

They (JunHe) understand regulations and laws very well, and know how to apply and fits those into the business context.

—Chambers Asia-Pacific 2021

## Advertising

**China has the second largest advertising market in the world, after the US. With the rapid development of technologies and legal regulatory frameworks, myriad opportunities as well as challenges have occurred. With the emergence of new media such as the mobile internet, social networks, we-media and video portals, and the increasingly mature and diversified e-commerce model, communication advertising and advertising business models have become increasingly diversified. And with the official implementation of the revised Advertising Law on September 1, 2015, stricter regulations have been imposed on the advertising contents and advertising acts. These changes pose challenges to the legal and compliance operation of the advertising industry.**

JunHe's advertising law team consists of more than 20 partners and lawyers from its different offices. Our areas of practice cover legal services that are most needed in the advertising industry, including contract services, compliance investigation, intellectual property rights, investment and financing, tax law and dispute resolution. The market regulatory authorities have strengthened regulations in the advertising industry, and our team is able to provide practical and efficient support to internal compliance investigations and responses to emergency administrative inspections. Our clients include many multi-national advertising groups, as well as large numbers of advertising companies in the areas of creative design, media, public relations and social media, as well as various online and offline integrated marketing companies.

### Core Areas of Practice

The establishment, change and deregistration of advertising companies.

- Drafting and reviewing business contracts, such as advertising business contracts (advertising design/producing contracts, advertising release contracts, marketing planning contracts, advertising endorsement contracts, advertising agency agreements), purchase contracts, sales contracts, cooperation agreements, service agreements, confidentiality agreements and other legal documents.
- Rendering legal advice on issues concerning intellectual property rights, labor, tax, and environmental protection issues encountered by clients in their daily business operations.
- Corporate compliance and governance, including formulation and training in respect to advertising law, anti-commercial bribery, anti-unfair competition, anti-trust, enterprise data security and privacy, as well as other relevant policies.
- Assisting clients in internal investigations on compliance matters.

JunHe, founded in Beijing in 1989, is one of the first private partnership law firms in China. Since its establishment, JunHe has grown to be one of the largest and most recognized Chinese law firms. The firm has thirteen offices around the world and a team comprised of more than 930 professionals, including over 260 partners and legal counsel, as well as over 670 associates and legal translators.



## (JunHe) Also houses a capable offering in media and entertainment law.

—Chambers Asia-Pacific 2021

- Assisting clients in response to investigation, inspection or punishment by government authorities, including representing them to make a defense, and assisting clients to communicate with government authorities, formulate and implement emergency preparedness plans.
- Application and registration, transfer and license of intellectual properties, assistance in the establishment of intellectual property rights protection systems, investigation of IP infringement and remedies thereof, as well as IP-related litigations.
- Merger, acquisition and reorganization of advertising companies, including the design of transaction structures and process, due diligence investigations, drafting and reviewing transaction documents, and assistance in the negotiation and closing.
- Private equity investment, including the establishment of private equity funds and fund raising, investment in private equity funds, investment by private equity funds in advertising companies, and exit from investments.

### Selected Deals

#### **Investments, M&A and general corporate law services for a world-famous advertising group in China**

JunHe has been representing an advertising group ranked top five in the world to provide legal support in respect to all its investments and M&A projects in China. In addition, JunHe has also provided general corporate services to many creative, media and PR companies under the group. Our services include without limitation the design of transaction structures, due diligence investigation, contract services, compliance investigation, intellectual property rights, investment and financing, tax law advice and dispute resolution.

#### **Business reorganization of a world-famous advertising group in China**

In 2017, JunHe represented a globally renowned advertising group in respect to its extension of the duration of its operation and the restructuring of its joint venture in China. The services JunHe provided included but were not limited to legal due diligence investigation, design of transaction structure, negotiation and advice on the relevant approval registration process.

#### **Response to a government investigation**

In 2016, JunHe represented a well-known advertising company in respect to an allegation by a government authority regarding the advertising language existed in a section of a TV commercial released by an advertiser. The services provided by JunHe included but were not limited to legal analysis, the design of counter measures, and assisting the clients to negotiate and communicate with the authority.

#### **Reorganization, private financing and equity incentive project of an advertising transaction platform**

From 2016 to 2018, JunHe represented a well-known advertising transaction platform and provided legal support for its angel round investment, domestic and overseas structuring and reorganization, as well as Round A financing, and was fully responsible for the structuring and documentation of its equity incentive plan.