

Our Japan practice





Mallesons' Japan practice has long been assisting clients on cross-border transactions involving the strategically important Japanese market. We are able to draw on our extensive experience in a wide range of Japan-related matters through our international network.

Our Japan practice brings together a multidisciplinary team of lawyers who are knowledgeable about advising as international counsel on Japan matters, have Japanese language skills and are market leaders in their expertise. The team includes 20 partners and is backed by a 900 lawyer platform based across our offices in Asia, Australia and Europe.

We have a strong client base of internationally-known Japanese financial institutions and corporations, and are continually working with them to expand their business in Asia and Australia.

We also regularly advise foreign and multinational clients on their business activities in Japan.

Having advised companies across a diverse range of industries, we are able to provide our clients with multi-disciplinary advice backed by knowledge of their business and industry.

As international counsel we offer a full service commercial capability covering the areas of:

- corporate and commercial (including joint ventures, private equity and foreign direct investment)
- mergers and acquisitions
- banking and finance
- capital markets
- climate change and clean energy
- competition/anti-trust
- international arbitration
- investment funds
- projects, construction and environment
- telecommunications, media and technology.



Why Mallesons?

Track record

- We have an established track record for inbound and outbound work involving Japan, and have worked on the region's most important transactions. We have a proven ability to manage and execute cross-border matters to a high standard and on time.
- We tailor our legal services to the different needs and business objectives of our clients ranging from Japanese companies looking to expand in Asia and Australia to foreign clients with established operations in Japan.

Familiarity with Japan

- Our experience has given us a strong and in-depth understanding of Japan's unique legal and business environment.
- We have the necessary language skills and the ability to anticipate issues and have solutions that are specific to Japanese businesses.
- We are in tune with the latest market practice and cutting-edge legal structures. We also closely monitor regulatory and market developments in Japan to assist our clients to manage their future risks.

Local law firm relationships

- We have established good working and referral relationships in Japan and have considerable experience in instructing top domestic law firms and leading legal experts across a wide range of areas.
- Our approach ensures that our clients have access to the best people and best advice for their Japan-related transactions. We combine our cross-border expertise and client corporate knowledge with local counsel's expertise and connections to offer an integrated service.

Efficient and effective project management

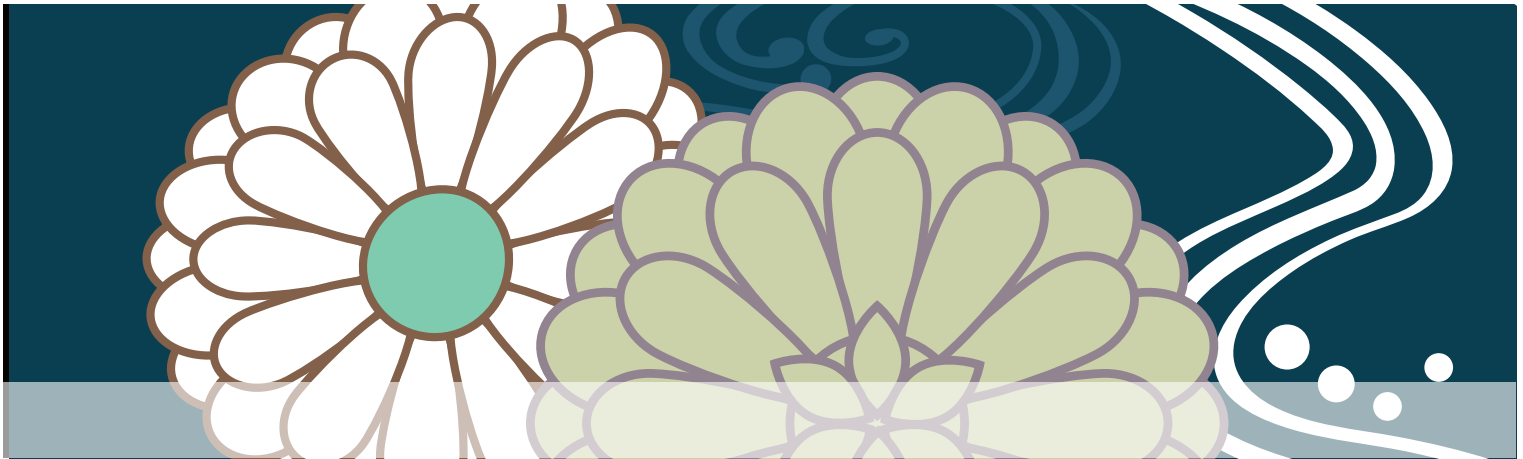
- As international/transactional counsel on cross-border transactions, we take the lead in project management to ensure that the transaction is conducted to a high standard. We provide a one-stop-shop for centralising multi-jurisdictional advice and managing local counsel efficiently.
- We have the resources to deliver cost-effective project management and handle complex matters.
- We invest significantly in technology and can pass the advantages of that investment onto you to deliver legal services quickly and efficiently.

Our experience

Our team's experience is wide ranging and includes advising:

Client	Transaction
<i>Corporate and Commercial</i>	
Newell Rubbermaid	Hong Kong aspects of its acquisition of the assets of Japanese company Aprica.
Nikko Principal Investments	Acquisition of ANZ's Esanda Fleet Leasing business in Australia and New Zealand.
Nippon Sheet Glass	Australian aspects of Nippon Sheet Glass Co Ltd's cash acquisition of the major British glass maker, Pilkington Plc.
Takeda Pharmaceutical	Acquisition of a minority strategic stake in Patrys Pty Ltd an oncology research and development startup.
<i>Banking and Finance</i>	
Bank of Tokyo-Mitsubishi UFJ Ltd	Financing of credit card receivables originated by AEON Credit Service (Asia) Co., Ltd.
Nomura Australia Limited	Assisting with ASFL exemptions and variation of licence.
<i>Capital Markets</i>	
International investment bank	English law governed fundraising in the structured debt capital markets.
Mitsubishi UFJ Securities (HK) Capital, Limited and The Bank of Tokyo Mitsubishi Ltd	CITIC Pacific Finance Limited's issue under Regulation S of ¥8.1 billion (US\$70 million) Guaranteed Floating Rate Notes due 2005.
<i>Climate Change and Clean Energy</i>	
International investment bank	Advice on co-operation with a Japanese bank for the sale of carbon credits into the Japanese market.
<i>Competition/Antitrust</i>	
Mitsui & Co	Advised the consortium comprising International Power and Mitsui & Co on the Australian competition issues relating to its successful acquisition of the international generation portfolio of Edison Mission Energy.
Mitsui, Nippon and Sumitomo	Applications by Fortescue Metals Group for declaration of services provided by the Hamersley Iron rail network and the Robe River rail line under Part IIIA of the Trade Practices Act in Australia.
<i>Dispute Resolution</i>	
Japanese contractor	Termination dispute with a concessionaire on a large transportation infrastructure project based in Bangkok.
Japanese-Taiwanese consortium	Taiwan high speed railway dispute, one of the first combined conciliation and adjudication proceedings in the world.
Mitsui, Nippon and Sumitomo	Settlement of dispute in relation to the Robe River Joint Venture including the formation of the Pilbara Rail Company joint venture.
Obayashi Corporation	Disputes as part of the Transfield Obayashi Joint Venture on the Melbourne City Link Project.

<i>Infrastructure Energy and Resources</i>	
BHP Billiton	Joint venture with Japan JFE Corporation (a merged entity of Kawasaki Steel Corporation and NKK).
BHP Billiton and Mitsubishi	Joint venture acquisition of QCT Resources and the South Blackwater coal mine.
Coal & Allied Industries	Acquisition of a joint venture interest with Mitsubishi Development in the Howick/Oakland coal joint venture.
Mitsubishi and Murchison Joint Venture	Establishment of an incorporated mining joint venture and separate unincorporated rail and port infrastructure joint ventures with Murchison Metals Ltd.
Mitsui	US\$464.5 million acquisition from Woodside of a 40% interest in the Enfield oil project off the Exmouth coast and the nearby Vincent and Laverda discoveries and offshore exploration acreage.
Mitsui, Nippon and Sumitomo	Advising Mitsui Iron Ore Development and the other Japanese participants in the Robe River Joint Venture in relation to iron ore infrastructure sharing and blending arrangements.
Novus	Sale of a strategic interest to Mitsui Group.
Xstrata	Acquisition of MIM and two parallel sales to Japanese joint venturers.
<i>Intellectual Property and Technology</i>	
Confidential client	Investigating patent certificate issues in the regulatory framework of drug approval.
Japanese patent agents	Australian patent applications from representatives of Japanese clients.
Major financial company (acting for seller)	Drafting and negotiating a transitional services agreement to provide ongoing telecommunications, systems and software services to the buyer.
<i>Investment Funds</i>	
International investment bank	Acquisition of J-REP, a Japanese logistics property business through its Asian joint venture.
International investment bank	Acquisition of two industrial properties in Japan through a fund structure.
International investment bank	Proposed Australian REIT of Japanese assets which became a wholesale fund.
<i>Real Estate</i>	
Barclays Capital	Risk assessment, advice and documents for the leasing of Tokyo premises as part of Asia Facilities Risk Management System.
<i>Telecommunications</i>	
Telstra	Australia to Japan fibre optic cabling project - planning and environmental approvals and negotiations of the project agreement between Japanese and Australian JV participants.



How do we get started?

We are keen to help you develop your business in Japan and elsewhere in the region. Please contact us with any questions that you may have. We look forward to fulfilling your requirements and exceeding your expectations.

For partner profiles and further information refer to our people at www.mallesons.com

Alan Murray

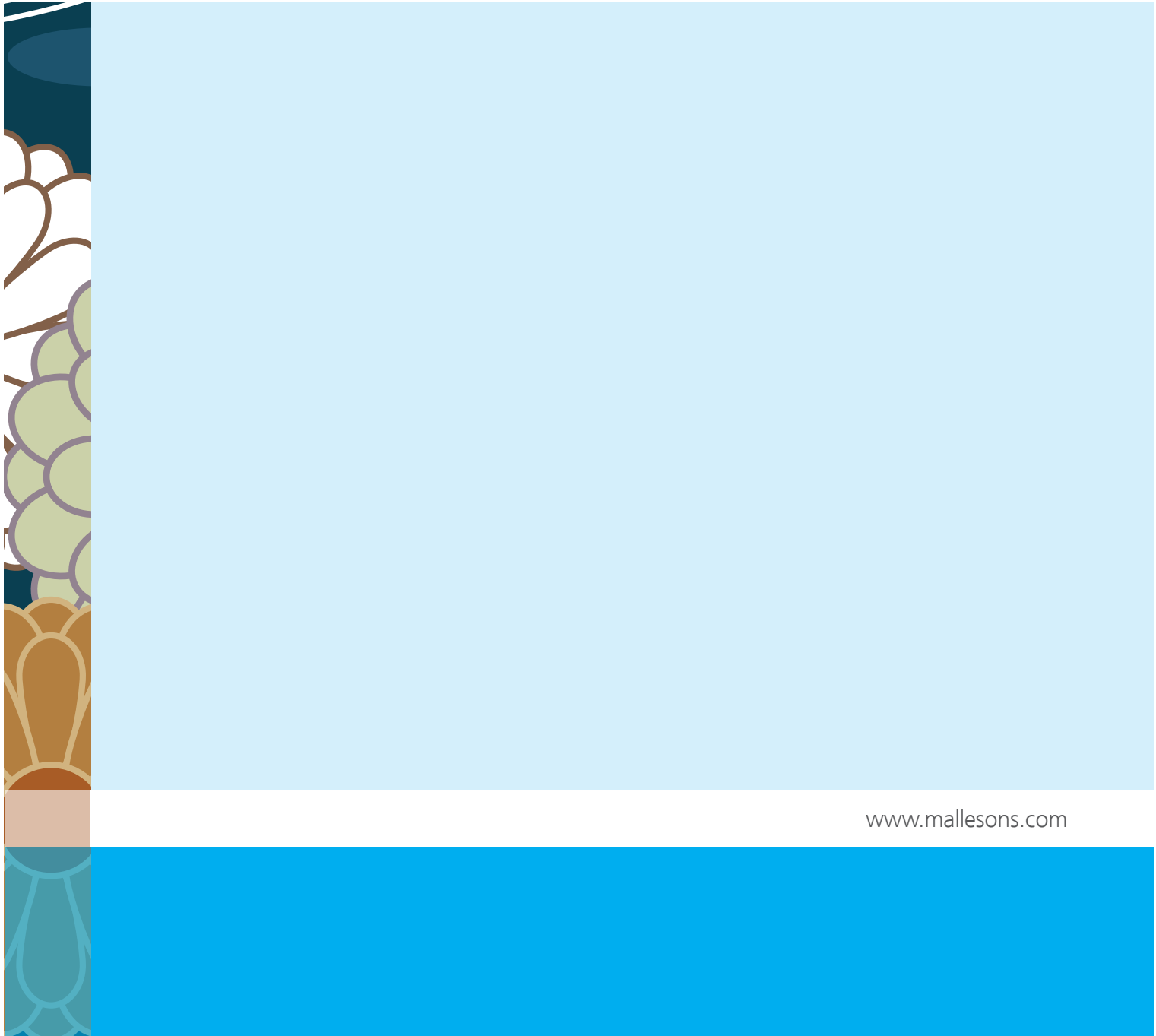
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