

Sectors

Japan

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As multinational companies seek to expand their presence or gain a foothold in a new market, they require a team with the experience and ability to bridge the legal and cultural divide between two nations. Akerman has extensive experience representing Japanese and other international clients in a variety of cross-border matters. Our lawyers intimately understand business and decision-making practices within Japanese companies and are familiar with assisting them and their U.S. and other international subsidiaries within that framework on a broad range of transactional, litigation, regulatory, commercial, organizational, and operational matters in numerous industries. With offices across the United States and through close working relationships with leading firms all over the world, Akerman is positioned to offer quality services at a greater value through a combination of deep experience and client attention, with a focus on efficiency and meeting client expectations with respect to legal cost and value-added services.

Our deep experience with Japanese companies and understanding of the Japanese business and cultural environment allow us to work naturally and collaboratively with Japanese companies, their U.S. and other international subsidiaries, and Japanese law firms. We pride ourselves on the strong relationships we have developed with Japanese companies and law firms and on our ability to work

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Our Team

Related Work

Antitrust and Trade
Regulation
Corporate
International
International Tax
International Trade and
Customs

closely with them on their most important matters in the United States and elsewhere.

Litigation
Real Estate
Tax

Corporate

Highly regarded as among the best U.S. law firms for middle market M&A, Akerman's Corporate Practice Group covers all aspects of transactional legal services. Our corporate transactional lawyers represent Japanese clients and their U.S. subsidiaries in U.S. and cross-border M&A, investment, and joint venture transactions. Guiding our clients in all aspects and stages of M&A and other transactions, we draw upon the experience of lawyers within the firm to handle all areas relevant to a transaction, including employee benefits and executive compensation, intellectual property, data privacy and cybersecurity, real estate, environmental, government contracts, antitrust, tax, regulatory (including CFIUS and other foreign investment regulatory matters), and employment law, among others. In addition, we frequently assist Japanese clients and their U.S. subsidiaries in venture capital investments and financing in high profile emerging industries and technologies in the United States.

Real Estate

With substantial industry experience and local market insights, our real estate lawyers provide comprehensive and fully integrated services to Japanese companies and their U.S. subsidiaries, operating from our 25 offices in major commercial real estate markets and extending coverage across the United States. We have represented Japanese companies and their U.S. subsidiaries in the formation of real estate funds, property acquisitions, leasing, asset management, and dispositions. Our multifaceted knowledge and capabilities in real estate allow us to represent Japanese clients and their U.S. subsidiaries in all aspects of their development of new facilities, including site acquisition, environmental due diligence, zoning

and entitlements, economic incentives, financing, permitting, design, and construction.

International Trade

Our international trade lawyers provide a broad range of services to our Japanese clients and their U.S. subsidiaries, including with respect to import and export controls compliance; guidance on International Traffic in Arms Regulations (ITAR), Export Administration Regulations (EAR), and Office of Foreign Assets Control (OFAC) compliance, licensing procedures, and economic sanctions compliance; advising with respect to and preparing notices and representing clients before the Committee on Foreign Investment in the United States (CFIUS); and providing guidance and counseling regarding the Foreign Corrupt Practices Act (FCPA) and other anti-corruption laws.

Litigation

Our litigation lawyers represent our Japanese clients and their U.S. subsidiaries across a wide variety of industries and types of commercial litigation, including the financial services, private equity, insurance, real estate and construction, healthcare and life sciences, auto parts, consumer products, and energy sectors. One of our lawyers serves as an arbitrator on the panel of the Japan Commercial Arbitration Association (JCAA). Our lawyers regularly appear before judges and arbitrators in class action, securities, antitrust, white collar, fraud and recovery, product liability, intellectual property, employment, bankruptcy, and general business matters.

Antitrust

Our antitrust lawyers represent our Japanese clients and their U.S. subsidiaries across a broad range of practice areas and industries, including counseling on the structuring of competitor collaborations and joint ventures, preparing Hart-Scott-Rodino submissions, and defending proposed mergers and

acquisitions where investigated or challenged by U.S. government authorities. We litigate claims of price fixing, bid rigging, market allocation, group boycotts, refusals to deal, tying arrangements, and price discrimination, among others under federal and state antitrust statutes. We advise clients with respect to distribution arrangements, pricing and bundling of products, and joint purchasing arrangements.

What We Do

- Antitrust and Trade Regulation
- Aviation and Aerospace
- Bankruptcy and Reorganization
- Construction
- Corporate Finance and Lending
- Corporate Venture Capital Investments and Emerging Growth Companies
- Data Centers and Digital Infrastructure
- Data Privacy and Cybersecurity
- Energy and Infrastructure, including Renewable Energy and Electric Power
- Environmental
- Healthcare and Life Sciences
- Immigration Planning and Compliance
- Insurance
- Intellectual Property
- International Trade and Customs
- Labor and Employment
- Litigation
- Mergers and Acquisitions
- Real Estate
- Tax
- Technology and Other Commercial Transactions

Select Experience

A representative list of matters in which our lawyers have advised Japanese companies and their U.S. and international subsidiaries includes the following:

M&A, Investment, and Divestiture Transactions

- Represented a U.S. subsidiary of a Japanese trading company in connection with its strategic acquisition of a U.S. sulfuric acid distributor.
- Represented two Japanese industrial companies in their auction sale of their U.S. joint venture for the manufacture and sale of crankshafts to a strategic buyer.
- Represented a Japanese industrial company in connection with its acquisition of the global operations of a European hydraulic products manufacturer.
- Represented a Japanese trading company in its investment in a Peruvian mining company.
- Represented a U.S. subsidiary of a Japanese trading company in its sale to a sovereign wealth fund of a U.S. subsidiary, a specialty finance firm that provides senior debt financing to life services and healthcare services companies.
- Represented a U.S. subsidiary of a Japanese trading company in its investment in a heavy equipment transportation marketplace service provider.
- Represented a U.S. subsidiary of a Japanese trading company in its establishment of a joint venture involving the joint venture's acquisition of the railcar axle machinery facilities and servicing operations of its joint venture partner.
- Represented a Japanese industrial company in its acquisition of a European molecular diagnostics company.

- Represented a market-leading Japanese snack and food corporate group in its acquisition of an innovative U.S. snack manufacturer.
- Represented a Japanese trading company in its acquisition of a U.S. beef packing company.
- Represented Japan's largest wireless telephone operator in its strategic investment in a spatial computing U.S. "unicorn" company and in a going-private cross-border tender offer transaction.
- Represented a Japanese pharmaceutical company in its acquisition of a clinical stage U.S. pharmaceutical company.
- Represented a Japanese industrial and technology company in its acquisitions of a U.S. company providing pharmaceutical, biopharmaceutical, and medical device analytical services and a U.S. aseptic contract manufacturer.
- Represented a Japanese industrial company in its acquisition of a U.S. manufacturer and distributor of pressure sensitive labels with operations throughout North America.
- Represented a Japanese auto manufacturer in its acquisition of the commercial finance businesses of a U.S. company.
- Represented the owner and chef of a premier Manhattan sushi restaurant chain, in his sale to a Japanese company.

Real Estate Transactions

- Represented a U.S. subsidiary of a Japanese trading company in connection with the establishment of and its investment in a closed-end private real estate investment fund.
- Represented a U.S. subsidiary of a Japanese industrial company in connection with site acquisition and development of a new processing plant.

- Represented a U.S. subsidiary of a Japanese general construction company in its investments in office buildings in the United States.

Patent, Technology, and Other Commercial Transactions

- Represented a Japanese trading company in a commercial transaction pursuant to which it secured exclusive marketing rights with respect to certain track-and-trace technology as applied to the metals industry.
- Represented a Japanese industrial company and its U.S. affiliate as complainants in the licensing/settlement aspects of an International Trade Commission (ITC) Section 337 investigation asserting infringement of certain client patents by the sale into the U.S. of certain sintered rare earth magnet products.
- Represented two Japanese industrial companies in the licensing/settlement aspects of an ITC Section 337 investigation involving DRAM and flash memory.
- Represented a Japanese industrial company in the licensing/settlement aspects of U.S. federal district court litigation related to a dispute involving disk drive spindle motors.
- Represented a Japanese industrial company in connection with a patent cross-license agreement with a U.S. company in settlement of all outstanding litigation in U.S. federal district courts involving patent infringement claims with respect to the parties' respective patent portfolios related to handheld bar code readers.
- Represented a Japanese semiconductor manufacturer in adversarial patent license negotiations with a U.S. company with respect to a portfolio of semiconductor memory and "fast" logic patents.

- Represented a U.S. subsidiary of a Japanese semiconductor equipment manufacturing company in connection with a technology license and joint development agreement and related distribution agreement with a U.S. company having intellectual property rights in certain fixed frequency microwave technology. Represented the same client in a number of other commercial transactions, including a series of long-term supply agreements with U.S. semiconductor manufacturers.
- Represented a Japanese industrial and technology company in its agreement granting a major U.S. pharmaceutical company exclusive worldwide rights for the development and commercialization of its investigational siRNA molecules.

Commercial Litigation

- Defended a U.S. subsidiary of a global Japanese company in a significant federal contempt trial stemming from alleged violations of the court's prior permanent injunction against the company.
- Represented a Japanese company and its related entities in responding to various third-party subpoenas issued in various litigation in the United States.
- Represented a subsidiary of a Japanese company regarding disputes with a product manufacturer in Bolivia.
- Represented the bioceuticals subsidiary of a Japanese company regarding marketing and licensing issues.
- Represented an energy subsidiary of a Japanese company in disputes with governmental bodies regarding product pipelines and regulatory compliance issues.

- Represented a Japanese subsidiary in various Equal Employment Opportunity Commission and employment, non-compete, and trade secrets related lawsuits and issues.
- Represented the U.S. subsidiary of a Japanese consumer products company in various litigations related to the distribution of its products in the United States, from warranty coverage and products liability to commercial disputes with particular distributors and dealers.

Antitrust and Trade Regulation Litigation and Counseling

- Represented and defended a Japanese parent company and its U.S. subsidiary auto parts supplier in connection with a Department of Justice investigation of alleged price fixing and market allocation claims and follow-on private class action and state attorney general litigations.
- Represented and defended a global Japanese corporation in a major trade secret/unfair competition case brought by a direct competitor.
- Represented and counseled the U.S. subsidiary of a Japanese consumer products company with respect to antitrust issues implicated by licensing, pricing, and distribution practices, as well as proposed joint ventures and other business combinations.
- Designated as the “go-to” firm by a global company based in Japan for “dawn raid” (unannounced investigations or raids) events by local, state, or federal governmental enforcement agencies, including interfacing with such entities, internal investigations, responding to press inquiries, reputational issues, minimizing business interruptions, and handling any legal challenge to the raid itself. Dawn raids have increased in frequency as a government enforcement and investigation tactic since 2022.

- Represented and counseled Japanese international consumer electronics supplier with respect to authorized dealer programs and pricing and distribution practices in the United States, including distribution restraints, minimum and maximum resale price maintenance, MAP programs, and Robinson-Patman compliance.
- Advise Japanese companies in a wide variety of consumer-facing markets with respect to compliance with U.S. and state consumer data privacy statutes and regulation.