kind;
- Constantly represent a leading online streaming platform in IPR and competition disputes;
- Constantly represent domestic and international software copyright owners in copyright infringement disputes and litigations in China;
- Assisted King's Counsels in representing litigations and international arbitrations, including Apple Operations Europe v. Commission, during his work at Monckton Chambers;
- Represented a national renowned film director in a series of trademark invalidation disputes.

## Transaction/Regulatory and Compliance

- Advised a leading internet platform on IPR issues in acquiring an online content provider;
- Advised a global leading high-tech company on dispute resolution matters, such as pre-litigation strategy design, court jurisdiction and enforcement of foreign arbitral awards in the PRC;
- Advised Yuz Foundation and Yuz Museum on establishing an international art foundation with Museum Associates, dba the Los Angeles County Museum of Art (LACMA) and Qatar Museums;
- Advised Pfizer in third-party national compliance programs and internal investigations in the PRC.

## Social Positions

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- Host and Lawyer of the "Legal Lectures" program on China Media Group.
- Master of Laws (M.L.) Practical Tutor at the School of Law, Shanghai International Studies University.
- Member of the "Belt and Road" Business Research Committee, Shanghai Bar Association.
- Member of the 12th Shanghai Bar Association's International Investment and Belt and Road Professional Committee.

## Education

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LL.M., Georgetown University, with Distinction

LL.B., Shanghai International Studies University

# Admissions

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- PRC Bar
- New York State Bar

# Language

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Chinese、English